

Trust 3

Takashi Inoguchi
Lien Thi Quynh Le

The Development of Global Legislative Politics

Rousseau and Locke Writ Global



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Trust: Interdisciplinary Perspectives

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Takashi Inoguchi
Institute of Asian Cultures
J.F. Oberlin University
Tokyo, Japan

Lien Thi Quynh Le
College of Economics
Hue University
Hue, Vietnam

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Endorsements

Profs. Inoguchi and Le’s book is not only innovative, informative and path-breaking, but they are also addressing the need for a world government – an issue that is gaining traction by the day. Very wisely, the authors anchor their propositions in the theories of Rousseau and Locke. From that start point, they check to what extent the conditions that were present when they developed their ideas, are somehow evolving today in a similar manner.

—Miguel E Basáñez, Professor of Values, Cultures and Development, the Fletcher School, Tufts University

The surging revolutions of digitalization and globalization over the past three decades have led to the fundamental transformation of global politics. Takashi Inoguchi and Lien T.Q. Le develop a new theoretical paradigm of global politics that links shifts in citizens’ value preferences to those in their states’ participation in multilateral treaties. Their highly innovative qualitative and quantitative analyses of multinational polls and multilateral treaties offer invaluable contributions to the study of global politics. Anyone who is concerned about the future of increasingly contentious global politics should read this brisk volume.

—Doh Chull Shin, Jack W. Peltason Scholar in Residence, Center for the Study of Democracy, University of California, Irvine

Inoguchi and Le have developed a genuinely original perspective on world politics, one that opens up a new research agenda for thinking about state and global actors simultaneously. Global problem-solving in the 21st century may well require global legislative processes without global government.

—Anne-Marie Slaughter, Bert G. Kerstetter ‘66 University Professor Emerita of Politics and International Affairs, Princeton University

Few books touch the intellectual and spiritual life of people as much as does “Trust– Interdisciplinary Perspectives.” This is a remarkably rich book which warrants a broad range of highly critical readers. This is one of those books that war-

rants a global readership given its emphasis on the implied trust that we invest in public institutions as viewed from an interdisciplinary perspective. This is an issue of critical assessment for all of us in leadership positions of promoting high levels of trust at all levels of social, political, economic, and social organization. This book belongs on the shelves of every serious thinker.

—Richard J. Estes, Professor of Social Policy & Practice, University of Pennsylvania, Philadelphia, Pennsylvania

The Inoguchi and Le book is innovative and distinctive in carving out a new way to look at “global legislative politics.” I do not know of anything that compares in this interesting and novel niche of international relations analysis.

—William R. Thompson, Distinguished Professor and Rogers Chair of Political Science Emeritus, Indiana University

Inoguchi and Le offer a fresh answer to the puzzle of what some have called the ‘increasing normativization’ of the international system since World War II, a process which has accelerated since the 1970s. While some have attributed this growth of international normative commitments among states to ideological change among elites or to the needs of globalization, the authors instead link the proliferation of international treaties to broad changes in the values adhered to by global publics. This is an original and stimulating hypothesis, which they support with a range of ingenious empirical tests.

—Andrew J. Nathan, Class of 1919 Professor of Political Science, Columbia University

Preface

The theory of global legislative politics is an attempt to carry out a “perspective revolution” (Zakaria 1997, cited in Funabashi 2019, p.227) in the study of global politics. Not only does it look at global politics from an unusual angle but also generate an entirely new bundle of data and analyze it with an empirical and scientific spirit. The orthodox Westphalian theory of international relations is constructed by its primordial actors, i.e., sovereign states, and two major sources of power, i.e., might and wealth. The Cold War theory of international relations has added ideology as the third major source as the Cold War period was characterized by the division between capitalist democracy and communist dictatorship. After the Cold War, two new ideologies claimed as the only game in town: democracy (Fukuyama 1992) and civilization (Huntington 1997), as key sources of power of sovereign states. During the thirty years of crisis (1989–2019), these two kinds of claimants receded to some extent as digitalized globalization has transformed the configuration of the world map in terms of might and wealth, while the third ideological sources of power have been inadvertently dizzied and muzzled with democracy being contaminated by the rise of illiberal democracy and with civilization being conflated by ethnic and religious factors. Here, the newcomer called global legislative politics can be claimed as a new “perspective revolutionary” of a sort in that rather than thinking about the power sources of sovereign states, this theory formulates state interactions as a bundle of global quasi-social contracts while it analyzes state participation in multilateral treaties as the outcomes of the global quasi-legislative behavior of sovereign states. This fresh and unusual perspective sheds new lights on post-Cold War global politics, focusing on speed, angle, and strategy adopted by sovereign states’ decision on joining or not joining multilateral treaties to reveal varying types of engagement, both internal and external, of sovereign states.

This study is the first systematic and scientific study of global quasi-legislation with a global scope, taking into account individual values and opinions. In the seventeenth to eighteenth centuries, an era of preindustrial revolution, neither Jean-Jacques Rousseau nor John Locke could have anticipated digitalized globalization. Yet this key feature of the twenty-first century (especially the Internet and transnational organizations) illustrates how relevant Rousseau's and Locke's social contract theories are in the realm of global politics. Considering public opinion and multilateral agreements as the international equivalent to national elections and passing laws on the national scale and extending nation-state concepts to a global society, we analyze citizens' preferences, as measured in the 2005–2009 World Values Survey of 93 states, alongside states' willingness to enter into 120 multilateral treaties. By finding some links between these two data sets, in Part I, we take the first step toward conceptualizing quasi-legislative global politics as a bundle of global quasi-social contracts. In Part II, we examine how each of the 193 states manifests its quasi-legislative behavior by factor-analyzing six instrumental variables including the treaty participation index and six policy domains of multilateral treaties, i.e., (a) peace and disarmament; (b) trade, commerce, and communication; (c) human rights; (d) intellectual property; (e) environment; and (f) labor, health, and safety, and modified Welzel world regional groups. The yielded dimensions of behavior relate to a sovereign state's speed, angle, and strategy. Global quasi-legislative behavior differs from country to country. Thus, a study on participation in multilateral treaties is conceptualized from a combined consideration of the joiner's foreign policy and transnational policy. In Part III, we deal with the characterization of global politics during the 30-year period (crisis of 1989–2019) from which the following three theories of global politics were born: theory of power transition, theory of civilizational clash, and theory of global legislative politics. After conducting conceptual and empirical examinations to rethink the three theories, this study concludes that the theory of global legislative politics is politics on the basis of an awareness that this world constitutes the global common goods in which the entire world could aspire to and abide by safely with mutual gains and losses.

This book introduces the perspective revolution in empirical international relations research, asking the question whether those ideas of social contract of Jean-Jacques Rousseau's and John Locke's can be writ global. To answer the question, three tasks are carried out. First, Chaps. 2, 3, 4, and 5 deploy the concept of global quasi-social contracts and produce the good results of conceptualizing global social contract as a bundle of global quasi-legislative behavior by sovereign states and verifying the rough convergence between global citizens' preference about value orientation and sovereign states' orientation in participating in multilateral treaties. The limitation of citizens' preference data and the problem of matching data on citizens' value orientation and states' treaty orientation on top of the insufficient articulations of social contract by the two philosophers at times of preindustrial revolution

and pre-digitalized globalization make the results less than definitive. Thus, this book begins as a metaphor and ends as one strident step forward in empirical analysis but short of empirical verification. Much remains to be explored in the study of complex systems (Hidalgo 2016). Second, Chaps. 6, 7, and 8 deploy the concept of global quasi-legislative behavior and produce an innovative typology of sovereign states' participation in multilateral treaties on the basis of multilateral treaties since 1945 up to 2014. The modes of and attributes to sovereign states' joining multilateral treaties, i.e., six instrumental variables (year of membership, year of deposit, number of current members, treaty participation index, modified Welzel regional group, policy domain), are factor-analyzed, yielding three dimensions of speed, angle, and strategy. On the basis of eight combinations of the three dimensions, eight types of sovereign states' quasi-legislative behavior are mapped, first, globally, and, second, regionally, focusing on 27 Asian states; in Chap. 8, joining or not joining multilateral treaties represents sovereign states' calculi of global politics or global statecraft. Third, in order to show this volume is a product of perspective revolution in the context of post-Cold War global politics, Chaps. 10, 11, 12, and 13 compare and contrast three theories of post-Cold War global politics: the theories of power transition, of civilizational conflict, and of global legislative politics. The theory of power transition as represented by Robert Gilpin (1983) with a focus on hegemonic leadership in relation to war is critiqued in reference to Inoguchi (2010) with emphasis on vulnerability in relation to power exercise. The theory of civilizational conflict as represented by Samuel Huntington (1997) is critiqued in reference to Collet/Inoguchi (2012), focusing on Huntington's four hypotheses empirically tested using the Asia Barometer Survey data. The theory of global legislative politics comes out of our perspective revolution in empirical international relations research in which might, wealth, and ideology are most likely to be key three factors of state's power sources. The theory of global legislative politics differs from most others in a most pronounced way as far as empirical international research is concerned. The theory of power transition focuses on power sources without adequate attention to vulnerability in association with exercise of power. The theory of civilizational conflict emphasizes civilizational differences in adversarial manifestations without adequately placing civilizational clash in complex contexts. The theory of global legislative politics takes up what has been hithertofore rarely taken up for empirical, systematic, and scientific examinations. In this theory, global statecraft is focused, and agreement is the key concept.

Summarizing, this book sheds fresh light on the transformative nature of multilateral treaties as a bundle of global quasi-social contracts not only for researchers and students of political philosophy, international law, and international relations but also for practitioners of all walks of life.

Keywords Global social contract, Global legislative politics, Global quasi-legislative behavior, A bundle of global quasi-social contracts, Jean-Jacques Rousseau, John Locke, Direct democracy, Representative democracy, Theory of power transition, Theory of civilizational conflict, Theory of global legislative politics

Tokyo, Japan
Hue, Vietnam

Takashi Inoguchi
Lien Thi Quynh Le

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Introduction

In the midst of World War I, in which Russia—under the leadership of Alexander Kerensky—fought against Germany, Leon Trotsky called for “neither war nor peace,” meaning that the first priority should not be to fight against Germany but rather to fight against Kerensky’s pro-war continuation policy. Throughout most of the twentieth century, international politics focused on the question of war and peace. Once disputes between nations proved unresolvable through negotiations, this question semiautomatically arose. It seemed that only by resorting to war can one hope to settle disputes among nations. Today, 100 years after Leon Trotsky uttered his famous call for revolution against pro-war policy continuation, wars among sovereign states have dramatically decreased. Glancing at the number of war-related deaths among soldiers, barring civilians, per annum for the World War II period, the Cold War period, and the post-Cold War period, this statistic has dropped by 5 million (each year between 1938 and 1945), 100,000 (each year between 1945 and 1989), and 10,000 (each year between 1989 and 2018). This significant decline shows how war as a human activity has become *rara avis* (Pinker 2018, Ch 4, note 17, Pinker 2011; Mueller 1989, 2004; Levy and Thompson 2011; Goldstein 2011).

Immediately after the end of the Cold War, Francis Fukuyama published *The End of History and the Last Man* (1992) in which he argued that once ideological confrontation between democracy and communism ended in favor of democracy, one had to be on the lookout for many kinds of fundamentalism, such as international terrorism, that could jeopardize the long-term survival of democracy. A year later, Jean-Marie Guéhenno published *La fin de la démocratie* (1993) in which he argued that the growing tide of globalization—constructed on the shoulders of the nation-state—could jeopardize democracy’s survival and that *la démocratie sans frontières* may not be easily sustained. Both authors predicted a changed democracy in that beyond the mostly nationally nurtured democratic theory and practice, there could emerge transnational forces and structures that could metamorphose democratic institutions in one way or another (Cf. Held and Maffettone 2019).

Indeed, after the Cold War, the number of democracies increased dramatically to 120 out of 193 United Nations (UN) member states. In a large number of UN member states, the legislative branch now functions to channel citizen preferences into government public policy. One may argue that only in democracies can one talk about how public opinion can transform into legislative action and that many other social forces than public opinion exert influence on legislation. We consider the simplified focus on public opinion and legislation: public opinion is perceived as an input from those governed to those governing, whereas legislation is viewed as the set of decisions of those governing. Such states are the evolutionary variants of representative democracy that John Locke envisaged in 1689 (Locke 1993). By the end of the twentieth century, representative democracy's variants had spread all over the world. Similarly, after the invention of the World Wide Web in 1991, the galloping tide of digitalization has changed global citizens' lives and institutions by leaps and bounds, resulting in the worldwide growth of the direct democracy envisioned by Jean-Jacques Rousseau in 1762 (Rousseau 1968). Public opinion polls have been so frequently and so densely conducted all over the world that global citizens' preferences are widely and instantaneously known in the world. What Rousseau thought was the sphere of his envisioned world only went as far as Poland and Corsica. Now, the entire globe is instantaneously connected. Ergo, the fertile ground for direct democracy is more or less ready.

Having discovered this evolving reality of human life, we have attempted to determine whether Rousseau's and Locke's ideas can be tested empirically. Two data sets used for this attempt are the "World Values Survey" by Ronald Inglehart and his associates and the "Multilateral Treaties Survey" by Lien T. Q. Le and Takashi Inoguchi. The former deals with global citizens' values and norms, whereas the latter deals with UN multilateral treaties. Based on the results of a systematic and empirical analysis of these two data sets, we argue that rather than concentrating on power competition and ranking and rather than focusing attention on culture, religion, and race in an adversarial way, the world should spend more thinking about consensus, compassion, and their application in better constructing our increasingly digitally globalized international and transnational politics.

This book consists of three parts: Part I, Global Social Contract; Part II, Global Quasi-legislative Behavior; and Part III, Three Varieties of Global Politics After the Cold War. The first part describes how we became interested in multilateral treaties. Two macro-trends of human history, i.e., the drastic decline of war-related deaths and the dramatic permeation of digitalized globalization, have inspired us (IISS 2015; Inoguchi 2015). First, war-related deaths among soldiers have dropped dramatically from previous periods in the history of the civilized world. Second, digitalized globalization has dramatically changed the human diffusion of ideas and emotions in terms of the instantaneous speed and breadth in which content can reach people across the globe. These two phenomenal changes have grown steadily since the late twentieth century. Cognizance of these two phenomena has led us to think about whether two social contract theories by Rousseau and Locke, propounded in the seventeenth and eighteenth centuries, might be remodeled to encom-

pass the world's human population in its entirety. In other words, it might be feasible to think that Rousseau and Locke *can be writ global*.

In Rousseau's direct democratic idea of social contract, he set a clear civilizational limit not to include Corsica and Poland, while in Locke's representative democratic idea of social contract, he excluded those without status and piety (as these attributes make up the dual sovereignty prerequisites for his social contract idea). In other words, Rousseau's and Locke's ideas of democracy can be writ global given the pervasive and instantaneous conditions of democratic information diffusion. This part examines and empirically tests Rousseau's and Locke's social contract ideas against the late twentieth-century and early twenty-first-century world. It is noted that multilateral treaties rest first on sovereign states' ability to aggregate and reflect citizens' preference in values and norms and to join multilateral treaties that are in sync with their national citizens' preferences as well as with global preferences expressed in these multilateral treaties. In the empirical testing that we conducted, the ability of a state to reflect its citizens' preferences is based on relevant analytical results from Christian Welzel's latest work from the "World Values Survey" (Welzel 2013), whereas the sovereign states' multilateral treaties participation is based on the "Multilateral Treaties Survey" (Le/Mikami/Inoguchi 2014; Inoguchi/Le 2016). More specifically, the multilateral treaty participation of sovereign states is based on relevant analytical results of six instrumental variables associated with the pattern of sovereign states' actions on multilateral treaties participation. Broad convergence between a state's ability to reflect citizen preference and ability to join multilateral treaties in sync with that preference is shown as one strident step forward in empirical analysis.

In Part I, our argument does not go so far as to strictly verify that Rousseau's and Locke's social contract theories statistically. Rousseau's world was limited so much geo-culturally to such a great extent as to exclude Corsica and Poland from his civilized world. Today's world is clearly beyond his notions of geography, culture, and technology. Locke's world was limited by two terms: status and piety (Kato 2018 and Waldron 2002)). Those without status and piety are not targeted by Locke's representative democracy.

In Part II, given that sovereign states' participation in multilateral treaties is closely tied to both citizens' preferences and sovereign states' calculus of national and global interest to be joiners of multilateral treaties, we conceptualize sovereign state actions as *global quasi-legislative behavior*, each national set of which can be called external legislative policy. This part examines how sovereign states act when confronted by the legislative possibility of multilateral treaties and presents how they differ when they join treaties in terms of speed, angle, and strategy—when they sign, when they ratify, when they join in view of participatory trends, and to which policy domain (i.e., labor and health, human rights, communications and commerce, the environment, peace and disarmament, intellectual property) of multilateral treaties they choose to belong. Three dimensions of sovereign states' treaty behavior are then presented with spatial locations of sovereign states and their ten geo-historico-religious groups, first devised by Welzel.

On the basis of the three dimensions of sovereign states' *global quasi-legislative behavior*, statistically derived from their modes of participation in multilateral treaties, we develop an evidenced-based typology. Eight types of *global quasi-legislative behavior*—observed in Brazil, Iran, Sweden, New Zealand, Slovakia, South Korea, Nigeria, and Uzbekistan—are presented, and their characteristics are described. In addition, based on this typology, the *global quasi-legislative behavior* of 27 Asian sovereign states is analyzed. In Part II, we argue that the bundle of six instrumental variables (year of membership, year of deposit, number of current members, treaty participation index, ten modified Welzel's regional groups, and six policy domains) represents key aspects and attributes of the *global quasi-legislative behavior* of the 193 states examined in this book. To theoretically further enhance the concept of *global quasi-legislative behavior*, we use the old-fashioned argument by Georg Simmel that the form of interactions (communication style) is different from the content of interactions (communication message) and that the form of interactions, when assembled and accumulated, creates society. He uses the word *Vergesellschaftung* in German or sociation in English (Simmel 1950). In the context of our research, sovereign states' participation in multilateral treaties can be understood as the forms of interactions via multilateral treaties among sovereign states. Our argument a la Simmel (1950), a sociologist, is that the forms of interactions among sovereign states via participation in multilateral treaties generates society through participation in multilateral treaties in terms of modes and attributes. Our argument a la Hidalgo (2016), a physics-trained complex system analyst, is that “what makes our planet special is not that it is a singularity of matter, or information. Our planet is to inform what a black hole is to matter and what a star is to energy—(T)he mechanisms that help information win small battles, prevailing stoically in our universe's only true war: the war between order and disorder; between entropy and information” (Hidalgo 2016, p.x). One might argue that the correlations among the six quantitative and qualitative variables need to be statistically tested to see their significance, which we will do later in Chap. 5. Our argument is that this book is of the first of its kind and that the initial hunch-cum-hypothesis about global quasi-legislative behavior can be further elaborated in terms of data and methods as well as concepts on the basis of this work.

In Part III (authored solely by Takashi Inoguchi), in order to position this attempt in the broad context of post-Cold War international relations research, we compare and contrast three hypotheses of post-Cold War politics: theory of power transition, theory of civilizational conflict, and theory of global legislative politics. Part III proposes a theory of multilateral agreement in view of the difficulties these dominant theories encounter in explaining some aspects of international relations in a post-Cold War world: the theory of power transition and the theory of civilizational clash. Chapter 10 presents how three broad frameworks were used to assess and understand the post-Cold War world (Inoguchi 1999). Chapters 11 and 12 present the author's take on the theory of power transition and theory of civilizational clash, respectively. Inoguchi's criticism of these two theories is that while the theory of power transition is preoccupied with power ranking, leading powers' contestation, and power alternation, it has difficulty accounting for key phenomena in post-Cold

War politics (Inoguchi 2010) and that while the theory of civilizational conflict is preoccupied with the sharp distinction between “us” and “them” in terms of conventional religious-cum-racial fault lines, it also has difficulty accounting for key phenomena in post-Cold War politics (Collet and Inoguchi 2012). Chapter 13 is a culmination of thought and analysis based on Parts I and II and on the critiquing of the two major streams of thinking that prevailed in the fourth quarter of the last century and the first quarter of this century. In Part III, we argue that the thrust of this book becomes clearer and sharper if we compare and contrast some of those theories highlighted before and after 1989, i.e., the theory of power transition, the theory of civilizational conflict, and the theory of global legislative politics.

With Part I, Part II, and Part III developed step-by-step, we argue that perhaps an orthodox and yet old-fashioned approach to global politics—namely, the Westphalian approach that primarily focuses on might, wealth, and ideology—should be replaced by more polished and elaborate schemes and indicators of sovereign states’ external engagements, referred to as participation in multilateral treaties, to deal with global conundrums such as peace and disarmament, human rights, health and labor, intellectual property, the environment, and trade and communications, particularly during the new millennium, when sovereign states struggle and survive in the fast-changing digitalized globalization.

Methodological Note

This note is for those interested in the methodological aspects of this study. Since the book is organized along the concepts used, i.e., *a bundle of global quasi-social contracts* and *global quasi-legislative behavior* (Parts I and II), the methodological steps that were adopted are not necessarily presented in an orderly description in the main text. This note serves this purpose.

- (1) The perspective adopted in this study is unconventional in mainstream empirical international relations research (e.g., Thompson 2018). It is unconventional in the sense that multilateral treaties are the key data sources for analysis and argument. War occurrence, alliance formation, and diplomatic negotiation are among the most frequently analyzed subjects, while treaties, agreements, and conventions are often left for consideration by international law specialists, academics, and practitioners, who mostly deal with them on a case-by-case basis.
- (2) The data sources of this study cover roughly one extended twentieth century for multilateral treaties and roughly three quarters of a century for cross-national opinion polls. The study covers 193 sovereign states. The global citizens of those countries covered by this study constitute 90% of the world’s population (Inglehart 2018, p. xviii).
- (3) The initial hunch-cum-hypothesis of this study comes from Jean-Jacques Rousseau and John Locke who left their works written mostly in the seventeenth and eighteenth century in Western Europe. The key argument of this

study is that Rousseauesque and Lockean ideas of democracy can be writ global. The two conditions attached to the hypothesis are as follows:

- (a) Those scientific and technological breakthroughs achieved in the last quarter of the last century and the first quarter of this century: digitalized globalization permeates each and every part of the globe, enabling instantaneous and massive communications and transactions.
 - (b) Geographical, sociological, and religious constraints are significantly moderated by today. Geographically, the Rousseauesque world did not include Corsica and Poland, for instance. Sociologically, the Lockean world did not include those persons who were not regarded as the narrowly defined elites, and religiously, the Lockean world did not include those persons who were not pious as Christians.
- (4) Multilateral treaties have become a mainstay of international relations along with war occurrence, alliance formation, and international organization. International relations less often resort to violence and more often resolve to agreement. To resolve conflicts among states, agreement often takes the form of multilateralism rather than bilateralism (Hale, Held and Young 2013; Hale and Held 2017).
- (5) For Rousseau's and Locke's original ideas of social contract to be writ global, their ideas need to be metamorphized into *a bundle of global quasi-social contracts* and *global quasi-legislation*.

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