Preface

Many contemporary international organizations (IOs) are empowered to adopt international law that claims to bind their Member States and, as a result, those States' peoples. Certain IOs have also become members of other IOs or, at least, active participants in international lawmaking processes that claim to bind those IOs and their Member States (and, by extension, the latter's peoples). Generally speaking, IOs play a central role in contemporary international lawmaking: they institutionalize most of the processes through which international law is adopted today, be it through international lawmaking conferences, international courts, or as IO secondary law. From the perspective of the democratic legitimacy of international law, this raises the question of the conditions under which those IOs may be regarded as democratic representatives of their Member States' peoples and, accordingly, under which the international law they have the right or, at least, the discretion to adopt inside and outside of IO organs and processes may claim to bind those peoples legitimately.

When one knows how powerful and even dominating certain IOs and certain States and their governments (usually not the most democratic ones) within those IOs have become politically, the stakes of those IOs' democratic representativeness are extremely high. As a matter of fact, those stakes are not only international. As we know by now, the deficit in democratic representation in and/or by IOs has also fuelled the so-called crisis of democratic representation domestically, including its populist critique and the new alternative claims of constructivist, statistic, altruistic, or epistemic representation that critique has given rise to.

Curiously, given those important international and domestic stakes, however, the democratic representativeness of IOs does not seem to be much of a concern of IOs and their Member States, at least if one refers to the

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international law of IOs. The question of democratic representation (by [the representatives of] Member States and/or [the representatives of] other public or private institutions involved in their lawmaking and decision-making processes, such as cities, regions, indigenous peoples, non-governmental organizations [NGOs], multinational corporations, employer's associations, trade unions, or patients' associations) in IOs, but also by IOs in and of themselves remains moot, to say the least. Even more curiously, while the question of democratic representation in and by IOs is straightforward enough from a democratic legitimacy perspective, it has only rarely been addressed as such in scholarly debates pertaining to the democratic legitimacy of international law. This is true in global or international democratic theory as much as in international democracy law.

It is this gap not only in the practice of democratic representation in IOs, but also in the literature, that the proposed volume purports to fill. Specialists of representation in both international democratic theory and IO law were invited to explore those issues and many others in a conference that took place at College of France in Paris on 22–23 June 2023. This volume gathers the thirteen chapters presented at the conference, together with an introduction and conclusions, as the first edited volume on the topic in English language and as the first one bringing global democracy theorists and IO law specialists into a dialogue on the issue.

The volume could not have come into existence without the support of a great number of people and institutions. First, and foremost, I would like to express my gratitude to Dr Mathilde Vigné, former research assistant at College of France, for her tremendous and unfailing assistance throughout the editorial process during the academic year 2023–24. Many thanks also to Mr Louis Hill, former research assistant at College of France, for his help in finalizing the volume's first building blocks in the summer of 2023; to Ms Shpresa Salihu, research assistant at the University of Fribourg, for her assistance in proofreading the edited manuscript in 2024; and to Ms Camille Michel, research assistant at College of France, for her assistance in putting the final editorial touches on the reviewed manuscript, indexing and proofreading in 2025–26. Special thanks are also due to my administrative assistant at College of France, Ms Sylvie Sportouch, who helped organize the June 2023 conference. I am also extremely grateful to Dr Sévrine Knuchel for translating four of the volume's contributions.

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Legal Theory series. I am particularly grateful to three anonymous reviewers for their feedback on the book proposal and for making me reflect further upon the project. I hope they will be able to find traces of some of their constructive suggestions in the volume. Finally, I would like to express my gratitude to the College of France's Foundation for providing vital financial support for the June 2023 conference and for the English translation of four of the contributions, as well as to the Swiss National Science Foundation for its financial support to the Open Access publication of the volume.

Last but not least, special thanks are owed to all contributors and to the commentators, Professors Franck Petiteville, Charles Girard, and Yves Sintomer who decided not to publish with us, for making this ambitious project such a stimulating, formative, and worthwhile experience, and for their lively and engaging discussions at a memorable conference in Paris.

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