

The Challenges of the 21st Century

We have organizations for the preservation of almost everything in life that we want but no organization for the preservation of mankind. People seem to have decided that our collective will is too weak or flawed to rise to this occasion. They see the violence that has saturated human history and conclude that to practice violence is innate to our species. They find the perennial hope that peace can be brought to the earth once and for all a delusion of the well-meaning who have refused to face the “harsh realities” of international life – the realities of self-interest, fear, hatred, and aggression. They have concluded that these realities are eternal ones, and this conclusion defeats at the outset any hope of taking the actions necessary for survival.

Jonathan Schell, *The Fate of the Earth*¹

INTRODUCTION

Most careful observers of our contemporary global landscape would have no difficulty in accepting the claim that we have entered a period in human evolution characterized by the “acceleration in the velocity of our history and the uncertainty of its trajectory.”² The current age is one of expectations and hope as well as deepening contradictions, uncertainties and emerging risks. The forces of globalization have brought about the elimination of many physical and psychological barriers, precipitating a massive transfer of power and influence away from traditional centers (mainly governments), and in turn contributing to the empowerment of civil society and the decentralization of decision-making. They have facilitated increasing connectedness but also alienation, the concentration of wealth in the hands of a narrower circle, higher expectations of continued improvements in living

¹ Schell, Jonathan. 1982. *The Fate of the Earth*, London, Jonathan Cape, p. 185.

² Brzezinski, Zbigniew. 1993. *Out of Control: Global Turmoil on the Eve of the 21st Century*, New York, Macmillan, pp. ix–x.

standards and growing concerns about the sustainability of our development path. We have celebrated the dramatic improvement in various indicators of human welfare that has taken place in the past half-century, including remarkable progress in average life expectancy, a sustained drop in infant mortality and a rise in literacy, against the background of a sharp reduction in the incidence of extreme poverty³; but we have also awakened to the realization that the high economic growth rates that fueled these favorable trends have in parallel led the planet to run up against binding environmental constraints and often resulted in social alienation and widening inequality. As we were already warned decades ago, there are limits to growth,⁴ and we are reaching them as predicted.⁵ Our current trajectory cannot continue without a collapse in one form or another, and the past is not a good guide to the future.

Our present epoch seems to be increasingly characterized by fear of the future with growing insecurity, social fragmentation and polarization, and a lack of hope, even among the young who often face a more uncertain future than that of their parents. The economic system favors profits for the rich over employment for the masses, with many in the middle seeing decades without improvement, if not falling

³ Between 1950 and 2016, world gross domestic product (GDP) per capita expanded at an annual average rate of 2.1 percent and this expansion was associated with a remarkable evolution in three key indicators of human welfare. In the half-century between 1960 and 2016, infant mortality fell from 122 to 30 per 1,000 live births; average life expectancy at birth rose from 52 to 72 years, a 38 percent increase that has no known historical precedent; and adult illiteracy fell from 53 to 14 percent. Equally impressive was the sharp drop in the incidence of poverty: data from a World Bank study show that between 1990 and 2015 – a period that includes the globalization phase of the twentieth century – the number of poor people living on less than \$1.90 per day (the poverty line used for the definition of extreme poverty) fell from about 2 billion to slightly less than 740 million, a historical low. The reduction in extreme poverty, however, was largely accounted for by the very high economic growth rates in China and, to a lesser extent, in India. In areas suffering from fragility, conflict, and violence the poverty rate climbed to 36 percent in 2015, up from a low of 34.4 percent in 2011, and that rate will likely increase. In sub-Saharan Africa the number of extremely poor people actually rose from 276 million in 1990 to 413 million in 2015. Furthermore, using a less austere poverty line of \$3.20 per day, the number of poor in sub-Saharan Africa in 2015 was about 667 million. At this higher poverty line, the number of poor in the world is closer to 2 billion people, which is still an unacceptably high number.

⁴ Meadows, Donella H., Dennis L. Meadows, Jorgen Randers, and William W. Behrens III. 1972. *The Limits to Growth*. A Report for the Club of Rome's Project on the Predicament of Mankind, New York, Universe Books. The original report was updated in 1992 (Meadows, Donella H., Dennis L. Meadows and Jorgen Randers, 1992. *Beyond the Limits: Confronting Global Collapse, Envisioning a Sustainable Future*, White River Junction, VT, Chelsea Green) and again in 2004 (Meadows, Donella, Jorgen Randers and Dennis Meadows, 2004. *Limits to Growth: The 30-Year Update*, White River Junction, VT, Chelsea Green) only confirming the basic premise.

⁵ MacKenzie, Debora. 2012. "Doomsday Book." *New Scientist*, January 7, pp. 38–41, shows the original projections to be remarkably accurate.

backward, and half the world population still struggling to meet basic needs.⁶ Poverty, exclusion and neglect present fundamental social challenges, with no easy solutions in sight. The world economy is running on increasing debt, threatening a return to the financial chaos of a decade earlier, but with governments' room for maneuver significantly reduced. The forces of disintegration are reflected in growing evidence of the failing institutions of governance, with often discredited leadership, widespread corruption, loss of public confidence, and the recent rise of populist, reactionary and autocratic movements rejecting multilateralism and diversity. Contributing to all this is a generalized loss of moral responsibility, higher ethics or values, even spirituality, able to fill the vacuum of any higher human purpose in a materialistic society.⁷

There are counterbalancing forces of integration, and many signs of progress, including at the global level in the United Nations (UN) and elsewhere, that need to be reinforced and extended if we are to avoid a collapse and make the necessary paradigm shift and fundamental transition to a more sustainable future as called for in the 2030 Agenda.⁸ In a globalized economy and society, improved global governance must play an important role at this crucial moment when change is increasingly urgent for environmental, social and economic reasons.

It is not easy to set priorities among the many challenges of today, as all are interrelated. Their complexity calls for new approaches suitable for dynamic, integrated systems evolving through constant innovation in technologies, forms of communications, patterns of organization and institutional frameworks. The challenge for mechanisms of governance at all scales of human organization is to accompany and steer these processes to ensure the common good, setting limits that prevent their being captured by the already rich and powerful for their own benefit, and ultimately ensuring a just society that guarantees the well-being of every person on the planet.

⁶ The World Bank's poverty database indicates that a full 48 percent of the world's population lives on less than US\$5.50 per day, a sum that leaves such people vulnerable in the event of loss of a job or other such shocks. At best, people living below this poverty line struggle on a day-to-day basis to make ends meet.

⁷ We are aware of studies such as Pinker's that show that, by some objective measures, life on the planet is better than ever, but this is not the perception of the general public, and current forces have the potential to reverse previous gains. Pinker, Steven. 2011. *The Better Angels of Our Nature: Why Violence Has Declined*, New York, Viking. See also his *Enlightenment Now: The Case for Reason, Science, Humanism and Progress*, 2018, New York, Viking.

⁸ United Nations. 2015. *Transforming Our World: The 2030 Agenda for Sustainable Development*. Outcome Document of the Summit for the Adoption of the Post-2015 Development Agenda, New York, September 25–27, 2015. A/70/L.1. New York: United Nations. www.un.org/ga/search/view_doc.asp?symbol=A/70/L.1&Lang=E

Environmental Challenges

In the scientific community, the major areas of urgent concern have been climate change, biodiversity loss and pollution. To take just a few examples: global carbon dioxide emissions from fossil fuels have grown at an average annual rate of 2 percent since 1990 and hit record levels in 2018,⁹ reflecting the continued growth of the global economy,¹⁰ and a sharp rise in energy consumption in China, accompanied by the weakening of natural carbon sinks, such as forests and seas. Not surprisingly, large volumes of Arctic ice have melted and accelerated flow in Greenland glaciers and now in the Antarctic is contributing to rising sea levels.

Even when world economic growth came to a halt in 2009 because of the global financial crisis, these perturbing trends were not reversed, as the present scale of human activity was only marginally and temporarily affected, and world economic growth again took off shortly thereafter. In the absence of other measures aimed directly at reducing emissions, only a sustained, deep economic depression such as that witnessed during the 1929–1933 period, or some other major crisis, might have an impact on the pace of accumulation of carbon dioxide in the atmosphere. However, expecting an economic depression to help temporarily mitigate the challenges of global warming is hardly a commendable solution, involving severe social costs.

While economic growth and technological innovation have led to a massive increase in global wealth, this has resulted in serious degradation of the planet's natural resources, now accelerated by climate change, and is leading to emerging supply constraints. It is estimated, for instance, that by 2025 the number of people living in regions with absolute water scarcity will have risen to some 1.8 billion. Climate change, soil erosion, and overfishing are expected to reduce food production and are likely to put upward pressure on food prices in coming years. Climate change also is limiting energy options. The quantity of carbon in oil wells, gas fields and coal mines presently producing, not counting less conventional sources of fossil energy such as fracking and tar sands, is already about five times the remaining capacity of the atmosphere to absorb carbon without passing 2°C of global warming, meaning that we must leave 80 percent of existing fossil fuel reserves in the ground and stop developing new resources.¹¹ The latest science says we must not exceed 1.5°C and have only about 12 years to turn the corner in the energy transition to

⁹ Evarts, Eric C. 2018. Report: Global CO₂ emissions at record levels in 2018. *Green Car Reports*. www.greencarreports.com/news/1120348_report-global-co2-emissions-at-record-levels-in-2018.

¹⁰ According to the International Monetary Fund's *World Economic Outlook*, average annual global economic growth between 1990 and 2018 was 3.6 percent. A slowdown in the aftermath of the 2008–2009 global financial crisis has since been reversed.

¹¹ McKibben, Bill. 2012. "Global Warming's Terrifying New Math." *Rolling Stone*, August 2, 2012. www.rollingstone.com/politics/news/global-warnings-terrifying-new-math-20120719.

renewable resources,¹² requiring unprecedented efforts at all levels. A recent study identifies the requirements decade by decade to phase out the use of fossil fuels and to make the transition to renewable sources of energy if the commitments made in the Paris Agreement in 2015 are to be met.¹³ Yet there is no mechanism to push countries to abandon lucrative sources of revenue or companies to write off 80 percent of their assets, or to determine how to share the burden of such a fundamental transition in which there will be winners and losers.

Human impacts on the planet now exceed many natural processes, to the point that the modern era is increasingly being labeled as the Anthropocene. *Homo sapiens* has become an invasive species, degrading the environment and pushing beyond planetary boundaries.¹⁴ Science is beginning to determine the survivability of human civilization at the planetary level. The more we degrade planetary carrying capacity now, the lower will be the standard of living in a sustainable world society, at least in the short term.¹⁵

These environmental challenges are at the interface of science and policy-making. As much as some decision-makers may want to deny it, there is an objective reality to environmental characteristics and processes that can be measured and monitored with the tools of science. Science can determine past and present impacts, and increasingly can predict and model future consequences. Action can be postponed, generally increasing the costs and negative consequences over time, but it cannot be avoided. Fortunately, new information technologies that make data and knowledge widely available also strengthen our ability to use that knowledge to improve decision-making at all levels if there is the political will to do so.

While much more needs to be done to refine and extend research on future trajectories for human society, the issues requiring governance at the global level are already defined. This in itself is one of the strongest justifications for global governance, since many of the environmental systems being impacted (climate, ozone layer, nitrogen and phosphorus cycles, etc.)¹⁶ can only be managed through concerted action by all nations.

¹² IPCC. 2018. Global Warming of 1.5°C (SR15), Special Report. Summary for Policy Makers. Geneva, Intergovernmental Panel on Climate Change, October 2018. www.ipcc.ch/report/sr15/
UN Environment. 2018. Emissions Gap Report 2018. Nairobi: United Nations Environment Programme. www.unenvironment.org/resources/emissions-gap-report-2018.

¹³ Rockström, Johan, Owen Gaffney, Joeri Rogelj, Malte Meinshausen, Nebojsa Nakicenovic, and Hans Joachim Schellnhuber. 2017. "A Roadmap for Rapid Decarbonization." *Science* Vol. 355, No. 6331, pp. 1269–1271. DOI: 10.1126/science.aah3443.

¹⁴ Rockström, Johan, et al. 2009. "A Safe Operating Space for Humanity." *Nature* Vol. 461, pp. 472–475, DOI:10.1038/461472a; Published online September 23, 2009. Updated in Steffen, Will, et al. 2015. "Planetary Boundaries: Guiding Human Development on a Changing Planet." *Science* Vol. 347, No. 6223. DOI: 10.1126/science.1259855.

¹⁵ Meadows, Donella H., Dennis L. Meadows, and Jorgen Randers, 1992. *Beyond the Limits: Confronting Global Collapse, Envisioning a Sustainable Future*, White River Junction, VT, Chelsea Green.

¹⁶ Steffen et al., "Planetary Boundaries."

Yet there is no global environmental authority. Policy in this area is currently done via ad hoc approaches involving elements of international cooperation, voluntary compliance, and large doses of hope. In the absence of a body having jurisdiction over the global environment with corresponding legal enforcement authority, the international community has, de facto, abdicated management of the world's environment to chance and the actions of a few well-meaning states. Even the 2015 Paris Agreement ratified by 185 countries pledging reductions in emissions,¹⁷ if implemented in full, will not prevent a warming in excess of 1.5°C, the threshold recognized by climate scientists as necessary to avoid “potentially devastating consequences.”¹⁸

Social Challenges

While environmental challenges represent the outer boundaries to a sustainable planetary society, there are also a number of inner social boundaries below which no just and equitable society with adequate wealth and resources should descend, with poverty as the most central issue. The failure of the present economic system to distribute its increasing wealth more equitably has led to growing inequality and the consequent social instability.

Alongside the pursuit of economic growth without regard to environmental and social costs, there are other forces at work that are already having a major impact on our system's institutional underpinnings which have been crucial to the progress achieved during the past half-century. Key among these are population growth and the corresponding pressures on resources. According to the *World Energy Outlook* published by the International Energy Agency, global energy demand is expected to grow by more than 25 percent by 2040,¹⁹ reflecting the addition of some 1.7 billion people to the world's population and the corresponding need for housing, transportation, heating, illumination, food production, waste disposal, and the push for sustained increases in standards of living. Because many of the mothers who will bear these close to 2 billion children are already alive today, this expected increase in the world's population – barring some unexpected calamity – will materialize and will be largely concentrated in urban environments in developing countries.

Beyond the inevitable pressures on resources, rapid population growth in the poorest parts of the world in the next several decades will lead to growing imbalances

¹⁷ While reporting to the UNFCCC is binding, the Nationally Determined Contributions (NDCs) are purely voluntary and determined by each government. <https://unfccc.int/process/the-paris-agreement/nationally-determined-contributions/ndc-registry>

¹⁸ Stern, Nicholas and Samuel Fankhauser. 2016. “Climate Change, Development, Poverty and Economics,” Grantham Research Institute on Climate Change and the Environment. The recent withdrawal of the United States from the Paris Agreement shows how fragile even the most balanced agreements can be to the whims of individual leaders.

¹⁹ See www.iea.org, International Energy Agency, *World Energy Outlook 2018*, Executive Summary, p. 1.

and a broad range of challenges for governments, businesses, and civil society. For instance, in the Middle East and North Africa, high fertility rates and the highest rates of population growth in the world will put an enormous strain on labor markets. These countries already suffer from the highest rates of unemployment in the world. To simply prevent these rates from rising further, it will be necessary to create well over 100 million new jobs within the next decade and a half – an extremely tall order. The job creation needs of these countries are nothing new and were present already at the outset of this century; the failure to do so has led to major political and social instability in the region in recent years.²⁰

Unemployment is in fact one of our most important social challenges, as it is a driver for exclusion and marginalization, with consequences including increasing crime, drug trafficking and use, juvenile delinquency, family breakdown, domestic violence, and migration in search of better opportunities. Meaningful employment is essential for human dignity and a place in the community, and work in a spirit of service to the community has important benefits including refining human character and empowering individuals to develop their human potential. No one should be deprived of the opportunity to work, and one purpose of good governance should be to guarantee this opportunity. Neither governments nor private actors have found a solution to this challenge at present. Some have proposed a guaranteed minimum income. While this could be an effective tool to alleviate poverty and provide a safety net for vulnerable groups, it does not address the problem of unemployment and the associated waste of resources. Work is necessary for individual and social health.

In sharp contrast to poor regions with rapid population growth, the populations of countries such as Italy, Japan, Russia and others in the industrial world will continue to shrink; a demographic trend which, in turn, will put huge pressure on public finances as states attempt to cope with growing numbers of pensioners and related social and health expenditures.

Many of today's social problems are the consequence of the globalization of finance and commerce, against the background of a refusal to accept social globalization, the free movement of people, as well as the global implementation of civil and human rights, among other things, in order to ensure a "humane" global governance.²¹ Some countries have an excess of unemployed youth, while others lack young workers to support an aging population. Some countries lack the basic means to support their present or anticipated population, while others have large underpopulated areas and lack the people to develop their resources. Yet the idea that natural movements of populations could rebalance these disparities is politically

²⁰ On this point see Augusto López-Claros and Danielle Pletka. 2005. "Without Reforms, the Middle East Risks Revolution." *International Herald Tribune*, April 8.

²¹ See, e.g., Falk, Richard. 2014. *(Re)Imagining Humane Global Governance*, Abingdon, UK and New York, Routledge.

anathema, in contrast to the nineteenth century when immigration built economies. Obviously, much must be done at the level of public education, trust in institutions, just and equitable distribution of resources, and infrastructure development before such adjustments can become reasonable possibilities, but improvements to international governance can lay the foundation for the gradual elimination of this inconsistency and associated imbalances.

The social challenges of globalization have also grown far beyond the capacity of the present system. While human rights have long been a central concern of the international community, violations of basic rights continue to be persistent and widespread. Migration has become a new issue of planetary scale and is anticipated to accelerate as climate change displaces increasing numbers in the years ahead. The global community will face a mixing of populations for which it is presently totally unprepared. Yet there is no international body charged with giving binding legal effect to the noble principles enshrined in the Universal Declaration of Human Rights and subsequent international human rights instruments building on its principles, to hold states to account for these international obligations (see Chapter 11).

Economic Challenges

In our globalized world, powerful demonstration effects are at work as everyone can now see how the wealthy live. The spread of instant communication and the Internet have led billions of people in China, India, Latin America, and other parts of the developing world to aspire to lifestyles and patterns of consumption similar to those prevailing in the advanced economies. Furthermore, these populations are often unwilling to postpone such aspirations and increasingly expect their governments to deliver rising levels of prosperity, implicitly pushing for a more equitable distribution of the world's resources. Yet between 1988 and 2008 over 60 percent of the gains in global income were concentrated in the top 5 percent of the global income distribution.²²

Thus, a fundamental development question that we face today is how to reconcile the legitimate aspirations of citizens in the developing world for the high economic growth rates that in the post-war period led to such remarkable improvements in global standards of living, with the challenges of a planet and an economic system under severe stress as a result of the pressures put on it by that very economic growth.²³ The only way to make resources available for the half of the world

²² Milanovic, Branko. 2013. "Global Income Inequality: Historical Trends and Policy Implications for the Future." PowerPoint presentation at the World Bank.

²³ The destabilizing effect of thwarted economic aspirations is not only a problem affecting the developing world. The quantitative historian/mathematical ecologist Peter Turchin predicted some years ago a risk of political instability and impending crisis in Western Europe and the USA peaking in 2020, driven by forces of economic inequality. The only way to avoid such a

population struggling to make ends meet will be for those in wealthy countries to reduce their own resource consumption and adopt simpler, more sustainable lifestyles supported by a circular economy to eliminate waste. Justice and sustainability both require that we re-think the consumer society on which the present economy is largely built, and that we sensibly address some of the short-term dislocations that this might entail, while ensuring development to meet the basic needs and ensure the security of the poor. Driving this transition and minimizing its negative effects will have to be a government responsibility, since there is bound to be significant inertia within the private sector.

Another challenge is the growing risk of a global financial collapse when the present debt bubble bursts. The global economy has no lender of last resort. There is no reliable, depoliticized mechanism to deal with financial crises. Whether a country receives or is refused an International Monetary Fund (IMF) bailout in the middle of a financial meltdown is a function not of a transparent set of internationally agreed rules, but rather of several other factors, including whether the IMF's largest shareholders consider the country to be a strategic ally worth supporting. There is also no effective international legal framework to ensure that global business enterprises are socially, environmentally and economically responsible.

Security Challenges

Unfortunately, environmental, social and economic challenges are not by any means the only sources of risk to humankind's global outlook. Noted political thinkers have periodically argued that major war between sovereign states may be on its way to obsolescence.²⁴ There has been a dramatic increase in recent decades in the price of war and "diminishing expectations of victory's benefits."²⁵ Close international interdependence and the emergence of an integrated global economy, the growing sophistication and destructive power of weapons systems (including nuclear weapons) have drastically expanded the scale of the losses in human lives and property associated with the kinds of conflict which, on two occasions, were witnessed in the 20th century. The global economy has never had higher levels of productive capacity, and average life expectancy is at an all-time high; hence the

crisis, Turchin argues, would be to reduce social inequality. Turchin, Peter. 2010. "Political Instability May Be a Contributor in the Coming Decade." *Nature* Vol. 463, p. 608. DOI:10.1038/463608a.

²⁴ More generally, scholars such as Steven Pinker and Peter Turchin have sought to demonstrate overview data of the trajectory of declining violence within our societies over the long term and increasing human capacities for large scale cooperation. See: Pinker, *The Better Angels*. Turchin, Peter. 2016. *Ultrasociety: How 10,000 Years of War Made Humans the Greatest Cooperators on Earth*. Chaplin, Connecticut, Beresta Books.

²⁵ See, for instance, Michael Mandelbaum's "Is Major War Obsolete?," *Survival*, Vol. 20, No. 4 Winter, 1998–1999, pp. 20–38.

potential costs of global war are also at an all-time high. Furthermore, the rewards of war among states – loot, land, glory, honor – which for many centuries propelled nations to war, have given way to populations in search of growing prosperity, social security and various forms of protection. Military conscription is on its way out in most countries and is no longer regarded as an obligation of citizenship; in many parts of the world, war is increasingly seen as a form of criminal enterprise. Yet there are ongoing military conflicts around the globe, with the highest level of refugees fleeing war since the end of World War II, and – at the time of writing of this book – a seeming resurgence in “great power” contests and threats of using weapons of mass destruction.

Nevertheless, a range of national governments, despite the clear restrictions on the international use of force set out in the United Nations Charter, have seemingly not given up their perceived right to wage war, or at least to prepare for the same;²⁶ there is a vast military industrial complex that underpins today’s system of sovereign states, and arms races are again accelerating. Indeed, in the view of some experts a “sovereign state is a state that enjoys the right and the power to go to war in defense or pursuit of its interests” and these states are ready “to employ war as the final arbiter for settling the disputes that arise among them.”²⁷ So, war in fact has not become obsolete; the calculus of war has shifted but the risks have not gone away.²⁸ According to the Arms Control Association, the world’s nine nuclear powers have about 9,600 nuclear warheads in military service among them.²⁹ And there are several dozen nations with the capacity to build nuclear weapons. Nuclear

²⁶ There is a strong legal argument (including by influential US international legal scholar Louis Henkin) that the current United Nations Charter effectively outlawed “war”: see also Chapter 10. This is apparent from the plain reading of the Charter and the collective security model it seeks to establish, but national cultures and political language have often not made adjustments to this new reality.

²⁷ Schell, *The Fate of the Earth*, pp. 186–187. The Chilean coat of arms states, unambiguously, “by reason or by force,” suggesting the country’s readiness to use force to defend national interests. One can assume that this is a general threat, issued to all potential adversaries, including the likes of the United States and China. Where reason does not achieve the desired ends, force will, regardless of the human cost.

²⁸ However, it should be noted that better, non-violent means to resolve inter-state conflict have already been established by the international community, and we argue in this book that they should be strengthened, consolidating the collective security system under the United Nations Charter, which includes or refers to a range of clear mechanisms and institutions for the peaceful settlement of inter-state disputes. Such institutions and principles have not yet effectively taken root as a foundation for international relations. This has certainly been because of geopolitical reasons, but also because there has been inadequate training and basic literacy on these means to ensure a comprehensive shift to a culture of peaceful international dispute resolution.

²⁹ Arms Control Association. 2018. *Nuclear Weapons: Who Has What at a Glance*. June 2018. www.armscontrol.org/factsheets/Nuclearweaponswhohaswhat [accessed January 13, 2019].

proliferation thus remains yet another example of global institutional failure.³⁰ The recent withdrawal of the United States from the Intermediate-Range Nuclear Forces Treaty is just the latest example of the systemic failure and precariousness of arms control agreements as currently constituted.

Recent prominent warnings, issuing from members of the US foreign policy establishment, among others, have underlined the grave danger the world still faces with the current approach to nuclear weapons and nuclear “security,” for example.³¹ In *Destined for War: Can America and China Escape Thucydides’s Trap?* Graham Allison quotes the Greek historian’s explanation that “it was the rise of Athens and the fear that this instilled in Sparta that made war inevitable” and notes that “when a rising power threatens to displace a ruling power, the resulting structural stress makes a violent clash the rule, not the exception.”³² In 12 of the 16 cases over the past five hundred years when a major rising power threatened to displace a ruling power the result was war; a sobering observation against the background of an escalating trade war between China and the US at the time of writing.

These risks are aggravated by the poor quality of political leadership in so many countries today, with narcissistic personalities and authoritarian instincts, and all the signs of leaders corrupted by power, disregarding reasoned advice and expert opinion, and often isolated from the realities around them.³³ It would be all too easy in such circumstances to stumble unwittingly into a war that could then not be controlled.

INADEQUACY OF EXISTING MECHANISMS

Faced with such a complex set of threats to human civilization, if not the survival of the human species, how do we find a way forward? A central element of a strategy aimed at generating a sustainable development path in the context of a peaceful world will have to be a significant new capacity to enforce international law, and the reform of legal institutions and current mechanisms of international cooperation, which have turned out to be largely inadequate to manage the global challenges that we face. While there has been considerable progress within the limitations of the present system, its fundamental failings have become increasingly evident. The process of globalization is unfolding in the absence of equivalent progress in the creation of an international institutional infrastructure that can support it and

³⁰ See, for instance, <https://foreignpolicy.com/2018/10/31/trump-is-pushing-the-united-states-toward-nuclear-anarchy/>

³¹ See, for instance: Shultz, George P., William J. Perry, Henry A. Kissinger, and Sam Nunn. 2007. “A World Free of Nuclear Weapons.” *Wall Street Journal*, January 4.

³² Allison, Graham. 2017. *Destined for War: Can America and China Escape Thucydides’s Trap?* New York, Houghton Mifflin Harcourt, pp. xiv–xv.

³³ For a case study of the risks run in confronting complex problems, serious risks and urgent societal needs when leadership is self-interested and inadequate see Lewis, Michael. 2018. *The Fifth Risk*, New York: W.W. Norton.

enhance its potential for good. Whether we focus our attention on climate change and the broad range of associated environmental calamities, nuclear proliferation, the workings of the world's financial system, or growing income disparities, the fact is that major planetary problems are being neglected because we do not have effective problem-solving mechanisms and institutions strong enough to deal with them. Or, put differently, a range of inherently global crises cannot be solved outside the framework of global collective action involving supranational cooperation and a fundamental rethinking of the meaning of “national interest.”³⁴

The reality is that existing institutions are incapable of rising to the challenges of a rapidly changing world because they were designed for another era. Indeed, the United Nations itself and the associated infrastructure of specialized agencies, which were created to attend to a variety of global problems, find themselves increasingly unable to respond to crises, sometimes because these agencies lack the appropriate jurisdiction or mandate to act, sometimes because they are inadequately endowed with resources, and often because, within the limits of existing conceptual frameworks, they simply do not know what to do.

The concept of the nation state is in deep crisis. At its core, the nation state is defined by a geographical border, with governments elected – at least in the context of democracy – to safeguard the interests of citizens, to improve the quality of available services, to manage scarce resources, and to promote a gradual rise in living standards. However, as made abundantly clear during the 2008–2009 global financial crisis, the economic system is now no longer confined to national borders but straddles them in a way that is gradually forcing governments to relinquish or share control in a growing number of areas. Indeed, one of the main lessons to emerge from the financial crisis, as noted by former EU Commissioner Peter Mandelson, is that “a global economy needs global economic governance.”³⁵ The same can be said for the environment and a range of other matters.³⁶

Alongside the stresses put on institutions by the accelerating pace of global change, publics everywhere are showing growing dissatisfaction with the inability of national politics and politicians to find solutions to a whole range of global problems. This trend is likely to intensify and has given rise to a “crisis of governance,” the sense that nobody is in charge; that while we live in a fully integrated

³⁴ Recent literature has set out the concept of Global Public Goods (GPGs), shifting perspectives from narrow conceptions of national interest to a recognition of the imperative of collective action to provide key shared goods at the international level, which bear directly on national well-being. See, e.g., Kaul, I., I. Grunberg, and M.A. Stern, 1999. *Global Public Goods: International Cooperation in the 21st Century*, New York, Oxford University Press.

³⁵ Mandelson, Peter, 2008. “In Defence of Globalization,” *The Guardian*, October 3.

³⁶ For various suggestions as to how to manage effectively various global commons and GPGs, see, e.g., Kaul, I., P. Conceição, K. Le Goulven, and R.U. Mendoza (eds.). 2003. *Providing Global Public Goods: Managing Globalization*, Oxford, Oxford University Press.

world, we do not have an institutional infrastructure that can respond to the multiple challenges that we face.³⁷

Efforts in the United Nations and in International Law

Indeed, existing mechanisms to tackle global issues are woefully inadequate. The current practice of international law, including through treaties, conventions and other international agreements – very much at the core of how the international community has confronted global challenges in the past – have proven generally ineffective to address urgent problems. Becoming a party to these treaties is voluntary, and countries can usually withdraw when they wish. The international norms negotiated and set out in international treaties are, however, enormously valuable, often representing extraordinary efforts to achieve consensus on shared global values and legal principles; what is generally missing is effective implementation, monitoring, and enforcement of these international principles.

For example, the Kyoto Protocol to the UN Framework Convention on Climate Change was negotiated in 1997, but only entered into force in 2005. The United States, until 2008 the largest emitter of global warming gases in the world – now overtaken by China – never ratified the Protocol, and Canada withdrew in 2012. It was, therefore, a foregone conclusion that the goals it set for global emissions by 2012, already admittedly inadequate, would not be reached. The Kyoto Protocol was intended primarily to build trust between nations so that they would make the necessary efforts to address a global challenge, starting with those who primarily caused the problem, but several of the key players proved to be largely untrustworthy. Where enforcement mechanisms exist at all, monitoring and enforcement of such treaties is lax and painfully slow.

During the 1990s the United Nations took a lead role in organizing a series of major intergovernmental conferences, beginning with the Earth Summit in Rio de Janeiro in 1992.³⁸ This was followed by conferences on social and economic development (Copenhagen), women (Beijing), population (Cairo), human rights (Vienna), and so on. These conferences, however, while generally good for raising awareness of the underlying problems, have proven to be inadequate for concrete problem-solving. Long on declarations and in some cases deteriorating into circus-like chaos (e.g., the 2001 Durban conference on race), they have not shown

³⁷ See the excellent discussion of these issues provided by Rischard, J.F. 2002. *High Noon: 20 Global Problems and 20 Years to Solve Them*, New York, Basic Books. See also the Commission on Global Security, Justice and Governance. 2015. *Confronting the Crisis of Global Governance*, The Hague, the Netherlands, The Hague Institute for Global Justice and the Stimson Center.

³⁸ United Nations. 1992. *Agenda 21: Programme of Action for Sustainable Development*. United Nations Conference on Environment & Development, Rio de Janeiro, Brazil, June 3–14, New York, United Nations. <https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>

themselves to be reliable mechanisms for effective cooperation on the urgent problems confronting humanity. The Rio+20 UN Conference on Sustainable Development in 2012³⁹ was intended to reaffirm government commitments, to define a green economy that would alleviate poverty and work for sustainability, and to agree to new international institutional arrangements, but it only succeeded in making minor adjustments to existing institutions, and to propose a high-level political forum whose function is still being defined. It demonstrated once again that governments are incapable of addressing urgent global problems effectively within the present system.

However, Rio+20 did launch a wide consultative process of governments with inputs from civil society that led in 2015 to a UN General Assembly Summit approving the 2030 Agenda and its 17 Sustainable Development Goals (SDGs) and 169 targets.⁴⁰ This provides a useful framework to consider what mechanisms of governance, and at which levels, will be necessary to achieve the SDGs by 2030 and to continue beyond toward planetary sustainability. The goals and targets are aspirational and global, with each nation expected to determine its national contribution toward meeting the goals, and to measure its progress using national indicators adapted from those proposed by the UN Statistical Commission.⁴¹

Some multilateral agencies, including those associated with the United Nations system, have acquired a critically important role in recent decades. They are repositories of knowledge and expertise and, in some cases, have essentially taken over important functions in central areas of economic governance: for instance, international trade and the dispute settlement mechanism in the case of the World Trade Organization. However, they remain hampered in many other ways, including lack of access to adequate resources to finance their activities and the reluctance of many of the larger countries to cede national sovereignty in particular areas. In this respect, the European Union has, without doubt, gone further than any other country grouping in creating a supranational institutional infrastructure to support an ambitious process of economic and political integration (see Chapter 3).

³⁹ United Nations. 2012. *Report of the United Nations Conference on Sustainable Development, Rio de Janeiro, Brazil, June 20–22. A/CONF.216/16*. New York, United Nations. www.un.org/ga/search/view_doc.asp?symbol=A/CONF.216/16&Lang=E

⁴⁰ United Nations. 2015. *Transforming Our World: The 2030 Agenda for Sustainable Development*. Outcome document of the Summit for the adoption of the post-2015 Development Agenda, New York, September 25–27. A/70/L.1. New York, United Nations. www.un.org/ga/search/view_doc.asp?symbol=A/70/L.1&Lang=E

⁴¹ However, the hold of national sovereignty on this process is demonstrated by the insistence of governments that only data provided or verified by their national statistical offices should be used, and UN agencies must not use data from remote sensing or other sources that has not been approved at the national level. While most national statistical services make an effort to be objective and free from political interference, this is sometimes not the case. A robust scientifically based international system of environmental data collection is therefore necessary to keep governments honest and to realize the SDGs successfully.

The G7 and G20

Yet another attempt at reinforcing existing mechanisms of international cooperation was the creation in the mid-1970s of the G7, a “club” made up of the world’s seven largest economies. The motivation was to create a high-level body to discuss “major economic and political issues facing their domestic societies and the international community as a whole.”⁴² The G7 has been a good forum for open debate about global problems, but not a particularly effective problem-solving body. In the public imagination, its semi-annual meetings are largely perceived rather as excellent photo opportunities, not as brainstorming sessions focused on particular problems requiring urgent solutions. Unlike, for instance, the 1944 Bretton Woods Conference which lasted three weeks and resulted in the creation of a new world financial system, G7 meetings are actually intended to *preserve* the status quo.⁴³

Its communiqués are negotiated by deputies ahead of the Summit itself and much time is spent in getting the wording of these declarations just right. In time, critics have pointed out some obvious deficiencies, the first being, of course, that by now, the G7 are no longer the world’s seven largest economies. In 1999, recognizing that the global economy had evolved, a broader grouping was created – the G20 – but neither the Swiss nor the Dutch nor the Spanish were particularly happy to be excluded. Switzerland is one of the world’s most competitive economies and its financial institutions manage a significant share of private wealth; the Netherlands is one of the most generous international donors, and, according to the Center for Global Development, one of the countries with the most development-friendly policies.⁴⁴ Spain is a country whose economy is more than twice that of Argentina (a member of the G20). One can also question whether such self-selected and rather arbitrary bodies of powerful countries should determine global policies.

Moreover, the G7 (and to a lesser extent the G20) remain, in fact, official and formalistic bodies focused on representatives from the executive branches of national governments. Their deliberations bring to the table heads of state and a small coterie of civil servants. There is no formal representation from the business community, nor do civil society representatives participate. Given the global nature of the problems we face and the increasingly shared perception that solutions to these will require broad-based collaboration across various stakeholder groups, these

⁴² See: “40 Years of Summits: Addressing Global Challenges,” <https://issuu.com/g7g20/docs/40-years-of-summits>.

⁴³ López-Claros, Augusto. 2004. “Sixty Years after Bretton Woods: Developing a Vision for the Future,” http://augustolopezclaros.com/wp-content/uploads/2018/06/BrettonWoods_Rome_Summary_Jul2004_A4.pdf?x28456.

⁴⁴ See the Center for Global Development’s *Commitment to Development Index 2015*, where Denmark, Sweden, Norway, Finland, Netherlands, and France occupy, in that order, the top six ranks (www.cgdev.org).

groups suffer from a deficit in legitimacy.⁴⁵ They are not a fair representation of humanity and, as such, cannot be expected to make important, informed decisions on its behalf.

INCREASING INTERNATIONAL COOPERATION

Effective, credible mechanisms of international cooperation – which are perceived to be legitimate and capable of acting on behalf of the interests of humanity, rather than those of a particular set of countries – are absolutely essential if the world is to meet the challenge of striking the correct balance between concern for the environment and the policies that must underpin such concern and the need to ensure that the global economy develops in a way that it provides opportunities for all, particularly the poor and the disadvantaged, in a context of peace and security. It is our view that the existing intergovernmental system is not capable of achieving this level of cooperation; what is required is a more fundamental strengthening of the relationships between countries and peoples.

An examination of one specific aspect of the broader question of interdependence is useful. The world has been transformed during the last several decades by technological progress, which, in turn, has had a dramatic impact on the nature of economic and political phenomena and in the way nations relate to each other. Greater economic integration made possible by rapid developments in transport and communications in particular have made evident the need for greater international cooperation. Jean Monnet, the father of the European Union, observed perceptively that economic integration was forcing nations to accept voluntarily the same rules and the same institutions and that, as a result, their behavior toward each other was also changing. This, he said, was permanently modifying relations between nations and could be seen as part of the “process of civilization itself.”⁴⁶

Jürgen Habermas has recently offered similar commentary as to the nature of and the need for the essentially “civilizing process” underway in the development of

⁴⁵ The population of the G7 – 763 million – accounts in 2017 for about 10.3 percent of the world’s population; that is, a small minority.

⁴⁶ The philosopher Bertrand Russell, who wrote much about the implications of interdependence, said that “[i]n the new world the kindly feelings toward others which religion has advocated will be not only a moral duty but an indispensable condition of survival. A human body could not long continue to live if the hands were in conflict with the feet and the stomach were at war with the liver. Human society as a whole is becoming in this respect more and more like a single human body and if we are to continue to exist, we shall have to acquire feelings directed toward the welfare of the whole in the same sort of way in which feelings of individual welfare concern the whole body and not only this or that portion of it. At any time, such a way of feeling would have been admirable, but now, for the first time in human history, it is becoming necessary if any human being is to be able to achieve anything of what he would wish to enjoy.”

supranational law and institutions.⁴⁷ But greater interdependence has also created tensions arising out of the potential conflict between national sovereignty and efforts to solve common problems. Indeed, it is not inaccurate to say that at present most countries' commitment to integration and increased international cooperation coexists with a reluctance to confer some traditional aspects of sovereign prerogative to supranational institutions, stemming from a desire to safeguard (real or perceived) national interests. Therefore, one key question in the years immediately ahead is whether greater economic integration – fueled by further technological change, no longer under the control of any single sovereign state – will inevitably lead countries to seek yet more common ground across a range of areas traditionally considered as matters exclusively within the national domain. Will the ongoing abdication of some national sovereignty in the economic sphere also lead to similar processes of significantly increased international cooperation in the sphere of collective security and environmental governance, for example?

Globally, most people have come to recognize the need for the existence of a certain number of institutions at the *national* level to guarantee the effective working of society.⁴⁸ Everyone understands the need for a legislature to pass laws, for an executive branch to implement the law, and for a judicial branch to interpret the law and to pass judgment whenever differences of interpretation arise. Most would agree with the notion that a central bank and other financial institutions are needed to regulate different aspects of the economic life of a nation. Indeed, it is not inaccurate to say that a sign of general social progress is the extent to which such institutions in a particular nation have been allowed to develop and, in the process, managed to bring stability and a measure of prosperity to the life of a nation.⁴⁹

Conversely, the *absence* of such institutional progress undermines the creative energies and the vitality of a nation and holds back its development. Indeed, when experts gather together to discuss the terrible plight of the most troubled parts of the developing world and to analyze the factors as to why the quality of life has stagnated to such an extent during the past several decades, a central topic of the debate is institutional failure and the reasons behind this failure. At the same time, it is also clear that national institutions and governments, in an increasingly interdependent

⁴⁷ Habermas, Jürgen. 2012. “The Crisis of the European Union in the Light of a Constitutionalization of International Law.” *The European Journal of International Law* Vol. 23, No. 2, pp. 335–348, at pp. 337–338.

⁴⁸ For example, Adam Smith, considered the establishment and maintenance of an effective justice system a vital public good which represented one of three core “duties” of a national government; one could in a parallel fashion see that such a public good is imperative at the international level. Smith, Adam. 1937. *The Wealth of Nations* New York, The Modern Library, p. 767.

⁴⁹ Scholars Daron Acemoglu and James Robinson, in an influential thesis, have suggested that types of “inclusive” public institutions, supported by rule of law, have been fundamental for the development of successful, prosperous nation states. Acemoglu, Daron and Robinson, James A. 2013. *Why Nations Fail: The Origins of Power, Prosperity and Poverty*, London, Profile Books.

world, are less and less able to address key problems, many of which have acquired unavoidable international dimensions.

First, governments are increasingly unable to do the kinds of things that they used to be able to do in the past and that, in people's minds, came to be identified with the very essence of government. Richard Cooper, one of our most insightful international economists, states that "the increasing internationalization of the economy has led to an erosion of our government's capacity to do things the way it used to."⁵⁰ This, in turn, can and sometimes has led to a kind of paralysis on the part of governments, a sense that since the world has changed and it is no longer under their control – or at least they have less control over it than used to be case – the optimal policy response is to do nothing. Yet publics have vastly higher expectations about economic policy and are unlikely to be placated by their leaders telling them that there is very little that can be done because the effectiveness of traditional policies and instruments has been greatly reduced by processes outside of their control. The result is a profound sense of public dissatisfaction and/or apathy and a rise in populism that one can perceive in many countries.⁵¹

The failings of the present international institutional arrangements in the political sphere are even more obvious. From earlier crises in Rwanda, Yugoslavia and Sudan, to the myriad crises unfolding in the Middle East, one can see increasing evidences of the failure of the international community to address urgent and sometimes tragic problems because of the absence of international institutions charged with the power, jurisdiction and vision to act in instances or situations within nations that lie beyond their jurisdiction. When close to a million people in Rwanda are murdered within a brief span of time, and the images of the carnage are relayed to every corner of the world, there seems very little that the international community can do, other than wring its hands, express regret, and helplessly stand by lamenting its impotence. This is an eloquent indictment of the tragic shortcomings of the present international political system. It had been this kind of insight that led two Harvard intellectuals, Grenville Clark and Louis. B. Sohn, in the 1950s to write about the need for the establishment of institutions "on a world scale corresponding to those which have been found essential for the maintenance of law and order in local communities and nations."⁵²

⁵⁰ Cooper, Richard N. 1988. "International Cooperation: Is It Desirable? Is It Likely?" address, International Monetary Fund Visitors' Center, Washington, DC.

⁵¹ Cooper, in "International Cooperation," adds that "The United States occasionally responds to this erosion by lashing out and extending its jurisdiction to the rest of the world, leading to international friction. I see extraterritoriality, as it is called, as a natural, although not necessarily a desirable, response to the erosion of our capacity to control our own environment."

⁵² Clark, G. and Sohn L.B. 1966. *World Peace through World Law: Two Alternative Plans*, Cambridge, MA, Harvard University Press, p. xi. Sohn was a Harvard law professor who attended and contributed to the San Francisco Conference establishing the United Nations and who also served as a counselor to the Legal Adviser of the US Department of State. Clark was a Wall Street lawyer and a remarkable public intellectual who collaborated closely with

A NEED FOR CONCRETE PROPOSALS

The above considerations lead to the following question: What is the most adequate response to the erosion of policy effectiveness? One obvious starting point is realizing that much of the ineffectiveness of government action (and the accompanying paralysis) stems from the fact that actions are being carried out by individual sovereign states, acting alone, in full use of their (rapidly diminishing) powers, whereas joint, coordinated actions, based upon clear and legitimate common goals, can restore (sometimes to a great extent) the utility of the previously ineffective policy. The realization is that, in an increasingly interdependent world, national institutions are less and less able to address problems that are fundamentally international in character. The implications that this realization carries for the exercise of political authority, are the motivating forces behind many of the present experiments in various parts of the world, which seek integrative processes and the building of supranational institutions to support and direct such processes. Chief among these experiments one must note the economic, political, and institutional developments in the context of the European Union.⁵³

Albert Einstein – who together with Bertrand Russell and others gave a great deal of thought to the political requirements in the new climate created by the arrival of nuclear weapons – believed that one way to address the evident failings of the international institutional framework was to create a new breed of truly supranational organizations. In 1946, soon after the creation of the United Nations and very much aware of this organization's limitations, he wrote:

The development of technology and of the implements of war has brought about something akin to a shrinking of our planet. Economic interlinking has made the destinies of nations interdependent to a degree far greater than in previous years. . . . The only hope for protection lies in the securing of peace in a supranational way.

several US presidents on a range of issues, including as an advisor to the Secretary of War during World War II. He spent the last 20 years of his life as a tireless promoter of world peace. He was elected to and served for many years on the Corporation, the body that governs Harvard University. According to the Harvard Square Library, a digital depository of historical materials: "Perhaps the most interesting thing about Clark was the quiet and unobtrusive manner in which he conducted his public activities. He was given the epithet 'statesman incognito,' because he was virtually unknown to the general public but known very well to a few thousand persons of large influence in national affairs. This was the way Clark wanted it. Caring nothing for publicity, he took pride in his role as an independent critic, free to suggest solutions whenever the need arose." "There was something about him, an independence of spirit, a dogged curiosity, a supreme indifference to ignorant criticism, that made him a unique member of the 'establishment.'" www.harvardsquarelibrary.org/biographies/grenville-clark/

⁵³ In an interesting op-ed piece entitled "Sovereignty vs. Suffering," Brian Urquhart, former UN Under-Secretary General for Special Political Affairs, observed that "many developments of our time challenge the validity of the principle of national sovereignty. Communications technology, pollution, radioactive debris, the flow of money, the power of religious or secular ideas, AIDS, the traffic in drugs and terrorism are only a few of the phenomena that pay scant attention to national borders or sovereignty," *New York Times*, April 17, 1991.

A world government must be created which is able to solve conflicts between nations by judicial decision. This government must be based on a clear-cut constitution which is approved by the governments and the nations and which gives it the sole disposition of offensive weapons. A person or a nation can be considered peace loving only if it is ready to cede its military force to the international authorities and to renounce every attempt or even the means of achieving its interests abroad by the use of force.⁵⁴

Russell held similar views:

A much more desirable way of securing world peace would be by a voluntary agreement among nations to pool their armed forces and submit to an agreed international authority. This may seem, at present, a distant and Utopian prospect, but there are practical politicians who think otherwise. A World Authority, if it is to fulfill its function, must have a legislature and an executive and irresistible military power. All nations would have to agree to reduce national armed forces to the level necessary for internal police action. No nation should be allowed to retain nuclear weapons or any other means of wholesale destruction. . . In a world where separate nations were disarmed, the military forces of the World Authority would not need to be very large and would not constitute an onerous burden upon the various constituent nations.⁵⁵

In the aftermath of the chaos and destruction unleashed by World War II, Einstein, Russell, Clark and others laid out an important argument in favor of the creation of an international authority, explaining that the time had passed when military conflicts and their associated damage could be reasonably contained. In the nuclear age, war had become unthinkable and its consequences universal. A conception of national sovereignty, which had always been understood to mean the right of a country to defend its interests by the use of force if necessary, but the exercise of which had assumed that conflicts would remain largely confined to given geographic areas, no longer served the interests of anyone.⁵⁶ On the contrary, thus understood, traditional or narrow conceptions of national sovereignty cast a dark shadow over the future of everyone. Hence the notion eventually emerged that lasting international peace will be feasible only in the context of the creation of effective global institutions based on the principle of collective security. Or, as put by Schell: "I would suggest that the ultimate requirements are in essence the two that I have mentioned: global disarmament, both nuclear and conventional, and the

⁵⁴ Einstein, Albert. 1956. *Out of My Later Years*, New York, Philosophical Library, p. 138.

⁵⁵ Russell, Bertrand. 1961. *Has Man a Future?*, London, Penguin, p. 121.

⁵⁶ In addition, legal scholars/political philosophers such as Hans Kelsen, have long criticized the primitive and self-contradictory nature of an international system based on ill-defined notions of sovereignty and sovereign self-help rather than on centralized juridical bodies and other institutions which are technically necessary for any system based on the rule of law. See e.g., Kelsen, Hans. 1942. *Law and Peace in International Relations*, Cambridge MA, Harvard University Press.

invention of political means by which the world can peacefully settle the means that throughout history it has settled by war.”⁵⁷

THE URGENCY OF ACTION

Given the compelling circumstances with which humanity is currently confronted, a substantial and carefully-thought-through reform effort is needed to enhance dramatically the basic architecture of our global governance system. Such a reform should be grounded in key ideas that have motivated those of past generations who have risen to the difficult challenge of providing practical leadership and vision in the international sphere. Indeed, the proposals described in this book in many respects build upon the worthwhile suggestions of clear-sighted thinkers who have come previously.⁵⁸

Moreover, the suggested significant steps forward to enhance global governance are consciously “incremental” in the sense that they are grounded on fundamental points of law already agreed by states worldwide, and upon foundational principles “baked into” the DNA of the existing international order. An organic process of growth has occurred within the current United Nations and international governance institutions. This has included the building of levels of trust and an understanding of the practical importance of international cooperation, which would have been unimaginable in past decades; an enhanced architecture is now required to implement this learning and awareness.

The cost of inaction is high, and the inhibitions to action come rather from our own flawed thinking rather than a realistic estimation of human will and capacity. In the words of Jonathan Schell:

Our present system and the institutions that make it up are the debris of history. They have become inimical to life. . . They constitute a noose around the neck of mankind, threatening to choke off the human future, but we can cut the noose and

⁵⁷ Schell, *The Fate of the Earth*, p. 227.

⁵⁸ Among the most significant proposals for UN reform are: Clark and Sohn. *World Peace through World Law: Two Alternative Plans*; Boutros Boutros-Ghali, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping*, Report of the Secretary General Pursuant to the Statement Adopted by the Summit Meeting of the Security Council on January 31, 1992, New York; *Partners for Peace: Strengthening Collective Security for the 21st Century*, New York, United Nations Association of the United States, 1992. Stassen, Harold. 1994. *United Nations, A Working Paper for Restructuring*, Lerner Publications Company, MN; US Commission on Global Governance, *Our Global Neighbourhood: Report of the Commission on Global Governance*, Oxford University Press, 1995; Schwartzberg, Joseph E. 2013. *Transforming the United Nations System: Designs for a Workable World*, United Nations University Press. www.brookings.edu/book/transforming-the-united-nations-system/; Falk, Richard. 2014. *(Re)Imagining Humane Global Governance*, Abingdon, UK and New York, Routledge; Commission on Global Security, Justice & Governance. 2015. *Confronting the Crisis of Global Governance*. Report of the Commission on Global Security, Justice & Governance, June 2015. The Hague, The Hague Institute for Global Justice and Washington, DC, The Stimson Center.

break free. To suppose otherwise would be to set up a false, fictitious fate, molded out of our own weaknesses and our own alterable decisions.⁵⁹

The risk of the catastrophic collapse of the present system is not negligible. The rise of autocratic leaders, public disillusionment with partisan politics, and the general decline in the quality of leadership in government are all increasing the risks of fundamental instabilities that could precipitate major crises. If we do not act now to strengthen the international order, we may be forced to rebuild a global institutional framework after a major war, the collapse of the global financial system, a pandemic wiping out a significant part of the world's population, or extreme climate change producing famines and mass migrations, any of which would overwhelm existing institutions at the national and global levels (see Chapter 17). Planning to strengthen international governance should include both the possibility of rapid progress through acts of consultative will, and, if necessary, reconstruction once a major calamity has forced countries to see that there is no alternative, as previously occurred after World Wars I and II.

The set of proposals presented in this book explicitly builds upon current international structures put in place in 1944–1945 with the adoption of the UN Charter and the creation of the United Nations and its various specialized agencies. Despite its flaws, it would be politically unrealistic to follow a path that did not focus on the reform and the very substantial strengthening of the current UN system, which, remarkably, already involves the participation of virtually all nations of the world and has developed, over the last decades, a range of significant mechanisms of consultation and cooperation. Building upon and fundamentally improving existing structures seems the sensible way to proceed. Moreover, certain basic Charter features enshrined at the time of its adoption remain largely or wholly unimplemented or insufficiently utilized (e.g., Chapter VI on the Pacific Settlement of Disputes and Art. 43 related to collective security operations); focusing on the further realization of such Charter attributes has the benefit of consolidating upon existing points of universal agreement.

The UN was built upon progressively developed, precursor attempts to solve key issues of global governance, including core problems of international conflict/interstate war (e.g., the 1899 and 1907 Hague Peace Conferences, The League of Nations, the 1928 Kellogg–Briand Pact or the General Treaty for Renunciation of War as an Instrument of National Policy). The Charter itself contains a formula for reform (Chapter XVIII), and informal mechanisms in practice without a Charter amendment have developed to enhance significantly or to extrapolate from its provisions (e.g., to enable peace-keeping operations). A general Charter review conference was anticipated to be held within ten years of its adoption, under Charter

⁵⁹ Schell, *The Fate of the Earth*, p. 219.

Art. 109(3), but was never held; the clear mechanism for general Charter review and reform is one important attribute that has remained largely unrealized.

A challenge in proposals to address our multiple current predicaments is striking the right balance between proposals that are so ambitious as to have negligible chances of being seriously considered and proposals that are seen as more “politically feasible.” The latter involve tweaking at the edges of our current UN-based systems of governance, but that would fail to find meaningful solutions to urgent contemporary problems, and additional global risks that are now on the horizon. A further complicating factor is that what may not be politically feasible today may be so judged a few years later, particularly after a severe crisis, such as occurred with the founding of the EU and the current UN system in the aftermath of World War II.⁶⁰

This proposal envisages a range of revisions to the UN Charter, which would provide the legal basis for enhanced mechanisms of international cooperation and global governance, supplemented by other reforms not requiring formal Charter amendment. Parts of this proposal build on the monumental work on Charter revision done by Clark and Sohn in the late 1950s and early 1960s,⁶¹ which remains the most detailed and thorough despite many contributions since their time.⁶² All these proposals need to be adapted to the needs of a drastically changed world, facing a much broader set of global challenges than those originally addressed at that time.

Our proposals seek to go to the heart of the flaws purposely built in to the UN Charter at its inception to ensure its acceptance by the great powers at the time, fresh from a perilous and horrifying international conflict. They needed to be reassured that the new organization represented no threat to their notions of absolute national sovereignty; notions that are now retarding the effective management of global risks. We challenge the assumptions behind this traditional thinking and seek to provide a framework for innovative new proposals, while suggesting practical ways forward. Changes of this magnitude cannot be planned in detail in advance, and no one knows what future events might, of necessity, create

⁶⁰ The creation of something like the European Union in 1938 would have been considered unthinkable. The European Coal and Steel Community, however, came into being in 1951, paving the way for the Treaty of Rome in 1957 and the developments that followed thereafter. Some would argue that the creation of the EU was made possible by the untold human suffering and economic collapse associated with World War II. The point here is that what is considered politically feasible at a moment in time is very much a function of one's vantage point. Or, as was once put by a Brazilian diplomat: “Unless we aim for the seemingly unattainable, we risk settling for mediocrity.”

⁶¹ See Clark and Sohn, *World Peace through World Law*, 1966.

⁶² For an excellent overview of many of the most important contributions to the debate on the foundations of world order see the volumes edited by Richard Falk, Samuel S. Kim, Saul H. Mendlovitz and others. In particular, *Toward a Just World Order*, 1982; *International Law and a Just World Order*, 1985; and *The United Nations and a Just World Order*, 1991.

opportunities to move forward. We hope that this book will stimulate new thinking and learning as we pursue a path to effective global governance.

PROTECTING NATIONAL AUTONOMY

In fact, in a globalized world where many of the most cherished characteristics of national sovereignty in terms of security, economic management, social and cultural independence, and environmental protection have eroded – if not almost entirely escaped from – national control, national autonomy can best be protected by a new level of global governance. Arms races and threats of conflict, the economic crisis of 2008, increasing pressures from cross-border migrants and refugees, and climate change (among many other issues) demonstrate the contagion at the heart of global crises that can leave no nation untouched. International mechanisms to anticipate global risks, develop preventive measures where possible, increase resilience and reduce vulnerability, and – when necessary – assist with rescue and reconstruction, are the best insurance against impacts for which national sovereignty is no longer an adequate defense.

Just as the rule of law and social security at the national level are the best protection for the individual well-being of each citizen, similarly in today's global system will the national autonomy of each state best be served by strong mechanisms for the international rule of law, collective security, and environmental management. As the threats from unmanaged global crises increase, rapid investment in the construction of a reinforced framework for global collaboration and preventive action must be a priority for any enlightened leadership looking after the progress and prosperity of their nation.

OPPOSITION TO DEEP REFORMS AND AN EVOLVING INTERNATIONAL LANDSCAPE

Some opposition to the reforms such as those proposed in this book can be anticipated, in particular from vested interests and also from those with versions of national identity who lack an awareness or understanding of the urgent and often complex nature of our shared global challenges. The veto of the permanent members of the Security Council is also a fundamental flaw in the UN Charter that has long prevented the implementation of some of its more important provisions, including Charter revision. The 1945 Charter was termed by the Prime Minister of New Zealand during negotiations as a “series of . . . petrified platitudes,” as it could only be amended with the consent of the great powers.⁶³

⁶³ Meyer, Cord Jr. 1945. “A Serviceman Looks at the Peace.” *The Atlantic Monthly*, Vol. 176, No. 3, p. 46.

This historic blockage might be addressed in several ways: by the possibility of creating a new organization to replace the United Nations, as the UN replaced the League of Nations, if the great majority of governments decide to adopt this path as a consequence of the UN's paralysis; and the unfortunate option to turn to proposals for significant reform after a catastrophic failure of the UN to prevent a third world war or some similar collapse of the global system with widespread suffering (see Chapter 21). There are also intermediate scenarios and incremental steps that we explore more generally throughout the book, as we suggest possible transition processes for the various reform proposals.

More generally, international policy-making processes and the maturation of aspects of global civil society campaigns and coordination mechanisms have made significant strides since the original framing of the Charter, particularly in the last 30 years or so (notably since the end of the Cold War), to overcome traditional resistances and blockages. Such changes open up a range of new opportunities and techniques to catalyze and sustain major international reform efforts. There are many lessons to be learned from dramatic achievements in modern international law that have come about as a result of global civil society coalitions joined with "middle power" states in what have been termed "smart coalitions." Indeed, such coalitions were noted as a significant and quite singular hopeful trend in the 2015 report *Confronting the Crisis of Global Governance*, co-chaired by former US Secretary of State Madeleine Albright and former Nigerian Foreign Minister and UN Under-Secretary General for Political Affairs Ibrahim Gambari.⁶⁴ The recent achievements of such smart coalitions include the International Criminal Court, the "Mine Ban Treaty," the UN Convention on the Rights of Persons with Disabilities, and the recently adopted Treaty on the Prohibition of Nuclear Weapons. Many of these projects seemed dramatically unrealistic at the outset and have defied (or side-stepped) geopolitical forces and the realities of superpower politics. A positive case can be made for how such techniques can be used for substantial but incremental aspects of the proposed UN reforms, short of the dramatic scenarios described in the preceding paragraph.

Moreover, this book more generally seeks to encourage a culture/paradigm shift (in fact exemplified by transnational civil society coalitions and their accomplishments) to a global governance model firmly anchored in global and human interest rather than in narrow – and often self-defeating – national interest (the proposed enhancement of the General Assembly and a possible advisory Civil Society Chamber are a clear institutionalization of this perspective; see Chapters 4–6). Such a shift is connected to our proposals for a transition to an international order genuinely based on the rule of law, including international human rights protections, support

⁶⁴ Commission on Global Security, Justice & Governance. 2015. *Confronting the Crisis of Global Governance*. Report of the Commission on Global Security, Justice & Governance, June, The Hague, The Hague Institute for Global Justice and Washington, DC, The Stimson Center.

for which we have copious authoritative statements of UN bodies and heads of state (see Chapters 10 and 11). We see the enhancement of the juridical aspect of the international governance system (following on prominent jurists/philosophers such as Hans Kelsen and Immanuel Kant) – and a public intellectual argument for the same – as a key to addressing the global human interest and the “vertical” dimension of geopolitical inequality (e.g., all states should be held to account before the International Court of Justice, individuals should have recourse to more effective remedies for human rights violations than those provided by the nonbinding complaint procedures). We argue that concepts of social contract, legitimate governmental authority and rule of law, that are firmly established at the national level in many countries, should dominate the international arena, discursively and actually, and a (global) public case should be made for adhering to these values (see Chapter 20). The inevitability of superpower or great power dominance should be contested; our collective focus should rather shift to the difficult – but crucial and achievable – work of institution-building and to establishing processes that can earn the trust of all and hold powerful actors to account.

We call for a renewed public intellectual conversation, focusing on ambitious and systemic changes to our current global governance architectures, breaking the ice of dialogues that have remained frozen for far too long. We hope that this book, at the very least, will serve as a conversation starter, seeking also to break the vicious circle of “benign neglect and low expectations” – to paraphrase former UN High Commissioner for Human Rights, Navi Pillay – which has indeed quite consistently plagued UN reform discourse in political circles. Our collective energies should be focused on reinvigorating bold proposals and reform pathways to enable the UN to move from being simply a platform to debate competing national interests, to become one promoting the common global interest on a range of urgent matters. We ignore such conversations at our own peril.

WHAT IS AHEAD

The book is organized as follows. Chapter 2 will present a historical overview of the concept of global governance. The idea of pooling aspects of national sovereignties as a way of establishing a stable framework for international peace, security, and prosperity has a distinguished lineage going back many centuries. It is useful to understand this history, not only to gain insights into the motivations of various proposals, but also the reasons for their success or lack of uptake at various junctures. The relevance of these lessons for the future is particularly important. The very ambitious proposals put forward by Clark and Sohn in the late 1950s, much admired in many circles at the time, did not go beyond generating an interesting debate among experts; the onset of the Cold War did much to stifle any meaningful action. We argue that much has changed in the last 60 years and that we no longer have the luxury of avoiding taking action on a number of fronts. In Chapter 3, we review the

history of the gradual evolution of supranational institutions from the experience of the European Union; an interesting model to consider or draw from on the international plane. We then make specific proposals to enhance the collective security mechanisms of the Charter, as well as the legislative, executive/management and legal dimensions of the United Nations, as these constitute central institutional attributes for effective global governance. Chapters 4 and 5 will look in greater detail at some of our core proposals in respect of reforms of the UN General Assembly and will make the case for the creation of a Second Chamber attached to the General Assembly in the near term without the need for Charter amendment. Supporting advisory mechanisms to the legislative and policy-making processes, including a possible Civil Society Chamber, are proposed in Chapter 6.

Chapters 7 and 8 will discuss the replacement of the UN Security Council by a management-oriented Executive Council, and completing the collective security mechanism of the Charter through the creation of an International Peace Force. Chapter 9 will deal with the issue of disarmament as another essential dimension of collective security. Strengthening the international rule of law, ensuring the peaceful settlement of international disputes, the creation of an International Human Rights Tribunal and the need for a UN Bill of Rights will be the subject of Chapters 10 and 11. Chapter 12 will present some proposals for the creation of a new funding mechanism to finance the operations of a reformed UN system.

Our focus then shifts to the governance response to specific global threats to all nations and to human well-being. Chapter 13 will look at the UN specialized agencies, which we see as playing a growing and central role in managing and establishing the parameters for enhanced international cooperation in a number of areas. We then illustrate this with case studies in the economic, environmental and social areas, including the global economy, inequality, and the private sector in Chapter 14; financial governance through a reformed IMF in Chapter 15; global environmental governance for climate change and biosphere integrity in Chapter 16, and population and migration in Chapter 17. Chapters 18 and 19 address the cross-cutting and system-wide issues of confronting corruption and enhancing the power of education at the international level, while Chapter 20 offers some comments on the shared values and principles needed for significant global reform. Chapter 20 also offers an overview (“Operationalizing Key Attributes and Values of a New Global Governance System”) of how a key set of the proposed substantial global governance reforms could be operationalized, in a values-based governance environment. We wrap up our proposals in Chapter 21 with scenarios of possible futures and proposed concrete steps forward in coming years, and the concluding Chapter 22, which addresses some of the roots of present failures in our current system, and the seeds of success building on a higher vision of shared human purpose and potential to assemble positive forces for global governance.