
From World Citizenship to World Democracy

I am a citizen, not of Athens or Greece, but of the world.

—Socrates

By virtue of physically inhabiting the same planet, human beings everywhere suffer in common from such maladies as nuclear proliferation, global warming, and the war system that forces every country to waste vast resources on arms. We live in a world in which oppressed groups lack legal recourse for their grievances in global courts; as a result, people everywhere are faced with the possibility of being caught up in a terrorist event or a war perpetrated by such oppressed groups. The horrors of 9/11 were not just limited to the US; images of these attacks sent emotional shockwaves to people in all countries, and terrorists soon thereafter mounted devastating attacks from Bali to Spain. In the wake of these tragedies, governments everywhere have had to institute unprecedented repressive measures in order to engage in the so-called “war on terrorism.” In addition, virtually everyone now shares in the vicissitudes of the global economy. International financial speculation has, for example, often caused grievous effects in unpredictable places—such as the collapse of the Mexican peso in 1995 and the so-called Asia meltdown in 1997. We have just begun to see how vulnerable all of us are in the face of our

economic interdependence.

This is the short list of shared global problems in which everyone has a stake; nearly every literate adult in the world holds opinions on such matters that, by all rights, should be accounted for in a democratic global forum.

Obviously, there is no such forum. Whether you are Mexican or Mongolian or American, you really have no direct say, *as an individual*, in such global matters. Your voice is mute. And your vote is not wanted.

The sad fact is, in today's global anarchy, each and every individual suffers from systematic legal and political disenfranchisement at the global level. Our individual vote is *never* acknowledged as a factor in determining how humankind is to cope with its common problems. Powerful nations like America may have more global access to political power than other nations, but certainly not Americans as *individuals*. What can be done about this?

We need political enfranchisement at the global level

We saw in the last chapter that in the absence of global law, our right to “life, liberty, and the pursuit of happiness” has no legal status at the global level. Our national governments may and do speak for us on global matters, but this representation usually occurs in forums such as the United Nations, which only recognize national sovereignty, or in institutions such as the WTO and IMF that have no democratic accountability.

Let's try a thought experiment to illustrate our current disenfranchisement dilemma. Imagine the effects in your personal life if the federal government, the US Constitution, and the Bill of Rights were somehow eliminated in a civil war

and the United States was turned into a miniaturized version of today's United Nations—a "United Nations" of fifty confederated states. Let's say that, like the real UN, the American confederation had organized itself around a General Assembly and a Security Council that consisted of the five biggest states: Texas, New York, California, Florida, and Pennsylvania, and that the seat of the confederation were Dallas, Texas.

Now, just like the UN system, there would be no right to vote for representatives to this confederation government; these would be appointed by the state governments as *ambassadors* to the General Assembly.

Within any one of the fifty nations, there may or may not be a bill of rights. In some earlier civil disturbances, many nations, such as Texas, had been taken over by dictators. A few of the nations, such as Vermont, were controlled by parties from the far left.

Let's run an example of "international terrorism" through this model. Imagine that your house in Michigan, near the Ohio border, was destroyed in a sudden attack by a group of Ohioans. The terrorists from Ohio then rushed back across the border before the Michigan military was able to apprehend them. To get any redress in the matter, you would have to appeal to the seat of government in Michigan, in hopes that they would have a treaty with Ohio that would allow Michigan authorities to deal with the violence across its borders. Even if there were such a treaty, you would have to get Michigan's ambassador to Ohio to convince the government of Ohio to act in the matter, according to its own domestic laws that may apply to treaty enforcement. Ohio would have the sole discretion as to whether or not it should act on treaty enforcement against its renegade terrorists. If that effort were unsuccessful, Michigan could not act directly against these

aggressors. It would have to seek a resolution from the Security Council in Dallas, Texas, calling for sanctions against *the entire state of Ohio*—or even to go to war against Ohio!

You have now learned some hard lessons: 1) within the territory of the confederation, you have no individual legal rights; 2) the Ohio terrorists have no legal accountability outside of Ohio; 3) there is no court in which you can take legal action as an individual; and 4) you have no vote in the matter, because there are no elections of direct representatives to the confederation government.

If you were very wealthy, you might act through the ambassador from Michigan seeking to get the Dallas government to somehow influence the Security Council to act on this matter—only to have it vetoed by the ambassador from Ohio!

This absurd example illustrates how on the world stage—given the United Nations system as it is today—each human subsists *without legal and political rights*. We say this notwithstanding the existence of human rights covenants such as the Universal Declaration of Human Rights, and the ICC (International Criminal Court) treaty.

Individual accountability at the global level is an imperative

We manifestly lack global protection of our legal and political rights. But neither do we as individuals have binding *obligations* or responsibilities to the world community.

International law, such as it is, lays down norms for behavior based on international treaties. But in these documents, individuals are classified as *citizens of nation-states*, and *not* as global citizens who are accountable to a global government. Actual enforcement of these treaties against individuals

only occurs within the country of citizenship, if at all. That country must have passed specific legislation requiring enforcement of a given treaty on its citizens. And it must also be willing to actually use these domestic laws to enforce the treaty provisions against them, applying penalties measured out according to domestic law, *not* international law.

Another of the many flaws of this system is that a given treaty may or may not have been agreed upon by the nation in which a violator has citizenship. For example, as of 2004, major polluters in the US were technically not subject to obligations under international law concerning the environment. This is because the US government withdrew from the Kyoto Accords on Climate Control and is also not party to the Convention on Biological Diversity.

The Geneva Convention Relative to the Treatment of Prisoners of War has long been universally agreed upon by treaty, but events in Iraq have demonstrated that even this prestigious covenant has little binding power if a nation-state has another agenda. There has been no legal recourse for the individual Iraqis who were tortured or killed when the US military perpetrated egregious violations of the provisions of the Geneva Conventions at the Abu Ghraib prison in Iraq in 2003 and 2004. Mild disciplinary actions were brought by Pentagon authorities against the immediate perpetrators, but the international outcry for greater accountability for these crimes stopped there. Secretary of Defense Donald Rumsfeld opposed strict observance of the Geneva Conventions in Iraq, and he literally waived the application of the Geneva Conventions to the war in Afghanistan and for the “prisoner of war” camp at Guantanamo Bay, Cuba. Responsibility for this policy was traced all the way up to President Bush, but there has been no individual accountability for these acts

before the world or the Iraqi people through the agencies of international law.

As we noted in the last chapter, we are now witnessing an encouraging breakthrough (outside of the US) with respect to individual accountability for the most egregious criminal acts. Criminal statutes at the global level that will actually apply to individuals are now evolving through the launch of the first prosecutions by the International Criminal Court.

Ad hoc tribunals and the ICC mark a beginning

It all began with the Tokyo Trials and especially the Nuremberg Trials at the end of WWII, which later resulted in the adoption of the Nuremberg Principles in 1950 by the UN. In general, the Nuremberg Principles extend the jurisdiction of international law to criminal acts, clearly stating that individuals—including heads of state—are to be held responsible for criminal behavior in international settings even if their own domestic law does not hold them accountable, and are entitled to a fair trial in an international court. The Principles listed three types of crimes under international law: crimes against peace, war crimes, and crimes against humanity.

Perhaps the best-known of the seven Nuremberg Principles is Principle IV, which resulted from the trial defense strategy used by Nazi underlings in which they claimed that they were “only following orders.” The principle states that following orders “does not relieve [a defendant] from responsibility under international law, provided a moral choice was in fact possible to him.”

Though obviously unenforceable, these Principles have been used as an important reference for governments and

military organizations ever since they were promulgated. More important, the UN Security Council has used Nuremberg as a precedent for prosecuting egregious war crimes through ad hoc tribunals that the UN has created by fiat. Though expensive and cumbersome, and usually too late to stop the perpetration itself, these tribunals have been a step in the right direction toward holding the worst international criminals accountable.

The most important of these has been the International Criminal Tribunal for the Former Yugoslavia. This ad hoc tribunal was established by a UN Security Council resolution in the face of the serious violations of international humanitarian law by Serbian President Slobodan Milosevic and other collaborators. In May 1999, when Milosevic was indicted by this tribunal, he became the first head of state ever to be indicted by an international court. It is precedents like these that the new world government will build upon as it puts in place clear principles for individual accountability under global law.

However, more often in the decades since WWII, the UN has not met the challenge of creating such tribunals. It has instead followed the procedure of applying sanctions that, in effect, hold entire populations of countries accountable for the perpetration of international crimes by their leaders. Perhaps the worst case of this fundamentally immoral procedure of collective punishment under international law is that of Iraq. The whole world knows that the Iraqis have paid immeasurably for the behavior of one man, Saddam Hussein, through two wars and the UN's devastating economic sanctions during the intervening period between these costly wars.

The movement for the ICC—which now establishes a permanent tribunal—arose in part because of the moral outrage over the failure of sanctions against Iraq, and the

widely noted “collateral damage” these had caused to the people of Iraq. Another motivating factor was the genocide in Rwanda—perhaps the greatest single example of the UN’s inability to stop war crimes. The UN has also created an International Criminal Tribunal for Rwanda, many years after the atrocities were committed.

The ICC’s charter builds directly upon the Nuremberg Principles and other established norms of international law. The visionary jurists behind the Nuremberg Principles long ago called for a permanent criminal court; the ICC is much of their dream become reality.

As of its formal establishment in March 2003, the ICC is now an independent criminal court and is not considered part of the United Nations system. It is a standing, permanent body, located in The Hague (Netherlands) just adjacent to the World Court, formally known as the International Court of Justice. The World Court is a civil court concerned solely with legal disputes between nations. The ICC’s sole purpose is to investigate and bring to justice *individuals* who commit genocide, crimes against humanity, and war crimes—but only when a nation in which a perpetrator resides is unwilling or unable to do so. Importantly, because most wars in the last fifty years have been civil wars, the ICC has jurisdiction over crimes committed during both international and internal conflicts.

The signatories to the ICC are known as State Parties. A crime prosecuted by the ICC must meet one of four criteria: It must have been committed in the territory of a State Party; by a citizen of a State Party; when a non-member accepts the Court’s jurisdiction; or when the UN Security Council refers a case to the ICC, regardless of whether the countries involved are State Parties.

The ICC arose out of the so-called Rome Statute, and the organizing movement that led to the adoption of the Rome Statute in 1998 was carried out by a large number of NGOs (non-governmental organizations) led by the World Federalist Movement, and in particular by its executive director Bill Pace. The ICC Treaty that resulted from the Rome Statute has now been ratified by ninety-four nations. Terrorism, crimes of aggression, and drug trafficking are presently excluded from the statute, at least until the ICC's seven-year review conference in 2009.

The Rome Statute includes extensive due process provisions. These include all the rights of the accused that are guaranteed by the International Covenant on Civil and Political Rights. These include the presumption of innocence, the right to counsel, the right to confront one's accusers, the right to a speedy trial, protection against double jeopardy, and prohibition of trial in absentia. In fact, defendants at the ICC are guaranteed all of the same due process provisions as are present in US courts, with the single exception of trial by jury.

The ICC cannot impose a death penalty; those found guilty will be held in a prison in The Hague. The court can also order convicted criminals to pay reparations to the people and communities they harmed. Victims can participate in sentencing and sentence reduction hearings.

In the recent past, the inevitable delay in the creation of ad hoc tribunals sometimes resulted in the destruction of evidence while perpetrators remained at large. The ICC, however, will be able to respond to crimes as they occur, and it is believed that its permanence will deter future criminals. It is also hoped that the ICC's influence will prompt national courts to hold their own citizens accountable.

The ICC is a real advance for humanity, for the universal recognition of human rights, and for the principle of individual accountability. However, its problems are obvious and its loopholes are many. First of all, the ICC does not have an independent police force. It must rely on countries to extradite suspects to The Hague. More important is the fact that the ICC is “extra-constitutional.” Its powers are not limited by a world constitution that is based on the democratic sovereignty of the world’s people. A world constitution would naturally put in place a global bill of rights, and defend these rights with the force of law applied to individuals. It would also guarantee protection against abuse through a constitutional separation of powers.

World citizenship is no longer a mere sentiment

The ICC has opened the door to individual accountability before world law for the worst international criminals, but our real goal is a movement for a democratic world federation that would bring about the legal and political enfranchisement *and* accountability of each of the six billion individuals on earth.

It is only through a global bill of rights, along with world courts and police to enforce and interpret these rights, and through the right to elect delegates to a world legislature, that we truly become *citizens of the world*. Our world citizenship is then no longer a mere sentiment, no longer a hollow pronouncement of idealistic philosophers; its rights and obligations are consecrated in a world constitution that applies to all humans equally, and for all time.

The Nuremberg Principles were the beginning of the end of a world beset by fear and alienation, and they accomplished

this by establishing the principle of individual conscience as a category of international law. The grand transition to world government will mark the end of our political alienation from one another as fellow humans. It is one crucial step in the materialization of the brotherhood and sisterhood of all human beings that many world religions have proclaimed. When this transition finally occurs, it will be based on the intrinsic, inalienable political and spiritual free will of individuals, and all the rights and obligations that flow from that.

Global activism for world citizenship is needed now

As a philosopher might put it, each person is inherently self-sovereign. But our inherent rights as sovereign individuals are trampled upon by the current system of sovereign nation-states. How can we go about securing our rights and obligations under world law?

It requires nothing less than global activism, a subject we will glance at here but return to in Part III of this book.

In the first chapter we examined the dramatic scene in 1948 when WWII veteran Garry Davis—the first great activist for world citizenship—interrupted a session of the United Nations General Assembly to speak rhetorically on behalf of the world's people. World citizenship as a concept has been discussed and theorized from the days of Socrates, but it required an event like WWII to bring about the public launch of the movement for world citizenship. These were the words Davis delivered in November 1948 to the General Assembly as it convened at the Palais de Chaillot in Paris:

Mister Chairman and delegates!

I interrupt you in the name of the people of the world not represented here. Though my words may be unheeded,

our common need for world law and order can no longer be disregarded.

We, the people, want the peace which only a world government can give. The sovereign states you represent divide us and lead us to the abyss of Total War. I call upon you to no longer deceive us by this illusion of political authority. I call upon you to convene forthwith a World Constituent Assembly to raise the standard round which all men can gather, the standard of true peace, of One Government for One World.

And if you fail us in this . . . stand aside. For a People's World Assembly will arise from our own ranks to create such a government. We can be served by nothing less.¹

Worldwide support for this speech, which came to be called the Oran Declaration, included prominent thinkers such as Albert Einstein, Albert Camus, Albert Schweitzer, and Richard Wright.

Davis's next step was to found the International Registry of World Citizens. Within a few years, over 750,000 individuals in 150 countries registered.

Davis did not stop there. On September 4, 1953, from the Town Hall of Ellsworth, Maine, he declared the founding of what he called the World Government of World Citizens based on the simple assertion of our inherent legal rights as human beings.²

Davis's work is a precedent for the global activists of the future who will enshrine world citizenship as a cornerstone of a democratic global government.

We live in an increasingly interconnected, interdependent, and globalized world. Just about everything we encounter in everyday life has become subject to globalization, including business, agriculture, commerce, entertainment, media, science, medicine, and the environment—that is, everything

except democracy and social justice. The world has globalized, but our global political institutions are relics of the past.

Democracy is perhaps the only instrument of civilization that continues to be confined within local and national boundaries. For the same reason, enforceable law that protects the rights of individuals remains confined within the arbitrary limits of the place of nationality. We are born as individual humans on this unique and wonderful planet, but we are branded by birth certificates as Russian, American, or Chinese. It is time to claim our true identities as world citizens in order to gain the rights and privileges that global government can offer.

The way out of this predicament is for the people of the world to rise up and assume control of their destiny through a forum that directly reflects their collective sovereignty. This forum will be the coming world legislature. The constitution, bill of rights, and laws that are acted upon by this legislature will protect the sacredness of our individual rights.

We must establish a world government, federal in structure, including all the peoples of the earth.

—Mortimer Adler
Former Chair of Board of Editors
for Encyclopedia Britannica