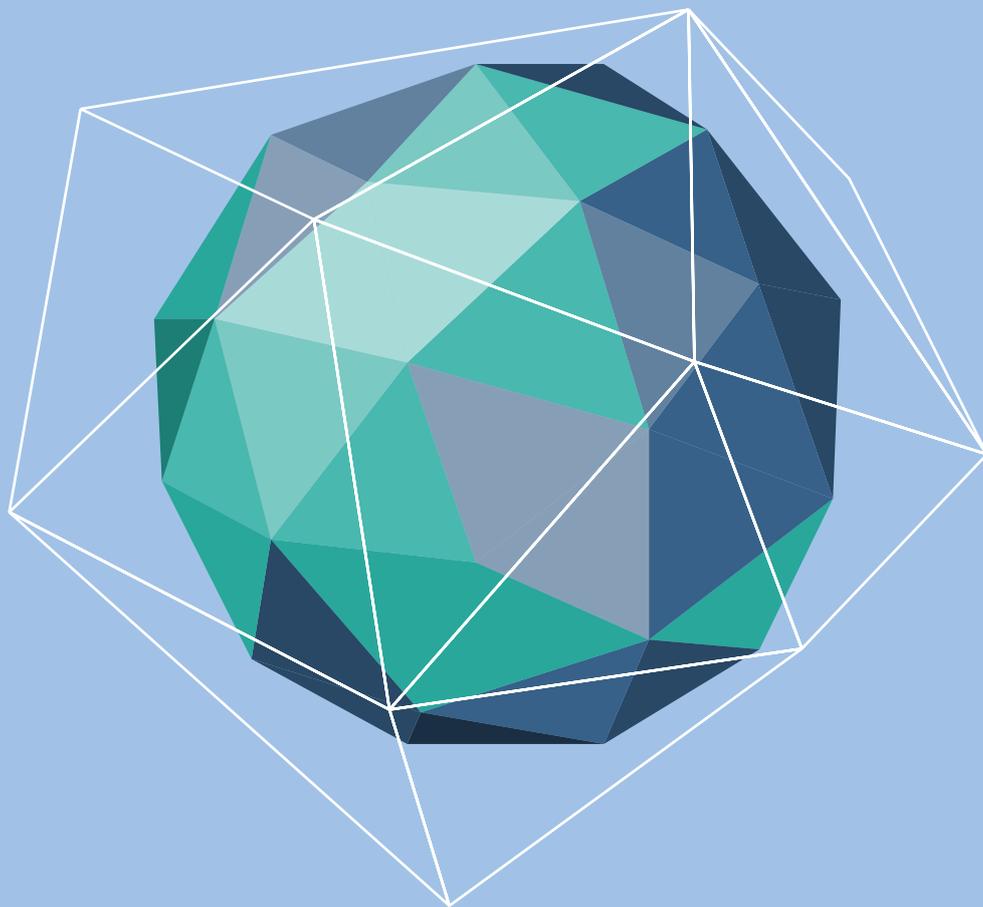
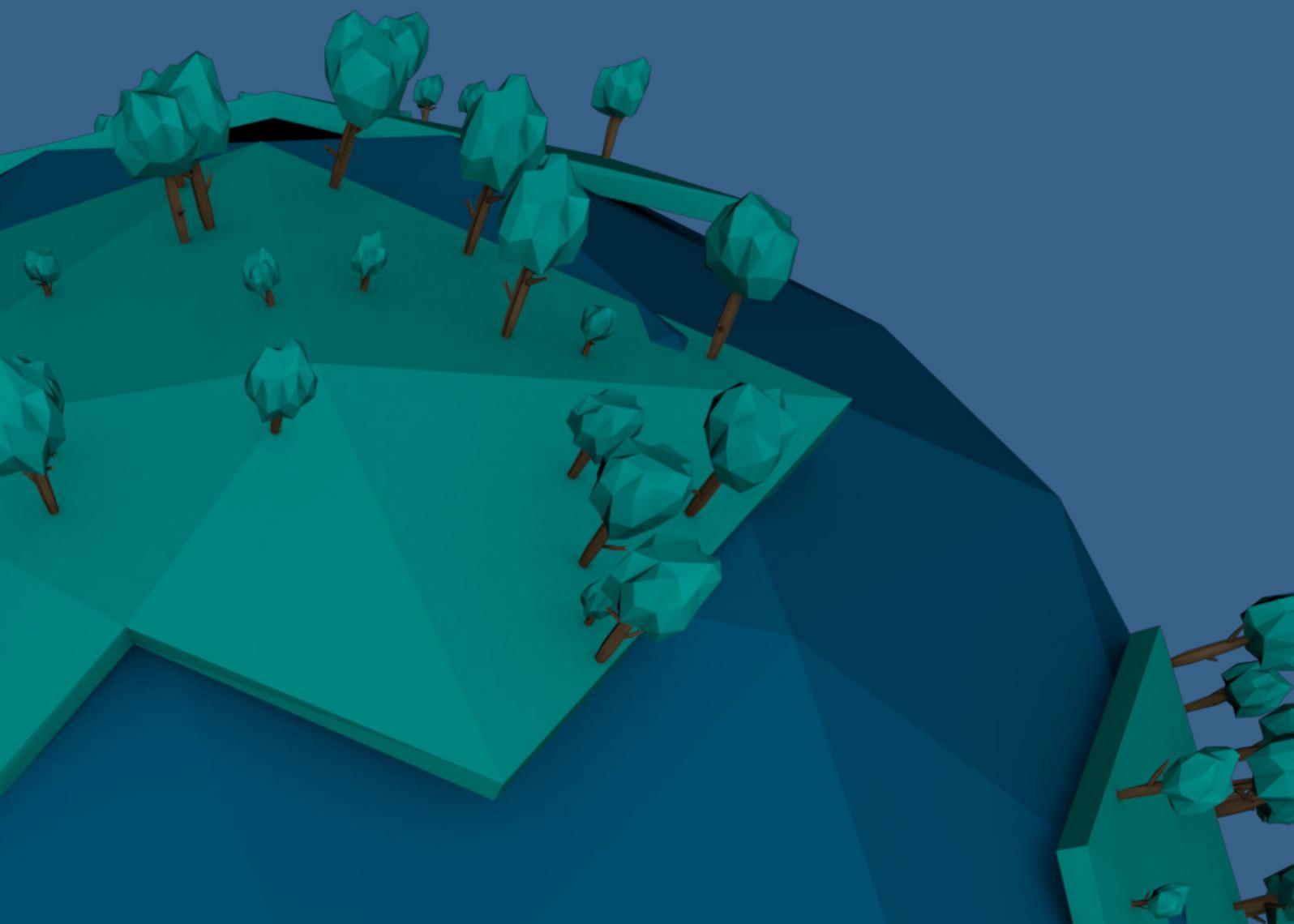


Global governance models in history



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Introduction

In the 21st century mankind is facing a range of severe risks and challenges that call for effective global action. Politically motivated violence, weapons of mass destruction, climate change and other large scale environmental damage pose a threat to all people in all countries on earth, and exceed the capacity of any state to act effectively to protect its own citizens.

To manage these challenges, we need institutions that allow us to take and implement collective decisions on a global level, in a way that takes the interests of all into account. The current international system has unfortunately proved unable to cope with the most pressing global issues in an acceptable way.

The Global Challenges Foundation wants to contribute to the amendment of this deficiency, and has therefore challenged participants from all over the world to formulate alternatives to the present state by designing new models of global governance for The Global Challenges Prize 2017: A New Shape.

The idea that the world is one, that we are all part of a world community with shared interests and challenges, and a shared future, and that we therefore need a system of global decision making and governance, is not new. Throughout history, several writers have designed and proposed models of global governance. Some of them have been ambitious ideas about joining all of humankind under one single rule, and some have been more modest reform proposals intended to preserve but improve the existing system. Some were formulated in the aftermath of bloody wars that made the need for better world governance obvious.

This short paper presents only a small sample of these ideas. Hopefully, some of them could serve as inspiration for readers who want to continue the endeavor to find new solutions to an issue that is old, but more urgent than ever.

1. Early cosmopolitan ideas

In the Western history of ideas, one of the first to express an explicitly cosmopolitan view of the world was the Greek cynic philosopher Diogenes (412 BC–332 BC). When asked where he was from, Diogenes is said to have answered¹:

”I am a citizen of the world.”

In the 14th century, Dante Alighieri (1265–1321), the author of *Divina Comedia* and *Inferno*, argued for a world government as a protection against war. In *De Monarchia* he wrote²:

”World government must be understood in the sense that it governs mankind on the basis of what all have in common and that by a common law it leads all toward peace.”

An early attempt to construct an elaborate model of supranational organization is the French writer Émeric Crucé’s *Le Nouveau Cynée*³, published in 1623. Crucés proposed a

permanent peace council consisting of ambassadors from all countries. This council would settle all conflicts between its members, and all members would be obliged to obey its decisions. The council would have at its disposal an international police force and have the mandate to use force in order to enforce its decisions.

A great source of inspiration for many of today’s cosmopolitan thinkers is Immanuel Kant’s *Zum ewigen Frieden*⁴ from 1795. Kant does not advocate world government, but a confederation of free states under common law. A central idea for Kant is, that lasting peace can only be achieved if all states are well ordered, respect international laws and abstain from aggression and interference in the governance of other states.

The idea of a world government was rejected by Kant, for two reasons. First, because he considered it unrealistic. Second, because he thought that there was a substantial risk that a world government could develop into a global tyrant.

▼▼ World government must be understood in the sense that it governs mankind on the basis of what all have in common and that by a common law it leads all toward peace.▼▼

2. Ideas about world government after two world wars

Experiences from two very bloody world wars in the first half of the 20th century led to a boom for the idea of world government. After the use of atomic bombs against the Japanese cities of Hiroshima and Nagasaki, many influential politicians as well as prominent intellectuals began to think of a world federation as the only protection against a new war that might destroy the world completely.

Respected scientists, such as Albert Einstein, argued that world government was a necessity in the light of the new weapons of mass destruction. Einstein advocated world government based on a constitution, approved by all states, with monopoly on armed force and mandate to solve conflicts between states. The role of existing states would thereby be reduced to regulating internal affairs with no implications for international security⁵.

2.1 DRAFT OF A WORLD CONSTITUTION

An ambitious attempt to construct a constitution for a future world state was made by a group of researchers at the University of Chicago soon after the Second World War.

The University of Chicago had played a key role in the research that led to the first atom bombs, and the week after the bombing of Hiroshima in August 1945, the president of the university, Robert M. Hutchins, was invited to a radio debate on the consequences of the new weapon. On the show, Hutchins predicted that the end of humanity was imminent unless future wars could be prevented by forming a world organisation with a monopoly on nuclear weapons. On the issue of whether such an organisation was completely unrealistic, he said that the realisation of the terrible power

of atomic weapons would hopefully be frightening enough to make humanity create such a world order.

After the radio programme, some of the University's researchers contacted Hutchins and suggested he should initiate a working group to draw up a draft for what such a new world order might look like. Hutchins was positive to the idea and appointed a group, called the Committee to Frame a World Constitution, with eleven prominent researchers as delegates, led by himself and the professor in literature, Giuseppe Antonio Borgese, as head secretary.

The result was a draft of a constitution for a proposed world federation, Preliminary draft of a world constitution⁶, published in 1948. The draft presents the organisation of a federal world republic tasked with maintaining peace, guaranteeing human rights and instituting and enforcing world law.

In the introduction, Borgese says that the working group was initially split in its view on the extent of the mandate a federal world republic ought to have. There were two main approaches in the group: the minimalists who believed that the world government's powers should be limited to measures that were directly necessary to prevent war, and the maximalists who wanted to include economic justice, prohibition of racial discrimination and colonialism, etc. in the world government's assignment.

The maximalists won and when the final text was written, all the members of the group were convinced maximalists. The final proposal recommended a common currency, common fiscal and financial policies and a federal capital.

Limiting powers

The constitutional proposal starts with a declaration of human rights and responsibilities, which includes classic negative freedoms such as freedom of assembly and thought, and prohibition of torture and slavery, as well as the right to avoid poverty and the right to education. Then follows a list of the powers that a world authority ought to have, including:

- maintaining peace
- instituting laws that are binding for everyone and that can be applied to societies as well as directly to individuals
- mediating and judging conflicts
- monitoring, and the final right of decision on, border changes, new states, etc.
- intervention in violent conflicts
- access to federal armed forces and federal police forces
- power of taxation
- administration of certain territories
- the right to set up the authorities needed to develop and administer the world's resources
- control of a world bank that issues money
- regulating international trade
- regulating transport
- regulating and monitoring migration

All powers that are not expressly delegated to the federal government in the constitution remain in the hands of national governments.

Decision-making structure

In the constitutional proposal, the federal power is organisationally divided between:

- A Federal Convention, elected every three years directly by the people in all states. Each country elects one delegate per

million inhabitants (rounded up). Countries with more than one hundred thousand but fewer than one million inhabitants choose one delegate each, while countries with fewer than one hundred thousand inhabitants belong to the same election constituency as a neighbouring country. The Popular Assembly meets for 30 days in May every three years. The delegates vote individually, not based on national borders.

- A World Council, which is the legislative assembly, with 99 delegates elected for three years by the Federal Popular Assembly, similarly to the president.
- A president who is elected for six years by a two-thirds majority in the Popular Assembly, after candidates have been appointed by the member countries, divided into nine electoral groups based on cultural affinity, so that there are candidates from all cultural regions.
- A Cabinet appointed by the president.
- A number of special bodies under the World Council with the task of representing different special interests and handling special issues. Within these bodies, which are appointed by the World Council, there is a chamber with representation from all states and nationalities, which should protect the autonomy of states and minorities. There is also a chamber representing different trade unions and labour groups, an institute for science and education, and a special planning committee with 21 representatives, appointed by the president. The Council, whose responsibilities include the budget, has veto right.

Judicial system

World law is upheld by a system of courts headed by a supreme court and the Grand Tribunal. The Grand Tribunal is the highest judiciary body, with 60 delegates and the president as chief judge and chairperson. The Grand Tribunal has five divisions, responsible for different issues. The divisions appoint a supreme court with seven members who lead and monitor the work of the Tribunal, allocate cases to the different divisions and have the power to revise or quash the divisions' judgements.

Armed forces

According to the proposal, the World Federation should have access to its own military forces, which should be under the control of the Chamber of Guardians, with six members appointed by the World Council from its own delegates, headed by the president. In addition, it includes a former president with a right of free speech but no right to vote. As well as being responsible for its own forces, the Chamber of Guardians should decide on the upper limit for every member state's armed forces, both in terms of numbers and technical ability.

The Popular Tribunal

A special position called the Popular Tribunal is instituted with the task of monitoring and defending individuals' and groups' rights against injustice by the world government and to monitor that all decisions are made in accordance with the constitution. In practice, the Popular Tribunal serves as a kind of ombudsman and has the power to transfer any suspected violations to the Grand Tribunal. The Tribunal has the final decision in these cases. It can be noted that the president

thereby becomes the chairperson of several of the most powerful executive bodies, and the chief judge of the body with final control over these bodies so that they not abuse their powers.

The Popular Tribunal is appointed by voting in the Federal Convention, but the candidate given the job is not the one with most votes but the one with the second highest number of votes. The idea behind this rather odd principle is explained in an afterword: the Popular Tribunal should primarily represent the interests of the minorities, not the majorities, and the random element of the voting makes it difficult for the majority to control the results. This particular point, however, was one on which the committee was not unanimous.

Capital, language and currency

The world republic should also set up a capital city, like the American capital, located in a special federal district that is not controlled by any individual member state. Furthermore, the republic should have a common official language and currency.

2.2 PEACE THROUGH LAW

Hans Kelsen (1881–1973) was a jurist and eminent legal theorist. He was originally from Austria but from the start of the Second World War he worked in the USA at the universities of Harvard and Berkeley. Kelsen's legal positivist view has greatly influenced the modern view of what law is and how the legal system works. In his book, *Peace through law*⁷, Kelsen reflects on international law. The book was written in 1944, against the background of the Second World War and the experiences of failure to maintain peace through the League of Nations. The question

in the book is how strengthening international law could prevent a new world war. During this time, work was underway to create what was to become the United Nations, so the book could possibly be seen as a contribution to the ongoing political debate at the time.

Kelsen pleads for, among other things, the principle of individual responsibility for war crimes, and puts forward a proposal for charters for a permanent world organisation with mandatory handover of all disputes between member countries to an international court.

Kelsen has a fundamental idea that separates him from all the other proposals studied within the frame of this report, namely that it is not legislative power or executive power that is at the centre of a global legal order but a court with mandatory jurisdiction over all states. According to Kelsen, the international court should therefore form the core of a new world organisation, and even though his proposals for charters also contain a general assembly, council, secretariat and secretary-general, like the United Nations, which was finally formed, the role of these institutions is strongly toned down in comparison. It is the court, not the assembly or council, that forms the core, and it is there that the important decisions are made. According to Kelsen, the key to peace is to handle all conflicts between states as legal matters.

Kelsen's arguments are based partly on a political analysis of what the main obstacles to a global legal order are and partly on a legal theoretical analysis of what is required to institute working international law.

Kelsen believes that the nation states' resistance to waiving their legislative power to a global

legislative assembly, or to the drawing up of a global executive body with centralised means of power that are sufficient to implement global decisions, is probably greater than their resistance to the setting up of a legal body with the task of applying existing international law. Kelsen points to historic examples showing that in international bodies in which political decisions should be made, the states, not least the most powerful ones, have been unwilling to give up their national veto right in favour of majority decisions – which has made these bodies less effective.

In the permanent international courts set up in 1902 and 1923, majority decisions by the court's members have led the way. According to Kelsen, the biggest problem with these courts was, that referring international disputes to them was not mandatory.

On the question of which law the international court should apply when there is no international legislature, Kelsen argues partly that valid international law already exists, which the court can apply, and partly that it is the court's duty not just to interpret existing laws to the letter but also to develop international law. New laws are formed through precedential judgements. That is, according to Kelsen, how international law has always worked, and how national legislation has long worked in many countries.

Kelsen also downplays the importance of having a centralised body to implement decisions. This can be left to the member states by making it mandatory for every member state to take part in implementing the court's decisions. A country that does not meet this obligation can be put on trial and suffer sanctions. Given that

a sufficient number of countries expect that a sufficient number of other countries will comply with the court's decisions – and be prepared to implement them – it is rational for each country to comply with the decisions and agree to their implementation.

Other central elements of Kelsen's proposal are a prohibition against member countries waging war against other member countries regardless of reason, and permanent membership with no possibility of exit.

When it comes to the General Assembly, the mandate and tasks of which are fairly unclear, the member countries each appoint a representative, and decisions are made according to the majority principle with one vote for each member. It is the job of the General Assembly to appoint the delegates of the council and decide on changes to the charter with a three-quarter majority, but it otherwise appears to have a mainly advisory role. The proposed charter establishes that the General Assembly may express its view on anything, through majority decisions, but that binding decisions may not be made about anything that is not in the charter.

The court, with 17 judges, does make decisions that are binding for members. In order to guarantee that the judges are impartial and do not work for any country, they are appointed for life – or rather until they retire, normally assumed to happen at the age of 70. They renounce their citizenship and are given a special diplomatic passport for the time they serve in the court. They are not allowed to have any form of commercial interests.

The judges are appointed through a process in which courts and legal institutions in all member countries

nominate suitable persons. Each institution nominates one person from its own country and one from another country. Those nominated by institutions in other countries than their own are put on one list and those nominated by their own country on another. Based on the number of nominations, nine persons are appointed from the first list, while the General Assembly chooses eight persons from the second list. New lists are drawn up every four years, and if any judge leaves or retires, a new delegate is appointed from the list from which the departing judge was chosen.

According to the proposal, the Council should have delegates from four permanent members – the USA, the Soviet Union, China and Great Britain – and a further unspecified number of delegates elected by the General Assembly. The mandate period is not specified.

Kelsen is basically positive to a more far-reaching global political organisation, and he does not rule out a world state in the distant future. However, he believes that it is completely unrealistic to set one up in the short term. He sees a global legal order based on an international court as a realistic solution and a way forward towards a possible future world state.

Kelsen's proposal puts the law first, which means that the proposal circumvents quite a few problems that other proposals struggle with, such as representativity and rules on decision-making in a legislative assembly, how sufficient power resources can be built up without threatening the countries' independence and without the risk of being abused, and so on. At the same time, the proposal is strongly targeted at peace and conflict resolution,

and it is doubtful whether there is a strictly legal solution to global environmental problems.

2.3 A UNION OF DEMOCRACIES

Clarence K Streit (1896–1986) was an American journalist, working as a foreign correspondent for the New York Times. During the 1930's, Streit covered the League of Nations in Geneva, and thus got an up-close view of the world's complacency in the face of Germany's, Italy's and Japan's military build-up, and the League's inability to prevent aggression and preserve the peace.

Streit came to the conclusion that the problem was the design of the League of Nations. Instead of an association of sovereign states, without any power to make and implement binding joint decisions, a stronger political union was needed – a federal democratic world government – with both binding common legislation and military might.

A great source of inspiration for Streit was the transformation of the fairly weak American Confederation, founded by thirteen sovereign states after the Declaration of Independence in 1776, into a federal union of states with common laws and a much stronger central government, through the adoption of the American Constitution in 1789.

The book *Union Now*⁸ was published in 1939, on the brink of World War II. In the book, Streit advocates for a political union consisting of the world's, at that time, fifteen stable democracies: the USA, the UK, Canada, Australia, New Zealand, South Africa, France, Ireland, Belgium, the Netherlands, Switzerland, Denmark, Norway, Sweden and Finland.

According to Streit, such a union was the only way to avoid impending

world catastrophe. United in a political union, he meant that these countries could amass such an enormous economic, political and military might that they simply would deter any potential aggressor, including Hitler and Mussolini.

The book was written with focus on the then urgent threat of an imminent world war. Once the war had started, Streit argued on behalf of a union between the UK and the USA, and after the war a new edition of the book was published, with the same arguments for a union between the world's democracies, but based on the new political situation.

Shortly after the publication of *Union Now* Streit founded an organisation called Federal Union, which is still active under the name The Streit Council for a Union of Democracies. He was also a co-founder of the Atlantic Union Committee, working towards transforming NATO into a political union.

A central theme in the book is the difference between a league of independent states and a union. Streit puts a lot of effort into explaining why a league cannot preserve world peace, and why the formation of a union between the world's democratic states solves this problem immediately, and also a number of other large human problems.

According to Streit, a league is an organisation of governments, by governments and for governments. Its members are states, it is the states that are represented in the decision-making body, whose laws are applied at the state level and not at the individual level. Individuals are citizens of separate sovereign states and the league's decisions and laws must be converted to national legislation in order to apply to them.

A union is an organisation of individuals, by individuals and for individuals. Individuals are citizens of both the union and the member state where they reside. The union alone has the right to decide on citizenship. The decision-making body represents the citizens, not the member states, and the laws are applied directly to the citizens, without the detour via the member states' legislation. The ultimate purpose of a federal democratic world government was, for Streit, to protect the individual's freedom and interests, while the purpose of a league, like the League of Nations, was to protect the sovereignty of the states.

It is central for Streit that the union's common legislation applies directly to its individual citizens. He had witnessed, for instance, during Italy's invasion of Ethiopia in violation of the League of Nations' laws, how toothless sanctions against states could be. The union must therefore have its own independent legal system which can enforce common laws without the approval of states.

This does not prevent the states from having their own laws and legal systems for issues that are outside of the union's authority. The model comes from the USA, with a separation between state laws and state legal systems, and federal law and the federal legal system. In the same manner, the union would be entitled to tax individual citizens directly, and not depend on the member states for its tax revenue.

Unlike many other world federalists, both before and after him, Streit did not advocate for a union that included all of the world's nations. The membership should instead be limited to stable democracies. One reason for this was that he believed that an organisation

including all states, democracies as well as dictatorships, by default would be weaker and less cohesive, and that it was more important that the organisation had enough power and stability than that all countries are members. He describes how he was previously in favour of an association, if yet stronger than the League of Nations, because he assumed that the whole world would be organized at the same time. It was only when he realized that the problem could be limited by organizing a fewer number of democracies, that the union solution seemed possible.

In the long run Streit envisioned that the union would be expanded to include more members – simply because of membership appearing attractive – in order to eventually, at a pace that best served human freedom, develop into a universal world government. The fifteen founding nations would constitute the core, but the union must be open to membership for all democracies, guarantee their citizens the rights stated in the union's joint declaration of rights.

The World's United Democracies, as Streit calls this union, would be built around five common concerns:

1. citizenship
2. defence
3. currency
4. trade
5. communication

An appendix contains a proposed text for a constitution, heavily influenced by the American Constitution. But Streit emphasizes that this draft is not intended as a fixed and final plan, but only as a possible model.

The union would be based on

a written constitution and the legislative body – the Congress – would be divided into two chambers. One chamber – the House of Deputies – would be completely proportional to the population in the member states. The other – the Senate – would not follow the proportionality principle, but afford states with fewer inhabitants a larger influence than motivated by population.

Concerning executive power, Streit proposes an executive Board consisting of five people, three of which are directly elected by the people, and the two legislative chambers appoints one each. The purpose of this is on the one hand to emphasize that the power emanates from the people, and also to divide the power, which would reduce the risk that any one individual gets too much power. The Board's members are elected for a five year term, according to a schedule where one member is replaced each year. The council members would take turns as the union's president, one year at a time.

The Board then appoints a Premier who performs the daily executive governance, with the aid of a cabinet that he or she appoints themselves.

The union would also have a common federal legal system, with a Supreme Court, and a common defence. Streit makes a big deal of the financial savings this would entail. Overall the union should be able to disarm, once its member states' military forces are joined, and yet retain total military superiority against any potential aggressor.

The union would simply assume all the military resources, including fortifications, harbours, military sites and buildings that the member states possess at the time of the union's founding, and the command of the defence would be transferred to a high

defence council, consisting of the officers who currently have command over the democracies' armed forces.

The member states would be allowed to have their own police and militia, but not to go to war on their own, except in emergency situations.

2.4 WORLD FEDERATION

Grenville Clark was an influential American lawyer who worked as an adviser to president Franklin D. Roosevelt during the 1930's. In 1958, Clark, together with fellow lawyer and Harvard Professor Louis B. Sohn, published the book *World peace through world law*⁹, which contains a detailed proposal of a constitution for a hypothetical world federation. Sohn arrived in the USA from Poland in 1939, and was a leading expert in international law who worked for the UN.

The proposal is based on the fundamental idea that real and lasting peace requires complete disarmament of all national military forces as well as a system of binding international laws backed up by an effective legal system with international courts and international police.

This world law must have a constitutional basis that clearly limits the mandate of the world authority and is applied to all states as well as all individuals in the world.

In addition to disarmament and international rule of law, Clark and Sohn believe effective measures are required to reduce the world's economic divides, as these lead to destabilisation and conflicts.

The book uses as its starting point the (then) existing UN charter and shows how it could be revised in order to create an effective international authority. The reformed world organisation also retains the name United Nations.

In the introduction to the book, Clark stresses that this is only one possible approach and that there are practical advantages to starting with a basis in existing institutions. But he doesn't oppose the idea of starting a completely new organisation if, for whatever reason, it would prove to be a better solution. The result is more important than the method by which it is achieved.

The aim of the proposal was to make the road to real peace easier with the help of a tangible and detailed proposal for an organisation that could be decided on and discussed around the world.

Membership and consent

Clark and Sohn emphasise that world law must apply to all states and individuals. Thereby, all, or almost all, countries must choose to become members of the new world organisation. A few countries choosing to remain outside could perhaps be acceptable, but these countries would still need to be bound by the law and decisions made by the world organisation.

Furthermore, they establish that membership must be voluntary, at least initially. Consent would thus be required by practically all countries – five-sixths of all states, including at least five-sixths of the world's population and all twelve of the countries with the largest populations – for the new world organisation to be realised. Once a country becomes a member it would not be allowed to leave or be excluded.

The General Assembly

According to the proposal, an important change to the UN charter would be to reform the General Assembly into a supreme decision-making and legislative

body, with delegates appointed in general elections in the different member countries in proportion to their populations. According to the authors, the transition to popularly elected delegates must however be gradual. In the first stage, they would be appointed to the General Assembly by the states' governments or parliaments. In the second stage, at least half of the delegates from every country would be appointed through general elections, and not until the process had reached the third stage would all delegates be appointed through elections. Clark and Sohn envision a total transition period of 24 years before the general elections would be fully implemented.

Decisions in the General Assembly are normally made with a simple majority, and the assembly is a quorum when a majority of the members are present. For particularly important issues, special voting rules are stipulated: for some issues, a majority of all delegates is required (i.e. not just those in attendance), and for others a majority of three-quarters of all delegates and a majority of at least two-thirds of the delegates from the twelve biggest countries.

The seats in the General Assembly would be allocated according to the size of the countries, but not strictly proportionally. The four biggest nations are envisioned to have 30 representatives each, while the three smallest would have one representative each and the remaining 92 independent nations, at the time the book was written, between 2 and 15. The total number of representatives would be 551.

In a comment, Clark and Sohn write that they grappled with the problem of representation for several years, examining different models, and finally decided that this model was

a reasonable compromise between consideration for the different sizes of countries and their positions as independent states. The authors prefer a system with only one chamber, as they feel that decision-making in such a system is easier and more efficient than with a two chamber system, and they reject different kinds of double voting procedures – which require a majority of both delegates and countries.

Other factors, such as economic resources and level of education, were considered as a basis for mandate allocation but were rejected, according to the authors, on the grounds that they created unnecessary complications without contributing to making the system fairer.

The Executive Council

The current Security Council would be abolished and replaced by an Executive Council with 17 members appointed by the General Assembly. The members would be appointed based on a system that would guarantee a certain allocation of members between the states: the four biggest states would always have one representative each, and the next eight would share four mandates in turn, of which two would always be from Europe and two from countries outside Europe.

According to the proposal, the Executive Council would also have special voting rules, including a requirement of at least 12 out of 17 votes on particularly important issues, and these 12 votes must also include a certain number of the representatives from the largest countries.

The Executive Council would function as a kind of government. It would be accountable to and could be

dismissed by the General Assembly. Unlike many national systems in which the parliament appoints a prime minister who then appoints his or her government, every member of the Executive Council would be appointed by the General Assembly.

Secretariat

Like the current UN, Clark and Sohn believe that a Secretary General, appointed by the General Assembly, is needed as well as a secretariat that can support the decision-making bodies and implement decisions in practice. The Secretary General is the world organisation's highest official.

Courts

One international supreme court, formed by reorganising and strengthening the powers of the current International Court of Justice, would be responsible for applying the binding laws legislated by the General Assembly. The court would have 15 members, appointed for life. Under the International Court, a system of between 20 and 40 regional courts would be instituted that would sentence people violating international laws. The judges of these courts would be appointed by the Executive Council, and their verdicts could be appealed against in the International Court, which would then have the function of a supreme court.

Clark and Sohn also propose a kind of complementary court, a World Mediation Court, whose task would be to mediate and resolve disputes of political rather than legal nature. They propose that the World Mediation Court also consists of 15 members appointed for life by the General Assembly.

The decisions of the World Mediation Court would generally be advisory, unlike those of the

International Court. Only if the General Assembly voted on a decision with a three-quarter majority would the verdict of the World Mediation Court become binding.

In addition, Clark and Sohn proposed instituting a lower-level World Mediation Bureau, which could assist states in solving simple disputes.

Armed world police

To implement the world authority's decisions and guarantee the security of all member states in the absence of national defence, Clark and Sohn propose setting up a relatively powerful and well-armed world police force. This force would consist of between 200,000 and 600,000 professional soldiers – the exact number would be determined by the General Assembly.

To counteract dominance by strong states, the proposal stipulates that the force mainly be recruited from small nations, and with no nation having more than three per cent of the total number of troops.

In addition, there would be a reserve force of between 600,000 and 1,200,000 troops, recruited according to the same principles as the regular force.

The world police would have access to the most modern weaponry, but no weapons of mass destruction. There would be a complete ban on chemical and biological weapons. Nuclear weapons held in reserve would be placed under the control of a special authority and would not be part of the world police's arsenal. Nuclear weapons would only be used after a special decision in the General Assembly, on the prerequisite that another state had used or threatened to use nuclear weapons that they had produced in secret or hidden away.

According to the proposal, the world

police should be led by a staff of five, appointed by the Executive Council, and recruited from small nations.

Other authorities

As well as legislative, executive and judicial bodies, a world police force and a permanent secretariat led by the Secretary General, Clark and Sohn envision the reformed and strengthened UN having a number of specialist bodies for different subject fields:

- An Economic and Social Council with the task of investigating and presenting proposals for measures that could promote economic and social development. The council would have 24 members, elected by the General Assembly from among the General Assembly's members. Of these members, 12 should come from the 12 countries with the highest GNP. The countries themselves would not appoint their representatives: the General Assembly would.
- The World Development Authority, under the leadership of the World Development Commission, appointed and controlled by the Economic and Social Council. The main task of the authority would be to combat poverty and provide help with economic and social conditions that threaten peace. Clark and Sohn envision that a considerable share of the UN's budget would be used for this purpose.
- An Administrative Council with the task of administering former colonies and other non-independent areas, with the aim of promoting economic and social progress, and developing political institutions.
- An inspection body to monitor the carrying out of total disarmament in all states. Like the world police,

Clark and Sohn envision this body being led by a staff of five persons, which must all come from small states.

- A nuclear authority with the task of controlling elements that can be used to produce nuclear weapons, promote peaceful use of nuclear power, and store and control the nuclear weapons that the UN chooses to keep, and, if there is a need, to produce new ones, and at the request of the General Assembly to equip the UN's military forces with these weapons.
- A space agency
- A number of the specialist bodies that already exist in the UN, such as UNESCO, FAO, etc. and other such bodies that the General Assembly considered necessary to carry out its assignment.

Taxation

To finance this revised and strengthened UN activity, the General Assembly would be given the right to decide on the budget and taxes and, in cooperation with the member nations, collect the taxes decided on. The budget may not exceed two per cent of the world's total GNP.

Taxes should be collected from the member states' people based on ability to pay. There would be a special UN tax office in every country, and member states would be instructed to cooperate with this to collect taxes from their inhabitants. The cost of administration would be borne by the member states.

Disarmament

One of the fundamentals of the proposal is general and complete disarmament of all national military forces. Only pure police forces could remain under national control to the extent and with the arms decided on

for every country by the Executive Council.

Clark and Sohn provide a detailed plan on how such disarmament could work. The idea is that it must be done gradually and at the same pace in all countries. There must also be reliable control mechanisms and it should be done in parallel with building up a common global military capacity that could take over responsibility for security in a credible way from the national governments. Otherwise, the authors reason, no country would dare to disarm.

The disarmament plan covers twelve years, of which the first two constitute a preparation phase when the required new institutions in the UN are built up, including a special inspection body to monitor that the countries comply with their undertakings of actual disarmament. During these preparatory years, an inventory would also be made of the levels of the countries' armaments as a basis for determining the pace of disarmament in each country.

During the ten-year actual disarmament phase, every country should reduce its military force by ten per cent per year (it is assumed that the authors mean ten per cent of the original force) proportionally across all weapon branches. Every country must draw up detailed annual disarmament plans for approval by the UN's inspection body, which would then monitor that the plans were adhered to.

If any country did not comply with the disarmament plan, the inspection body would report this to the Executive Council, which would decide on sanctions.

The inspection body should have access to all facilities and the right to make use of all means of communication necessary to carry out its assignment.

Limitation of powers

The revised UN in Clark and Sohn's proposal has considerably greater powers and power resources at its disposal than the current UN. The authors are careful to point out that the world organisation's powers must be clearly limited to such areas that are absolutely necessary to preserve peace. Other areas must remain under the states' control, and this must be guaranteed by the constitution – otherwise, they argue, no state would accept the transfer of power that the proposal entails.

In the same way, individuals must be protected against any abuse of power. The creation of a world organisation with huge power resources at its disposal is a risk, and constitutional limitations are therefore required to reduce the risk of any abuse of power.

An essential element of this proposal is therefore a catalogue of human rights that establishes which individual rights may not be breached and which issues remain the states' own affairs in which the UN is not permitted to become involved.

In the Declaration of Human Rights, the first article establishes that all nations reserve all powers not expressly delegated to the UN in the Constitution, and in its second article that the UN may not make any decisions that restrict individual freedoms such as freedom of religion, opinion, the press, etc.

The constitutional guarantees are fairly general. According to Clark and Sohn, the International Court of Justice has an important role in defining and interpreting them by judging disputes and thereby establishing the boundaries of the UN's mandate, in roughly the same ways as the American Supreme Court on whether laws are consistent with the Constitution.

The fact that all powers are limited in the Constitution does not mean that they are cast in stone forever but that there is an inbuilt slowness in them, as decisions on changes to the charter requires a two-thirds majority in the General Assembly and ratification by four-fifths of all member states, of which eight must be from the twelve biggest nations.

3. Global democracy

The modern academic discourse

on global democracy involves a number of prominent writers who have contributed with interesting perspectives and ideas. These include, among others, David Held, Gillian Brock, Daniele Archibugi, Luis Cabrera, Thomas Pogge, Torbjörn Tännsjö, Richard Falk and Andrew Strauss.

3.1 DEMOCRACY AND WORLD ORDER

David Held (b. 1951) is a professor of politics and international relations at Durham University, Great Britain. In his book *Democracy and the Global Order*¹⁰, Held argues that cosmopolitan democracy must become the superior organisation form in the world, and he presents a few principles that he believes are central, including:

- equal value of everyone
- active representation
- personal responsibility and accountability
- consensus
- common decision-making on matters of common interest through voting
- involvement and subsidiarity (i.e. decisions being made as close to those affected as possible)
- avoiding serious damage
- sustainability

All these principles are closely related and, according to Held, mutually dependent on each other. They are aimed at making the individual the starting point of the future global legal order.

In the book, Held conducts a comprehensive review of the growth of modern democracy. He describes the growth of democracy in parallel with the growth of sovereign states. Held's review also covers our time, in which he feels that the link between

the nation states and democracy has become weaker and that the strong links between cosmopolitanism and democracy have become increasingly clear. In a world in which the individual's autonomy is at the centre, it is natural to demand the same autonomy for everyone in the same political order. According to Held, the democratic ideals of the future will therefore be cosmopolitan. Globalisation is contributing to this development.

According to Held the states have not played out their role, but they need to be complemented with a global world order. Sovereignty will need to be shared between the local, regional, national and global levels. There are many common interests here, according to Held, not least in the area of the economy. The free market needs to be regulated for the democratic ideals with free individuals to be maintained and developed.

Held believes the road to cosmopolitan democracy goes via global institutions that already exist. These must have sufficient mandate to be able to handle global matters. Cosmopolitan democracy must permeate legislation at the national and regional level. In addition, regional organisations, like the EU, must be developed to take regional responsibility for the application and implementation of global laws.

But this is not enough, according to Held. Some form of global democratic forum must also be created. This could have its place within the UN, as a second chamber, or outside of the UN. In the beginning, it would be made up of democratic states, and grow as other states become democracies.

In the longer term, Held can see a clear but gradual expansion of democracy to the global level,

towards a completely autonomous global decision making structure with responsibility for coercive measures, administration of justice and economic control instruments.

3.2 A GLOBAL PARLIAMENT OUTSIDE OF THE UN

George Monbiot is a British writer and political activist, active in the environmental movement and the global justice movement. He has written a number of books about the threat of climate change and global distribution of power and resources. In *The Age of Consent*¹¹ however, he criticizes the elements in the global justice movement advocating for Marxism or anarchism as an alternative to the present system, and commits himself to democratic governance.

Monbiot argues for the need for a democratic decision-making process on a global level. In the introduction of the book he writes that everything else has been globalized:

“Democracy is the only thing relegated to the national level!”

He specifically suggests four things:

1. a democratically elected world parliament
2. a democratised UN General Assembly
3. an international clearing union that automatically compensates trade deficits and prevents indebtedness
4. an international organisation for fair trade

With regards to the first proposal, a democratic world parliament, Monbiot envisions that this must be established outside of the auspices of the UN, by the citizens of the world themselves, without the help or approval of any nation. The process is initiated through a series of open

global meetings where the delegates are not elected. During these meetings a campaign is developed to gain support for a world parliament. The meetings will also designate an election commission, tasked with outlining electoral districts and prepare guidelines for the first election. These guidelines will then be sent for referral around the world.

Monbiot is careful to specify that this phase can't be considered democratic, and that decisions made during this phase must be subject to repeal or change once a democratically elected parliament is in place. He further suggests a referendum regarding the parliament directly after the first election, to ensure that it is supported by a majority of the world's population.

Monbiot briefly discusses different proposals regarding representation and voting rules, but rejects most of them as too complicated. He advocates for the simplest form – one vote per adult human being in the world. The parliament is intended to consist of 600 delegates, who are elected according to majority rule in single member constituencies, that is in accordance with the British electoral system.

The world parliament will not – at least at the initial stage – have any real power, according to Monbiot. Its influence is completely based on the moral authority that is derived by being considered the only legitimate representative of the world's citizens. This moral authority will make it difficult for powerful international institutions, such as the World Bank, to disregard its recommendations.

Monbiot estimates the cost of holding a global election to approximately 5 billion USD and the operating cost to about 300 million USD. He discusses the problem of financing this, which is

complicated by the ineligibility of states, corporations or international institutions – with the possible exception of some benevolent UN agency – to act as financiers. He does not provide any suggestions on how to accomplish this.

Another problem that he discusses is how to hold elections in states, especially in dictatorships, that are opposed to a world parliament. He argues that there are various possibilities, such as covert elections, or having citizens who have fled their country vote on behalf of their constituencies. This, he argues, will also function as a tool for democratizing these countries.

Monbiot is of the opinion that democracy demands that we don't pre-determine the duties and functions of the world parliament, or impose any limits on its evolution. The only acceptable democratic way is to let the parliament determine its own evolution. Maybe it will remain an assembly with advisory functions, or maybe it will choose to eventually, when it is politically feasible, develop into a real legislative authority. Maybe it will choose to establish a democratic world government. We must, according to Monbiot, be open to this, but it is not something his

proposal seriously advocates for, or even takes a position on.

Monbiot also discusses the risk of corruption and that the parliamentary delegates are controlled by other interests than those of the voters. He includes the risk that individual delegates are controlled by the party line when they make decisions on proposals in the parliament. He points to the lobbying activity that is financed by financially strong interest groups in national parliaments, as in the EU parliament, and argues that this usurps democracy, but is impossible to completely outlaw without interfering with legitimate influences from the voters. He suggests a number of measures, such as strict anti-corruption regulation, and that the International Criminal Court, ICC, is appointed to prosecute these cases (it is unclear who would enact these laws and commission the ICC with this responsibility, considering the parliament lacks legislative authority), but he further argues that protection against abuse of power rests foremost on transparency and independent review by media and democracy movements.

In addition to the World Parliament, Monbiot also suggests

▼▼ The clearing union aims to maintain a balance in international trade to avoid that some countries end up in an unsustainable debt crisis. ▼▼

democratization of the UN General Assembly and shutting down the UN Security Council. By democratization he means that every state's vote should be weighted according to the size of population and rating on some form of objective global democracy index. This, he argues, would also give non-democratic states a strong incentive to democratize. The reformed General Assembly should, according to the proposal, assume the current duties of the Security Council.

The question is how such a reform could be executed within the framework of the current UN system, where repeal of the veto power of the five permanent members of the Security Council requires all five permanent members to vote in favour of it. Monbiot is aware of the problem but discusses the possibility that the Security Council will break up primarily due to the US decision to go to war without its approval, for example the invasion of Iraq. Outside of this expectation he doesn't provide any suggestions on how to solve the problem.

The idea of an international clearing union comes from the economist John Maynard Keynes, who proposed it at the Bretton Woods conference in 1944 when the World Bank and the International Monetary Fund were created. The clearing union aims to maintain a balance in international trade to avoid that some countries end up in an unsustainable debt crisis. Basically the idea consists of creating a global bank, with its own currency, called bancor, which has a fixed exchange rate against national currencies. Every country has an account in this bank, with assets and liabilities in bancor, equivalent to its trade surplus or trade deficit. A surplus in bancor could be used for

trade, and since both countries with surpluses as well as countries with deficits at the end of the year must pay interest, an incentive to even out trade imbalances between countries is created.

The interest should, according to the proposal, be collected in a fund that can finance both world parliament elections and operations, as well as various projects to reduce inequalities in the world. The question is how countries could be made to pay interest to such a union, and how countries that today have large trade surpluses can be compelled to voluntarily accept such an organisation, not least considering that the proposal was rejected in 1944.

Monbiot's answer is that poor and indebted countries can use their debts as leverage to force a change – they can threaten to collectively cancel their payments. The question is how credible this is as a weapon. Even if poor and indebted countries can hurt the wealthy creditors by not repaying their debts, it is likely that the wealthy countries can hurt the poor countries even more.

Finally, Monbiot proposes a global organisation to monitor fair trade. One idea is to licence companies who want to trade internationally, and impose certain requirements regarding compliance with fairness principles. The monitoring can be assigned to specific auditing companies, and the trading companies will absorb the costs. Part of the monitoring would include checking that corporations pay a reasonable price for damages to natural resources during production.

How to establish such an institution, what resources it should have at its disposal, and how it would be able to monitor all international

trade in every country and ensure that companies who lack a licence aren't able to do business, is not explained. The proposal assumes that all of the institution's monitors can operate in all national territories and across all borders, and that all countries allow extensive regulation by an external authority within their territory. It also seems to require fairly significant resources. Who would establish such an institution, whether all states would be required to go along with it, how decisions regarding what constitutes equitable conditions are made, and whether the decisions are binding for countries who haven't voted for such an organisation remains unclear.

3.3 UN REFORM

Apart from more ambitious proposals for a radically different global governance model, there are also a number of writers, including Andreas Bummel, Dieter Heinrich, Joseph Schwartzberg and Erskine Barton Childers who have proposed reforms of the current United Nations system aiming at an improved capacity to manage large global risks and crises, and also democratic representation and accountability. Some of these proposals include the institution of a UN Parliament, directly elected by the world citizens, whereas others are satisfied with more modest reforms of the Security Council veto.

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