

Proposals for a New World Governance

Working Paper

for the International Workshop
*Biocivilization for the Sustainability
of Life and the Planet*

in the run-up to the Rio+20 Conference
Rio de Janeiro, 9 to 12 August 2011

Which architecture of power is needed,
from the local to global level?

Proposed by the Forum for a New World Governance

ibase3o.

FⁿWG
Forum for a new
World Governance



I – Introduction¹

Processes active in the development and emergence of a new world governance

- The contemporary form of an age-old question
- Globalization requires an architecture that both incorporates and transcends the nation-state
- The urgent and complex nature of problems is out of step with our governance mechanisms
- Factors promoting and hindering the emergence of a new world governance
- A first and vital step: what sort of world society do we want?

II – Proposals for a New World Governance

Organize multi-actor forums by sector, the keystone of effective world governance

- Form geopolitical groups at the regional level
- Create a world governance index
- Set up an International Court for the Environment
- Put together a volunteer world army, independent from states and governed by international law
- Promote local industrial and service networks, connected to the regional and transnational levels via a system of regional currencies

¹ This document draws on the work carried out by the world governance group of the French Rio+20 collective.

The contemporary form of an age-old question

How should we organize? How can we organize in a fair and sustainable manner? How can we govern effectively? These deceptively simple questions have been troubling philosophers, jurists and theologians since the dawn of time. These are the questions the people and their political leaders seek to answer, though it is true that the latter often come up with different solutions to the former. From ancient Greece to Greater Persia, India to the unified China and the Aztec and Inca empires, to name but a few, the quest to find the best possible political organization formed, and continues to form, the basis of all deliberations on governance, particularly on good governance.

Nonetheless, the huge body of work seeking to find the answer to a problem that defines the very essence of humanity has focused primarily on the organization of closed, mostly homogeneous societies. Closed off by their borders and the limits of their state apparatus, and homogeneous since societies tend to have a dominant culture, including multicultural societies such as the Ottoman and Inca empires. In modern democratic societies, this dominant culture, for many years the culture of the Prince, is now the culture of the majority. Long considered, wrongly or rightly, a factor of conflict, cultural and religious heterogeneity was the main target for the architects of history's first transnational order, Westphalia, whose first rule was that the people had to take the same religion as the Prince.

Political philosophy has almost always set out a spatial limit: the city, kingdom, republic or, more recently, the nation. The only exceptions to the rule, such as Dante's universal monarchy and Hobbes' omnipotent republic, were in fact super-states, a city architecture that these thinkers merely transposed to the global level. The period from the mid-17th to the late 20th centuries marked the end of empires and the emergence then arrival of the nation-state. This period only strengthened the feeling that governance was fundamentally the preserve of the nation-state.

In 1648, a vast cohort of diplomats and jurists brought one of the most atrocious conflicts in history to an end and established a new governance for Europe. Since then, nations have adopted a code of conduct that more or less adheres to the Westphalian system. This system is now dead. We need to mourn it and invent a new political order. But to do so, we need to develop a proper understanding of the Westphalian system, which can still serve as a guiding spirit today.

The Peace of Westphalia was first and foremost one of the most successful conflict

resolutions in history, since it put an end to the religious wars that had been poisoning Europe for over a century. But the Peace of Westphalia accomplished far more: it put a stop to the church's interference in affairs of state; it introduced a code of conduct for states by establishing an international law that has continued to expand ever since; it set out the limits to organized violence by defining the legitimacy of the use of force and regulating the practice of war; it placed the issue of human rights at the centre of inter-state relations by establishing the principle of national sovereignty and non-interference in countries' internal affairs; it protected as far as possible the integrity of small states against the rapacity of larger nations, and proposed a system of counterbalancing forces designed to prevent the more ambitious states from attempting to seize power.

The Westphalian system began to fall apart in the late 18th century and was in its death throes in the 20th and 21st. Mainly because it was conceived for Europe and not the entire world, for monarchies and not republics, for a heterogeneous geopolitical and cultural system. Nevertheless, the spirit of the Westphalian system continues to guide us in our quest for a new world governance: the development of international law, defence of human rights, limitation of violence and regulation of the use of force, search for lasting peace and establishment of opposition forces still underpin governance in the 21st century. But just as the 17th century's break from the past called for a political revolution, the 21st century's world of globalization, environmental threats and the problem of inequalities and sustainability needs fast and real change. Today's governance is planetary, the world system heterogeneous and diverse. The nation-state, once capable of regulating just about everything unaided, now needs to call on other actors with other skills. New opposition forces need to be established, including those that prevent the abuse of new sources of power. The defence of human rights needs to be rethought, particularly in terms of the problem of interference and respect of national sovereignty. In short, the death of the Westphalian system should spark a process of reflection: the process of establishing a new world governance can only benefit by drawing on the Westphalian approach while shaking off the sometimes oppressive legacy of the past that, still today, prevents us from moving forwards.

Globalization requires an architecture that both incorporates and transcends the nation-state

Paradoxically, the fall of the final empire, the Soviet Union, coincided with the emergence of the idea, if not the necessity, of formulating a transnational governance: "world

governance". The issue of war and peace has of course always triggered deliberations on relations between political entities, commonly termed international relations, but such thinking has tended to stay centred on the state. Furthermore, the first attempt to go beyond traditional methods for managing international relations was state-based: the League of Nations and its offspring, the United Nations. These bodies comprised—and continue to comprise in the case of the UN—an association of states, which explains the limits inherent to their basic structure. The G8 and G20, whose original architecture dates back to the 1970s, are also organized on a state basis. They have a simpler architecture than the League or UN and, although more recent, a more archaic philosophy, since they have turned from the UN's semi-democracy to adopt an aristocratic political model.

Today's major revolution, and it truly is one, is rooted in two simultaneous and partially interconnected events. The first is globalization. Globalization is not a new phenomenon, but by the end of the 20th century reached a critical threshold where the various phenomena that define and spring from the globalization process went far beyond states' powers to control them, particularly since these states continue to function according to the national interest principle, including within the European Union.

The second phenomenon initially emerged in the 1950s with the threat of nuclear catastrophe, then was given fresh impetus in the 1980s by the first indicators of rapid and troubling environmental damage. The phenomenon is a growing awareness that the industrialization of the last two centuries, and all the accompanying excesses, have led to a critical stage in history when humans are not only likely to self-destruct as a species, but also to destroy the planet.

The urgent and complex nature of problems is out of step with our governance mechanisms

Globalization and this growing awareness point to a harsh reality: on the one hand, we are facing entirely new, extremely complex and urgent problems, including migrations, financial crises and ecological imbalances; on the other hand, we do not have the governance mechanisms we need to solve these problems. The 1992 Rio Summit and the summits that followed did, to an extent, respond to the first aspect by setting out the nature of the problem and alerting humanity to the urgency of these issues, whilst identifying them systematically and with precision.

However, progress in terms of governance has been extremely disappointing until now. The Copenhagen Summit provides a striking example of how much ground we still have to cover in this area and the urgent need to draw up plans for an effective and efficient world governance.

However, we must not give up—quite the opposite. The fact that a major meeting is being held twenty years after the first earth summit should be an ideal opportunity for a frank and in-depth exploration of the issues of world governance, since it is truly at the heart of the future of both the human race and the planet. If there is any lesson to be learnt from the last twenty years, it is that, as things stand, we do not have the structures needed to tackle and solve all these currently converging problems, problems that leave us seemingly powerless. States are the natural key stakeholders in formulating new plans, starting with the major powers, the emerging powers and the United Nations. But they also represent, to some extent, a force of inertia that we urgently need to offset and transcend.

How can we approach this issue of world governance? It essentially asks the same two questions as all political philosophies: how to maintain that which needs maintaining? And how to change that which needs changing in our governance mechanisms? The overarching goal being to usher in an era of enhanced political action that tracks, anticipates even, historical changes.

The way the world has changed over recent decades has rendered obsolete the approach to international relations founded on national interests and the balance of power, an approach the UN system has attenuated without, however, having managed to change the foundations.

Overall, the practice of international relations is amoral: it looks to the interests of the most powerful countries, sometimes to the detriment of the general interest or of the interests of the weaker countries that get in the way. Although everyone's interests do sometimes coincide, this tends to be accidental rather than the result of a concerted desire to act for the good of the greatest possible number. The reorganization of the geopolitical world with the arrival of emerging powers is modifying the status quo, but is not changing the way states behave.

Factors promoting and hindering the emergence of a new world governance

In the wake of the Second World War and with the creation of the UN, the Westphalian concept of the state—in internal terms as a unique entity with a legitimate monopoly of power, and in external terms as a self-contained, rational and sovereign actor—was strongly challenged. The two main arguments were the demand for increased representation of non-state actors in the international system, and the gradual awareness of the impossibility of dividing up the environmental issue between internal and external political spheres.

This undeniable interdependence between states in several areas—such as the economy, the environment and health issues—and supremacy of the principle of collective general interest require not only greater cooperation within the international system but also recognition of the key role played by international solidarity and its actors during decision-making processes.

Despite the capacity to adopt agreements and enhance cooperation produced by the creation of international organizations, the huge shortfall between these organizations and the challenges facing humanity is clear for all to see.

As far as civil society is concerned, years of commitment and mobilization in the fight against social inequalities, climate change and the erosion of biological diversity as well as demands for a fairer distribution of wealth have led to real progress in terms of development. However, the situation facing our planet and most of the world's population remains highly unstable, as illustrated by phenomena such as famines, lack of access to essential services, human rights violations and ecosystem devastation.

This shameful situation was only exacerbated by the financial crisis that broke out in 2008. A vast operation using public funds to save financial institutions and, to a lesser degree, investments and thereby trigger global economic recovery was set up without any preliminary analysis of the real causes behind the crisis: the design of the system itself.

Furthermore, competition law governing economic activities has become the benchmark for settling international disputes. The World Trade Organization is currently the only international organization with a binding system for settling differences. This leads it to take decisions in areas other than trade. The lack or incapacity of arbitration authorities means that the WTO establishes jurisprudence that defines international relations without preliminary negotiations and gives trade a dominant position in international law.

Greater recognition of the key role played by non-state actors has again, and more insistently, raised the question of transparency and the democratization of international organizations. Civil society actors, often also operational actors in international cooperation actions, contribute to these organizations' decision-making proceedings from the sidelines. In addition to a lack of attachment to national interests that offers it greater legitimacy when tackling cross-border questions, civil society also brings grassroots expertise to the table.

Although development issues remain crucial, there is currently no arena for international negotiation on this subject. The Economic and Social Council (ECOSOC) does not manage to play its role as coordinator of UN development activities. Similarly, the Commission on Sustainable Development failed to establish a link between the various economic, social and political aspects of sustainable development.

A first and vital step: what sort of world society do we want?

This is why it is vital that formulation of a brand new system of world governance goes further and asks the question of how to build a fair and responsible world society. But how can 'good' be defined? How can we define a good (world) society? This ethical and cultural aspect is crucial. We will only learn to manage our differences by exploring our capacities and our limits. And it is only by establishing the ethical basis of a world governance that we will be able to answer the fundamental question: is the other separate from us or part of us? In practical terms, the great ethical and cultural question we need to answer before endeavouring to build true world governance is the following: how can we rebuild the universal using civilisations as our building blocks? If we tackle these difficult but fascinating questions without any preconceptions, we will really be able to take a step forwards. Rio+20 provides us with the opportunity to do so.

In a world where the effects of globalization and environmental threats transcend the framework of national policies, it is vital to redefine the rules of conduct for states. To do so, we need to lay down the ethical foundations of the practice of international relations that defends general and collective interests, for all and with the participation of all, rather than national interests.

The application of moral standards to international relations takes the form of a model that advocates multilateralism over unilateralism, cooperation over coercion, defence of human

rights and reduction of inequalities over quest for profit and draining the poorest countries' natural resources.

A transformation of this kind requires that the principles of world governance be revised. To take one example, the system we have inherited is rooted in the principle of respect for national sovereignty and non-interference in a country's internal affairs. But is this principle still valid or desirable? Two recent examples, Japan and Libya, have raised this question but without resulting in any real desire to redefine the rules of the game. More generally, we now need to establish new principles based on notions that, until now, have been almost totally absent from international relations: collective responsibility, equity and solidarity.

In short, these new principles of governance needs to transcend national borders by encouraging states to take responsibility for their individual and collective obligations towards the general interest and the interests of the planet and its inhabitants. These principles raise new difficulties in terms of the legitimacy of collective action, authority, the exercise of citizenship that respects human rights, and the resolution of tensions between the local, national and global levels.

II. Proposals for a New World Governance

The challenge is to formulate an architecture for governance suited to the current situation and based on the principle of finding solutions to the problems currently facing us. We need to set out the framework for a new world governance using these problems as a springboard, with dedicated mechanisms and institutions for solving them. We have seen the capacity to identify these problems over the least twenty years. And we have seen that the existing institutions and mechanisms are not only unsuitable but also, more importantly, incapable of adapting, or at least, adapting far enough and fast enough.

So, how to move forwards from this basis? A first element concerns the actors. It is clear that non-state actors are stakeholders in the formulation of a new architecture that takes into account the globalized economy. These actors, particularly those operating in civil society, as well as businesses that respect the environment and workers' rights now have a key role to play. The quicker they contribute to developing a world governance, the quicker it will emerge.

→ Proposal: Organize multi-actor forums by sector, the keystone of effective world governance

Multi-Stakeholder Forums, comprising all actors in a given sector or domain, are a promising innovation. The advantage of this type of structure is that it can reach beyond the purely territorial framework. It strengthens the local roots of actors, workers, business leaders and local authority leaders, but by positioning itself in the global framework of the sector, it extends across territories since it promotes actors in their environment, from local context to global network. This two-tiered territorial/multi-stakeholder forum structure could be the keystone of a new architecture for effective world governance.

Second is the question of geopolitical world governance groups. It would seem logical for major regional or multi-continental groups to play a key role in the new construct that is world governance.

→ Proposal: Form geopolitical groups at the regional level

One of the key features that already marks the new architecture for world governance is the reconfiguration of territories at the regional, sub-continental level. It questions borders, although the context is not yet ripe to ask for borders to be removed. However, we can already clearly see the circulation of human, economic, trade and technological flows that ignore borders. It is difficult to talk of the specific features of these processes in general terms, since they are highly diverse. The European Union, UNASUR in South American, ASEAN in Asia and the African Union are groups with varying economic and political dimensions, but we now know that the new regional groups are more flexible, doing more to adapt to the market configuration and political or diplomatic alliances. The transnational reconfiguration of territories also corresponds more closely to the new renewable energy formats, centred on linking several sources that require an integrated system for supplying wind, photovoltaic, solar thermal, tidal and biomass energy, and with an 'energy territory' extending far beyond borders. The key to strengthening these new economic, political, cultural and ecological territories will be to find other mechanisms, looking beyond states alone, but without overlooking them.

The concept of indicators or indexes is highly controversial. It is a fact that indicators, including the IMF and World Bank versions, are exploited for often dubious ends. Without going into the way in which indexes are used, they need to be designed and executed with great caution. Despite the many flaws that go hand in hand with the batteries of indicators covering every field, they can nevertheless be put to good use.

→ *Proposal: Create a world governance index*

Initiatives promoting new indicators for wealth, production and sustainable development have already been launched. We need to develop world governance indicators using the same approach. This task will require a great deal of work and thought, particularly in developing transnational indicators that look beyond national data, practically the only figures currently available. The World Governance Index (WGI) could eventually become the key benchmark in this sphere.

We need to develop existing international regulations, or even establish supranational regulations, both to provide a legitimate definition for a climate order and the norms to ensure that it endures, and to regulate the various conflicts resulting from the disposal of limited resources in terms of energy, water and fertile land.

→ *Proposal: Set up an International Court for the Environment*

The need to impose restrictions that are accepted and respected by the various parties entails establishing legal norms that are perceived as legitimate and accepted as such. Even if national states succeed in agreeing on new regulations that establish obligations to be respected by all nations and companies on the planet, for example, in areas such as greenhouse gas emissions, pollution or energy consumption, this global law will still need to be obeyed. To do so, monitoring bodies need to be set up to observe who is and is not enforcing the rules. Furthermore, supranational police and justice bodies need to have the power to penalize states or companies, both national and transnational, that feel able to flout rules laid down by global law.

The need for a world armed force, capable of putting a stop to wars currently being waged and new wars that are brewing not just in the Middle East, Asia and Africa, but on every continent, has become truly urgent. This need is particularly strong for populations who are the victims of bloody conflicts, but it affects the whole world community, which needs such a force to avoid wars and, quite possibly, prevent its own self-destruction (for example, if nuclear power is fully unleashed).

→ *Proposal: Put together a volunteer world army, independent from states and governed by international law*

The problem is that we have not (yet?) built a world community. As we have pointed out, the UN does not fully represent this community. So how to proceed? Under whose authority should the world army be placed? It is clear that placing it under NATO's command would be inappropriate to say the least. The question of building the world community thus ties into the reconfiguration of territories at the regional and continental level. We need to achieve a new interlinking of territories, without making them too rigid or dependent on states alone. But this world army must not be scattered across the different territories. This gives a clear example of the distance that separates us from a sustainable architecture for world governance. In any event, proposing a volunteer world armed force independent from states and governed by international law (which does already exist) takes us further in our deliberations, since it makes us think about the framework that would hold and protect the new architecture for world governance in a safer and more peaceful world.

The issues of ecology, the economy—including the green economy—and social inequalities, particularly extreme poverty, are all elements that could be used individually or collectively to draw up a roadmap laying down the first markers for a world governance centred on protecting the environment and lessening inequalities.

→ Proposal: Promote local industrial and service networks, connected to the regional and transnational levels via a system of regional currencies corresponding to different types of goods

(goods) that are used up as they are consumed, those that exist in finite quantity, those that can be divided and shared but exist in indeterminate quantity, and those that multiply when shared). Putting all these goods in the same capitalist basket is the overwhelming mistake made by neoliberal ideology. The newly emerging economy must therefore develop not only a new production and consumption system, but also a trading system based on values other than the quest for profit, values such as solidarity, responsibility, dignity and well being.