
Public Diplomacy, Collaborative Power & Legal Community

a path for undecidabilities?

Niedja de Andrade e Silva Forte dos Santos

Fellow Researcher at the University of Coimbra Institute of Legal Research

ORCID 0000-0002-7313-2296

DOI | 10.14195/2184-9781_2_2

SUMMARY:

1. Introduction
2. Undecidabilities in the globalization era
3. Public diplomacy
4. Collaborative power
5. Note on judicial diplomacy
6. Public diplomacy and collaborative power in the toolbox of law practitioners
7. Conclusion
8. References

ABSTRACT

This paper argues that awareness over public diplomacy and collaborative power as relevant resources in the toolbox of the legal community may be useful for overcoming barriers related to culture and values. In this context, law practitioners are encouraged to focus on shared interests to get the best solutions for solving undecidabilities. The international relations perspective rather than law studies grounds this paper. After introduction, section two contextualizes the undecidability issue in the globalization era, as well as respective challenges posed to the law community regarding culture and values.

Subsequently, section three exposes the public diplomacy concept while section four highlights the role of collaborative power in this realm. Then, this paper reflects on how public diplomacy and collaborative power can become relevant instruments of law practitioners. Finally, the conclusion summarizes the main thoughts and highlights its findings.

KEYWORDS

Public diplomacy; soft power; collaborative power; judicial diplomacy; undecidabilities; globalization; law community; shared interests; shared values; culture diversity

1. Introduction

In August 2021, while governments worldwide were fighting to retrieve citizens from Afghanistan, a civil society group succeeded in rescuing more than 5,000 people from there. Notably, the businessman and private-equity investor Zach Van Meter gathered people of diverse backgrounds, but holding shared interests and goals, such as entrepreneurs, American war veterans, defence experts, representatives of nongovernmental organizations, Afghan diplomats and off-duty American officials to extract citizens from Afghanistan through a global military-like rescue operation. They even succeeded in ensuring a temporary shelter in Africa or the Middle East for those Afghans until they could get permission for housing or refuge somewhere. Together, those people with diverse values and cultures obtained relevant outcomes related to humanity due to common interests and goals. With problem-solving focus, they worked in the public interest regardless of government efforts and sovereignty. Indeed, this is public diplomacy and collaborative power in action. This paper argues that awareness over public diplomacy and collaborative power as relevant resources of the toolbox of the law community may be useful for overcoming barriers related to culture and values. In this strand, law practitioners will be encouraged to focus on shared interests to obtain the best solutions in the face of undecidabilities.

Public diplomacy is a process through which states or non-state actors conquer international influence by engaging global publics in foreign policy goals (Snow 2009, 6). In contrast with the traditional diplomacy which depends exclusively on the efforts of states, public diplomacy involves non-governmental players, expanding the panel of those acting to achieve international outcomes. Traditionally, public diplomacy is linked to the use of soft power, the concept captured by Nye in the 1990s to describe the value of cultural identities and shared values in international affairs (Nye 2011). However, in the wake of the 21st century a complex architecture of multi-directional networks emerged between communities around the world; it relies more on shared interests than common culture and values. In this scenario, soft power was caught up by collaborative power. The latter is “the power of many to do together what no one can do alone” (Slaughter 2011, para. 6). At any rate, both soft and collaborative power are closely linked to public diplomacy and used to achieve national or global public interests.

Those approaches, which are the state of the art within diplomacy studies, were remotely touched on by David Law in the paper *Judicial comparativism and judicial diplomacy* published in 2015 at the *University of Pennsylvania Law Review*. In that paper, the author's main findings revealed how national legal communities are still closed and refractory to foreign judicial perspectives (Law 2015). However, same or similar issues and undecidabilities problems often arise around the world, afflicting legal communities in different places. Thus, at least theoretically they share the same interests. By this token, they would benefit from the analysis or solutions given to similar issues in other countries.

In this context, this paper argues that awareness over public diplomacy and collaborative power as relevant resources that may compose the toolbox of law communities may be useful for overcoming barriers related to culture and values, encouraging law practitioners to focus on shared interests to get the best solutions in each situation, finding paths for undecidabilities.

The international relations perspective rather than law studies grounds this paper. After introduction, section two contextualizes the undecidabilities issue in the globalization era, as well as challenges posed to the law community. Section three exposes the public diplomacy concept while section four explores the role of collaborative power in this realm. Then, this paper reflects on how public diplomacy and collaborative power can become relevant instruments of law practitioners. Finally, the conclusion summarizes main thoughts, highlights findings and indicates paths for further developments and research.

2. Undecidabilities in the globalization era

When Edouard Lucas invented the mathematical game “Tower of Hanoi” in 1883, he surely could not suppose that in 1941 it would give rise to the Frame-Stewart algorithm “ $2^n - 1$ ”, currently often mentioned as an optimal solution to the puzzle, besides being probably the most referred to symbol of a decidable problem (Klavžar et al. 2002). From the perspective of mathematical logic and computational theory, decidability means to set a decision algorithm to solve a problem (Rabin 1977). On the other hand, “an undecidable problem is the one for which ‘it is proved to be impossible to construct an algorithm to a correct yes-or-no answer!’” (Undecidabilities and Law: The Coimbra Journal for Legal Studies 2021, 3). The issue is not limited to exact sciences; it also extends to social sciences and law studies.

In 2015, the Portuguese scholar Pedro Domingos published the book “The Master Algorithm: How the Quest for the Ultimate Learning Machine Will Remake Our World” which Bill Gates recommended and Xi Jinping chose to compound his bookshelf. The central hypothesis posed by Domingos is that “all knowledge—past, present, and future—can be derived from data by a single, universal learning algorithm” (2015 25). This is the “master algorithm”. However, transnational interactions and complexities arising from globalization besides the increasing relevance of several non-state actors (Keohane & Nye 1981) makes it difficult to find a precise and unique solution for ever more intricate issues in the world order. As Linhares states, in the “self-celebrating plurality, several major juridically relevant societal problems firmly resist the predetermination of a unique solution” (2021, 9). In fact, globalization facilitates the encounter of world cultures and makes it even more difficult to achieve one-size-fits-all solutions for issues related to human interactions or academic dilemmas, whether related to political sciences or international relations and even law studies, just to cite a few.

Cultural homogenization is often referred to as one of the main characteristics of globalization (Jennings 2010, 132; Mackay 2004). However, cultural identities remain evident worldwide. From the law studies perspective, Jayme identified the cultural dimension as a hindering factor to the harmonization of private international law in the context of the European Union (Jayme 2003a). Interestingly, the author highlighted the legal language (*Rechtssprache*) as an important element of a country’s cultural identity. Indeed, cultural identities of individuals require consideration and plurality emerges as a legal value (*Rechtswert*), thus variations among legal orders become even more apparent (Jayme 2003b, 118). In other words, any attempt to solve undecidability in the law or social sciences field should consider cultural diversity which however may even make that infeasible.

From the diplomacy perspective, cultural diversity is a strength that can enable international interactions through cultural exchange in the frame of public diplomacy and soft power (Cull 2019; Nye 2011). However, conflict of values sometimes may spoil such interactions, as soft power depends on shared values among involved parts (Nye 2011). In such circumstances, shared interests are more effective in paving the way for international collaboration (Slaughter 2011). In this regard, Cooren points out the need to listen to what all involved stakeholders “have to say about a specific situation” (2020, 186), especially before taking an ethical decision, which always “consists of

choosing a specific course of action to the detriment of others” (2020, 187), absorbing uncertainty and many times, touching on undecidabilities. Hence, collaborative power arises as a relevant concept to face challenges posed to the law community by situations comprising diverse cultures and values.

3. Public diplomacy

Public diplomacy is a peaceful instrument of foreign affairs (Nicolson 1942). It typically takes place through actions of listening, advocacy, cultural diplomacy, international exchange and international broadcasting (Cull 2019). Notwithstanding its being a recent notion, “public diplomacy” encompasses centuries-old mechanisms. The Library of Alexandria, built by Greeks in Egypt, around 300 BC, is an example of cultural diplomacy within the framework of public diplomacy. However, the term “public diplomacy” emerged only in the 20th century. It would have been used for the first time in 1856 by the British newspaper *The Times*, referring to the civility and behaviour of the American president Franklin Pierce (Cull 2019). However, Edmund Gullion, former US ambassador and first dean of the Fletcher College of Law and Diplomacy at Tufts University, is known for firstly using the term public diplomacy meaning a way to influence foreign publics (Cull 2019). In the 1970s, public diplomacy was already understood as a tool for consolidating image and building long-term relationships (Nye 2011), besides ensuring reputational security (Cull 2019).

Indeed public diplomacy is an evolution of traditional diplomacy (Melissen 2005). Thus, it can be conceptualized as an instrument of foreign policy, performed by state and non-state actors, such as NGOs, corporations, and even citizens, which underpins diplomacy, aiming to build long-term relationships, transmit information, consolidate image, influence and engage foreign publics, drawing on tools such as cultural diplomacy. It is indeed a way to approach different people around the world around common values.

International influence and its identification with power are pivotal to public diplomacy. Usually, persuasion skills and abilities determine the country’s level of interaction in the international dimension. In this context, public diplomacy is about making a good impression on foreign publics (Nye 2019, 7), as well as about building long-term relationships. Thus, soft power, which relies on culture, values and policies is crucial to public diplomacy.

The term “soft power” was coined in the early 1990s by Joseph Nye, in the book “Bound to Lead: The Changing Nature of American Power” (1991). In 2004, Nye produced the in-depth study: “Soft Power: the means to success in world politics”. There, the author conceptualizes soft power as “ability to get what you want to do with through attraction rather than coercion or payments” (2004, X)...“ability to shape the preferences of others” (2004, 5)... [a] “co-optive power” (2004, 7). The attention on soft power has increased since the World Trade Center attacks.

The main sources of soft power are culture, values and legitimate policies (Nye 2004). As for culture, there are two dimensions: high culture and popular culture (Nye 2004). High culture appeals to elites, comprising fields such as literature and art. Popular culture refers to mass entertainment. Nye states that attraction through culture and values has more lasting effects than those generated by public policies (Nye 2004). It is noteworthy that the effectiveness of soft power depends on the context. For instance, films extolling women’s freedom, which are admired in Latin America, undermine soft power in Arab countries such as Saudi Arabia.

Markedly, soft power has limitations. First, especially in democratic societies, it is not under the state’s control, such as hard power (military power) (Nye 2004). Secondly, soft power arises predominantly from civil society. For example, much of the attraction of the United States was produced by Hollywood. Admittedly, in the contemporary era, low cost of communication and the democratization of technology have placed citizens and other international actors, such as NGOs and transnational corporations on the international stage (Nye 2004). In this context, mediation skills are crucial to states, as well as other styles of power which rely not only on shared values like soft power, but specifically on shared interests, that is the case of collaborative power.

4. Collaborative power

Slaughter defines collaborative power as “the power of many to do together what no one can do alone”, the “networked, horizontal arises and sustained application of collective will and resources” (2011, para. 6). Comparing it with soft power, the author clarifies that soft is the power over others, while collaborative power is the power with others (Slaughter 2011). Castells (2008,

91) also compares both styles of power however he identifies collaborative power with the very concept of public diplomacy, which, in this case, would literally be people's diplomacy:

The implicit project behind the idea of public diplomacy is not to assert the power of a state or of a social actor in the form of "soft power." It is, instead, to harness the dialogue between different social collectives and their cultures in the hope of sharing meaning and understanding.

This paper considers that collaborative power does not exclude soft power nor public diplomacy (Arquilla & Ronfeldt 1999; Zaharna et al. 2013). Markedly, political representatives are decision makers in charge of signing international agreements on behalf of states, as well as being accountable for domestic enforcement (Spies 2019). Therefore, states cannot be excluded from the international system. Indeed, collaborative power has the potential to reinforce legitimacy and credibility in the decision making processes (Spies 2019). Furthermore, it is especially valuable for overcoming scarcity of all kinds of resources such as financial, human, technical and social, as well as the lack of cultural skills and abilities. Non-state actors add resources, skills and flexibility to governments' activities (Slaughter 2009), but also get benefits by participating in political processes (Spies 2019). In any case, collaboration is currently a "condition of success in diplomacy" (Melissen 2011, 2); it is observed in "initiatives that feature cross-national participation in a joint venture or project with a clearly defined goal" (Cowan & Arsénault 2008, 10). Thus, collaborative power is among styles of power mobilized by states and non-state actors to achieve international outcomes.

The phenomenon has been captured from different angles. The "noopolitik" and the "power in 'global fabric'" described by Arquilla and Ronfeldt address this issue (1999, 47). Similarly, the term "catalytic diplomacy" also gets the point (Hocking 1999). Other novel expressions also closely refer to the topic, like "polylateral diplomacy" (Wiseman 2010), "grass-roots connectivity", "official joint ventures" (Spies 2019), "collaborative public diplomacy" (Zaharna 2013), "social power" (Ham 2013), "networking, network, networked and network-making power" (Castells 2011), "civilian power" (Zaharna et al. 2013) and "group diplomacy", used by Slaughter (2004) before conceiving the term collaborative diplomacy. The common denominator among those figures and notions is the complex architecture of multidirectional networks

in contemporary society, involving state and non-state actors, which transform partnerships and collaboration into resources to achieve common goals. Hence, not only diplomacy, but other scientific fields may benefit from this kind of power.

The International Campaign to Ban Landmines (ICBL) that culminated in the Treaty of Ottawa, winning the 1997 Nobel Peace Prize is the most often cited example of collaborative power (Arquilla & Ronfeldt 1999; Castells 2008; Spies 2019). It is emblematic because it involves strategic interests of states. However, the initiative was born in 1992 under the shared leadership of five NGOs based in France, Germany, the UK and the USA. Global strategies were jointly decided by the steering group while local tactics were taken up by the 1,000 NGOs from around the world affiliated to the ICBL. In 1995, Canada joined the movement, making it known as the Ottawa Process. After Canada, other countries entered the campaign. In 1997, the initiative resulted in the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. As of July 2021, 164 states were members of the ban landmines network. In short, this is a collaborative network initiated by non-state actors with long-term goals.

A more recent example is the global network mobilized in August 2021 to carry out the private military operation that rescued more than 5,000 citizens of Afghanistan when the Taliban took power. The private investor and executive Zach Van Meter brought together volunteers including American veterans, Afghan diplomatic officers and other actors to coordinate the operation. Once completing the planning, the group gathered support from governments in Africa and the Middle East, and chartered aircraft, in addition to arrangements for resettlement of rescued Afghans. As Slaughter (2009) states, knowing the right people to activate networks around the world facilitates solving serious crises. Therefore, this is an example of a dynamic and ad hoc network, formed and quickly dismantled when those short-term goals were achieved.

Despite the differences related to culture and value, in both cases people shared interests and goals. Both cases of collaboration were so successful that they attracted states as supporters; indeed governments took action following non-state initiatives grounded on transnational networks. Governments can also be initiators of collaborative efforts (Arquilla & Ronfeldt 1999). An illustration is the Marshall Plan launched by the US government involving public-private joint ventures (Spies 2019). Another example is the Confucius

Institute (Kōshi gakuin 孔子学院), an initiative of the Chinese government that instead of being organized into autonomous modules, feeds on the synergy of a physical and virtual multilayer global network coordinated in China by the Center for Language Education and Cooperation (Zhōngwài yǔyán jiāoliú hézuò zhōngxīn 中外语言交流 合作中心) (Zaharna 2013). International organizations also start collaborative initiatives, as exemplified by the UN Global Compact. Established in 2000 by the UN with the objective of promoting sustainable development through corporate social responsibility, the initiative currently involves more than 14,000 collaborators between companies, civil society organizations, business associations, unions, universities and cities in 162 countries. Thus, collaborative power is a pivotal element to face contemporary challenges such as controversies involving different cultures and values.

In operational terms, collaborative power features two aspects: process and networks. Networks are dynamic structures with links and nodes that support the collaborative process, enabling long-term relationships (Zaharna 2013). Thus, awareness over links and nodes in networks favours the understanding of collaborative processes. Nodes are people, groups or organizations. Links are relationships or transactions between nodes (Krebs 2005). Nodes tend to create clusters around thematic hubs, facilitating the coordination of efforts (Krebs 2005). The strength of collaborative power emerges from the volume of connections between the nodes, being calculated by the formula $n(n-1)/2$, where “n” is the number of nodes (Fisher 2013, 3). Better outcomes result from the activation of key nodes (Krebs 2005). In reality, nodes have different functions in the network.

The main activities of nodes in a network relates to weavers, boundary spanners, clusters and bridge builders. Network weavers stand out among nodes; they actively create new interactions between clusters and boundary spanners, which are on the periphery with great potential to build bridges with other networks, favouring innovation, new perspectives and information for the collaborative process (Fisher 2013; Krebs 2005). The backbone of networks are their strong ties, which are at the centre of the clusters, while weak ties are between clusters, being a link between them, so also called bridge builders (Fisher 2013). In this regard, Nye states that “power in networks can come from both strong ties and weak ties” (2011, 217). In other words, all involved nodes play an important role in collaborative networks.

It is noteworthy that despite being manageable, networks cannot be possessed (Slaughter 2009). One can guide, but not own networks (Slaughter 2011). As Nye summarizes, “the network provides power to achieve preferred outcomes with other players rather than over them” (2011, 217). Attempts at control can lead to the breakdown of collaborative connections (Fisher 2013). Remarkably, the power of the network flows precisely from the ability to optimize valuable connections (Slaughter 2009, 100). In reality, collaborative power can be coordinated, through the combination of interests, objectives, elements and activities, without impositions.

Cowan and Arsenault emphasize that networks “without exception include a dialogue between participants and stakeholders, but they also include concrete and typically easily identifiable goals and outcomes that provide a useful ground and structure upon which to form more lasting relationships” (2008, 21). Therefore, “negotiation” seems to better characterize the behavioural pattern that involves the ability to listen, map and align interests, supporting the long-term relationship (Zaharna et al., 2013, p. 15). On this basis, sources of collaborative power are information (Fisher 2013; Spies 2019) and positions in network nodes (Nye 2011; Zaharna et al. 2013). As for the latter, Slaughter states that “measure of power is connectedness” (2009, 94). From such sources flow basic resources such as access to cyberspace, mobile phones, social networks, transnational social movements, foreign ministry officials with management skills and an innovative mindset. For example, a resource from the innovative mindset in Denmark was the appointment of an ambassador to represent its interests with Silicon Valley techs such as Facebook and Google.

From a contextual perspective, sharing interests and goals is a facilitator of collaborative power (Arquilla & Ronfeldt 1999; Fisher 2013; Slaughter 2009). On the other hand, the lack of transparency and manipulation of reality are obstacles to collaborative actions (Slaughter 2009). The potential outcomes of collaborative power are agenda setting and sustainability of decisions and acts taken since it usually involves a wide range of stakeholders.

On the other hand, collaborative power has limitations. First, as a collective action, it raises concerns related to ownership and responsibility (Spies 2019). Second, critics highlight the point that NGOs that advocate global public interests sometimes fail to provide transparency in their governance and funding (Spies 2019). Third, there is the risk of state capture by diverse international interests, as occurred in South Africa in 2016, when President

Jacob Zuma succumbed to the interests of the Indian Gupta brothers. These issues reinforce the importance of coordination of such processes, including the creation of accountability mechanisms so that there are no counterproductive efforts.

Despite being an institution or practice studied in the realm of international relations and diplomacy, collaborative power may offer insights to other fields, like social sciences and law. In fact, the most important point of collaborative power is its focus on shared interests, which can overcome differences related to culture and values which are pivotal in several situations. Given that, awareness over such concepts may favour other activities of social life and even issues undecidabilities in the legal field.

5. Note on judicial diplomacy

Squatrito defines judicial diplomacy as “a set of practices that are planned and organised by an international court, whereby it represents itself and claims authority through non-adjudicative interfacing with external actors” (2021, 66). A broader frame was conceived by Oliveira that identified the manifestation of judicial diplomacy in two main ways: (1) dialogue and exchange within the law community and (2) collaborative efforts between Supreme Courts in developing working procedures in resolution systems related to regional integration initiatives (2007, 94-95). Then, the second author includes in the definition of judicial diplomacy other aspects rather than only activities of international courts. In both cases, the idea of judicial diplomacy relates to the notion of public diplomacy.

In 2015, an outstanding paper was published on this topic at the University of Pennsylvania Law Review under the title “Judicial comparativism and judicial diplomacy”, authored by the professor of law and political sciences at the Washington University and Princeton, David Law. The main goal of that research was to investigate the reluctance of the US Supreme Court to engage in comparative constitutional analysis, by making use of foreign constitutional jurisprudence (Law 2015). To this aim, the author conducted a comparative analysis among four leading courts in Asia, namely the Japanese Supreme Court, the Korean Constitutional Court, the Taiwanese Constitutional Court, and the Hong Kong Court of Final Appeal (Law 2015). Notably, public diplomacy, soft power and collaborative power are

topics virtually touched on by the author in that article despite not being expressly mentioned.

Initially focusing on judicial comparativism, Law discovered judicial diplomacy to be a “hidden underlying phenomenon” coupled with comparativism issues. First, the author struggled to map enablers of judicial comparativism. In this regard, he found foreign legal expertise, knowledge of foreign languages and legal education which fosters “aptitude and appetite for comparativism” as main factors that would favour judicial comparativism (Law 2015, 928). Besides that, Law (2015) identified that constitutional courts often use comparativism as a kind of diplomatic activity, especially when it involves mastery of foreign law or hosting foreign judges. In other words, constitutional courts engage in diplomacy by showing respect, attention and openness to foreign judicial activities and people from foreign law communities. Additionally, the diplomatic engagement may also be grounded on the aspiration of “competing with one another for international influence or pursuing foreign policy objectives, such as promotion of the rule of law and judicial independence in other countries” (Law 2015, 928). The paper concluded that national law communities are still closed and refractory to foreign judicial perspectives (Law 2015) however courts are usually open to relationships with foreign judicial communities.

As a matter of fact, the same or similar issues and undecidabilities problems arise around the world and afflict law communities in different places. Thus, at least theoretically they share the same interests. By this token, they would benefit from the analysis or solutions given to similar issues in other countries. Worthy of attention as well is that solutions for global judicial and legal issues may be easier and better achieved by involving collaborative efforts among law communities around the world.

The notion of judicial diplomacy which derives from public diplomacy has been raised within legal studies (Squatrito 2021; Oliveira 2007; Law 2015). However, it seems that law communities still do not make use of public diplomacy collaborative power as a means to the realization of shared interests and achieving common goals. Most probably, law communities could not still realize at all the existence and relevance of such concepts inherent to international relations, namely public diplomacy and collaborative power, as well as their proneness to serve as means to reach best deals in undecidabilities problems.

6. Public diplomacy and collaborative power in the toolbox of law practitioners

The main argument of this paper is that awareness over public diplomacy and collaborative power as relevant resources in the toolbox of the law community may be useful for overcoming barriers related to culture and values, besides being valuable and promising instruments providing an approach to undecidabilities issues.

Globalization makes people closer worldwide, but has the potential to create transnational problems and issues. Successful solutions and decisions for those situations may be difficult to find in the face of cultural diversity and values. Despite the existence of international courts in global society, sometimes the best remedies for litigation are not legal or judicial alternatives. It is worth noting that occasionally judicial decisions do not end conflicts. Then, the law community should look for other alternatives in this regard.

Public diplomacy is an international relations institute, namely an instrument of foreign affairs that brings states and people together because of cultural diversity. In other words, public diplomacy relies on diverse cultures to produce outcomes. However, operating through soft power, the best results of such activities depend on shared values among people involved. On the other hand, collaborative power gathers people that have common interests and goals. Indeed, collaborative power grounds achievements even when there are divergent values among involved people.

Those are recent notions in the discipline of international relations and diplomacy studies, thus still being absorbed by scholars and practitioners of those domains. Therefore, they are still to be introduced in other fields like humanities and law. Notably, previous research, such as that produced by Law, Squatrito (2021) and Oliveira (2007) has already noticed benefits and influence of diplomacy in the judicial domain. This indicates some acceptability of such concepts in this arena.

Public diplomacy and collaborative power are instruments that may be borrowed by the law community. They are powerful tools to deal with uncertainty and issues of difficult decisions that constantly worry law scholars and practitioners. From the law perspective, the main strength of those instruments is the power to transcend legal concerns and courts, finding sustainable solutions in environments with cultural and values diversity. In fact, soft power relies on common values and cultural diversity, while collaborative power works on

cases involving different values as long as there are common interests and goals. Hence, through such tools, law communities can find paths to undecidabilities. In fact, a unique solution will unlikely be found, but people will find the best solutions for the group of people involved in a given problem.

The first step to enable the use of public diplomacy and collaborative power by law communities is to promote awareness of such institutes. Then, it is important to consider such mechanisms in legal learning. In the globalization era, law practitioners and scholars cannot lock down upon basic knowledge over international relations institutes. Another useful action is to promote the study of successful cases of public diplomacy and collaborative power from the perspective of law studies.

7. Conclusion

Since 2015, the discussion over the master algorithm has increased due to the book published by Domingos. However transnational interactions and complexities arising from globalization make one-size-fits-all solutions unfeasible. An algorithm to provide an always correct exact answer in legal and law matters is unfeasible.

As a matter of fact, any attempt to deal with undecidability in law or social sciences should consider the diversity of cultures and values that become even stronger in the globalization era. As legal, judicial and law matters enter the global stage, it is important to give attention to scientific fields that study global and international topics, namely international relations and diplomacy studies. This study, developed from the international relations perspective sheds light on diplomatic tools that can likely benefit law communities.

Specifically, two subjects are of special relevance: public diplomacy and collaborative power. The first operates in cultural diversity and the second is an ideal instrument for situations characterized by common interests and goals, even where values are diverse. Then, awareness of those instruments as relevant resources in the toolbox of the law community can be useful for overcoming barriers related to culture and values. By focusing on different cultures to bring people closer or focusing on the same interests, law practitioners can make good use of public diplomacy and collaborative power to achieve sustainable solutions. They are likely valuable instruments to deal with undecidabilities in the globalization era.

8. References

- Arquilla, J. & Ronfeldt, D. (1999). *The emergence of noopolitik: Toward an American information strategy*. Washington: RAND.
- Castells, M. (2008). The new public diplomacy sphere: Global civil society, communication networks, and global governance. *Annals of the American Academy of Political and Social Sciences*, 616 (1), 78–93. <https://doi.org/10.1177/0002716207311877>
- Castells, M. (2011). A network theory of power. *International Journal of Communication*, 5, 773–787.
- Cooren, F. (2020). A communicative constitutive perspective on corporate social responsibility: Ventriloquism, undecidability, and surprisability. *Business & Society*, 59 (1), 175–197. <https://doi.org/10.1177/0007650318791780>
- Cowan, G., & Arsenault, A. (2008). Moving from monologue to dialogue to collaboration: The three layers of public diplomacy. *Annals of the American Academy of Political and Social Sciences*, 616 (1), 10–30. <https://doi.org/10.1177/0002716207311863>
- Cull, N. (2019). *Public diplomacy: Foundations for global engagement in the digital age*. Medford: Polity.
- Domingos, P. (2015). *The master algorithm: How the quest for the ultimate learning machine will remake our world*. NY: Basic Books.
- Fisher, A. (2013). *Collaborative diplomacy: How transnational networks influenced American studies in Europe*. New York: Palgrave.
- Ham, P. van. (2013). Social power in public diplomacy. In R. S. Zaharna, A. Fisher, & A. Arsenault (Eds.), *Relational, networked, and collaborative approaches to public diplomacy* (26–43). New York: Routledge.
- Hocking, B. (1999). Catalytic diplomacy: Beyond ‘newness’ and ‘decline’. In J. Melissen (Ed.), *Innovation on diplomatic practice* (21–42). New York: Palgrave.
- Jayme, E. (2003a). Die kulturelle Dimension des Rechts – ihre Bedeutung für das Internationale Privatrecht und die Rechtsvergleichung. *The Rabel Journal of Comparative and International Private Law*, 67 (2), 211–230. <https://doi.org/10.1628/0033725033641698>
- Jayme, E. (2003b). Perspectives for a postmodern theory of comparative law [Visões para uma teoria pós-moderna do direito comparado]. *Cadernos do Programa de Pós-graduação em Direito*, 1 (1), 115–131.
- Jennings, J. (2010). *Globalizations and the Ancient World*. Cambridge: Cambridge University Press.
- Klavžar, S., Milutinovića, U., & Petr, C. (2002). On the Frame–Stewart algorithm for the multi-peg Tower of Hanoi problem. *Discrete Applied Mathematics*, 120 (1–3), 141–157. [https://doi.org/10.1016/S0166-218X\(01\)00287-6](https://doi.org/10.1016/S0166-218X(01)00287-6)
- Keohane, R. O. & Nye, J. S., Jr. (1981). Transnational relations and world politics: An introduction. In R. O. Keohane & J. S. Nye Jr (Eds.), *Transnational relations and world politics* (5th ed., IX–XXIX). Cambridge: Harvard University Press.
- Krebs, V. (2005, October 21). Building adaptive communities through network weaving. *Nonprofit Quarterly*. <https://nonprofitquarterly.org/building-adaptive-communities-through-network-weaving/>
- Law, D. (2015). Judicial comparativism and judicial diplomacy. *University of Pennsylvania Law Review*, 163 (4), 927–1036.

- Linhares, J. M. A. (2021). Editorial. *Undecidabilities and Law: The Coimbra Journal for Legal Studies*, 1 (1), 9. https://doi.org/10.14195/2184-9781_1_0
- Mackay, H. (2004). The globalization of culture? In D. Held, *A Globalizing World?: Culture, Economics, Politics* (2nd ed., 44–81). London: Routledge.
- Melissen, J. (2005). The new public diplomacy: Between theory and practice. In J. Melissen (Ed.), *The new public diplomacy: Soft power in international relations* (3–27). London: Palgrave.
- Melissen, J. (2011). *Beyond the new public diplomacy*. The Hague: Clingendael.
- Nicolson, H. (1942). *Diplomacy*. London: Oxford University Press.
- Nye, J. (2011). *The future of power*. NY: Public Affairs.
- Nye, J. S., Jr. (1991). *Bound to lead: The changing nature of American power*. New York: Basic Books.
- Nye, J. S., Jr. (2004). *Soft power: The means to success in world politics*. New York: Public Affairs.
- Nye, J. S., Jr. (2019). Soft power and public diplomacy revisited. *The Hague Journal of Diplomacy* 14(1–2), 7–20. <https://doi.org/10.1163/1871191X-14101013>
- Oliveira, M. A. J. de S. C. (2007). Judicial Diplomacy: The Role of the Supreme Courts in Mercosur Legal Integration. *Harvard ILJ Online*, 48, 93–100.
- Rabin, M. O. (1977). Decidable theories. In J. Barwise (Ed.), *Handbook of Mathematics Logic* (Vol 90, 595–629). Amsterdam: North Holland.
- Slaughter, A.-M. (2004). *A new world order*. New Jersey: Princeton University Press.
- Slaughter, A.-M. (2009). America's edge: Power in the networked society. *Foreign Affairs* 88(1), 94–113.
- Slaughter, A.-M. (2011, Nov. 30). A new theory for the foreign-policy frontier: Collaborative power. *The Atlantic*. Retrieved from <https://www.theatlantic.com/international/archive/2011/11/a-new-theory-for-the-foreign-policy-frontier-collaborative-power/249260/>
- Snow, N. (2009). Rethinking public diplomacy. In N. Snow and P. Taylor (Eds.), *Routledge Handbook of Public Diplomacy* (3–12). NY: Routledge.
- Spies, Y. K. (2019). Polylateral diplomacy: Diplomacy as public-private collaboration. In Y. K. Spies (A.), *Global South perspectives on diplomacy* (153–199). Cham: Palgrave.
- Squatrino, T. (2021). Judicial diplomacy: International courts and legitimation. *Review of International Studies*, 47 (1), 64–84.
- Undecidabilities and Law: The Coimbra Journal for Legal Studies* (2021). Preamble. *Undecidabilities and Law: The Coimbra Journal for Legal Studies*, 1 (1), 9.
- Wiseman, G. (2010). 'Polylateralism': Diplomacy's third dimension. *Public Diplomacy Magazine*, 4, 24–39.
- Zaharna, R. S. (2013). Network purpose, network design: Dimensions of network and collaborative public diplomacy. In Zaharna, R. S., Fisher, A., & Arsenault, A., *Relational, networked, and collaborative approaches to public diplomacy* (221–246). New York: Routledge.
- Zaharna, R. S., Fisher, A., & Arsenault, A. (2013). Introduction: The connective mind-shift. In R. S. Zaharna, A. Arsenault, & A. Fisher (Eds.), *Relational, networked, and collaborative approaches to public diplomacy* (14–24). New York: Routledge.