

#### **Democracy and Dissent**

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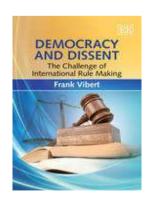
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#### DEMOCRACY AND DISSENT

# THE CHALLENGE OF INTERNATIONAL RULE MAKING Frank Vibert





#### NORMATIVE ASSUMPTIONS

• INTERNATIONAL RULE MAKING A 'GOOD THING'.

 WE WILL NEED MORE OF IT IN FUTURE.



#### THE TWO BASIC PROBLEMS

• INTERNATIONAL RULE MAKING NOT DEMOCRATIC;

 INTERNATIONAL RULE MAKING PRONE TO FAILURE



#### WHAT IS NEW IN ANALYSIS

- CITIZENS AS RECEIVERS OF RULES MADE BY OTHERS.
- FOCUS ON FAILINGS OF EXPERT GROUPS.
- USE OF TWO FRAMEWORKS:
  - MULTI LEVEL GOVERNANCE (FORM OF AUTHORITY)
  - DIFFUSION FRAMEWORK.(PROCESSES OF DIFFERENT ACTORS – EXPERTS, GOVTS, CITIZENS – AT DIFFERENT STAGES OF RULE MAKING).



### DIAGNOSING THE DEMOCRATIC DEFICIT

CONCILIATION?

- CONGRUENCE?
  - INSTITUTIONAL
  - VALUE.
- DISSENT?



#### HARNESSING DISSENT

- TRANSFORMATION
  - SOCIALISATION & COMPETITIVE POLITICS
  - RESPONSIVENESS & POWER SHARING.
- MEDIATION
  - LEGAL PLURALISM
  - COSMOPOLITANISM?
- SPECIFIC GOVERNING RULES



### DIAGNOSING SOURCES OF FAILURE

- EXECUTIVE.
  - Poor leadership; mistakes by govts.
- CULTURAL/ORGANIZATIONAL.
  - Group think; negotiated compliance.
- COGNITIVE.
  - Failures of method in interpreting data, causalities, missing information and uncertainties.



#### Epistemic weakness

• 'The IMF's ability to correctly identify the mounting risks was hindered by a high degree of groupthink, intellectual capture, a general mindset that a major crisis in large advanced economies was unlikely, and inadequate analytic approaches'.

IEO/IMF Jan 10 2011.



### EXPERT GROUPS & COGNITIVE FAILURE

Shared Principled Beliefs	Common Notions of Validity	
Framing	Categorisation	
Anchoring	Herding	
Shared Causal Beliefs	Common Problem Solving Venture	
Attribution	Action induced	
Confirmatory	Availability	



# COMBATTING COGNITIVE FAILURE: PRINCIPLES

- 'RAISING THE STAKES'; putting reputation & status on the line.
- COMPETING PROBLEM DEFINITIONS.
- CONTINUOUS CHALLENGE —from inception though evaluation.



# COMBATTING COGNITIVE FAILURE: PRACTICES

- COMPETIVE EVALUATION.
- PROCESS TRACING
- QUANTIFYING UNCERTAINTIES
- CAUSAL EVALUATION



# PROCEDURES AND EXPERT FAILURE

Elite Characteristic	Challenge Method	Target of Challenge
Shared principled beliefs Shared notions of validity Shared causal beliefs Common problem solving venture	Competitive evaluation Confidence levels Process tracing Continuing audit of causalities	Framing/anchoring bias Herding/categorisation bias Attribution/confirmation bias Action induced/availability bias



#### INSTITUTIONAL FIXES?

- G 20 ?
- Hybrids? (combining expert groups with universal membership orgs. IPCC/UNEP/WMO).
- UN? Revive Economic & Social Council?
- No. Institutional arrangements will remain fluid.
- Need to focus on processes –challenge processes.
- Challenge process for governments?



#### Effectiveness & democracy

- A conflict ??? Dahl etc.
- Not necessarily: common link is the need for procedures that permit challenge
- To governments
- To expert groups
- More effective rule making
- More democratic.



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