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Year XVI, Number 2, July 2003

*New Series*

# The Federalist Debate

Papers for Federalists  
in Europe and the World

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*The problem of establishing a perfect civil Constitution  
depends on the problem of law-governed external relations among nations  
and cannot be solved unless the latter is*

Immanuel Kant

# The Federalist Debate

is published three times a year and is promoted by the Jeunes Européens Fédéralistes (JEF), the Union Européenne des Fédéralistes (UEF) and the World Federalist Movement (WFM) under the auspices of the Einstein Center for International Studies (CESI)

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## *Printed in Italy*

Azienda Grafica il Torchio  
Viale Risorgimento, 11  
I - 10092 - Beinasco

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## *Annual Subscription Prices*

### *Individuals*

15 euros - 18 dollars

### *Institutions and Supporters*

30 euros - 40 dollars

### *Money Transfer (no cheques) to*

The Einstein Center for International Studies  
acc. n. 10/10853, IBAN IT15 W010  
2501 0001 0000 0010 853 BIC IBSPITTM  
San Paolo I.M.I., Filiale Torino Piazza San Carlo

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Aut. Trib. Torino n. 4878, 04.06.1999

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# The Federalist Debate

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# The Decline of the US Mastery and the Need for a European Federal Union

Lucio Levi

The US-Iraqi war split the principal organisations on which world order was founded since the end of WW II: the UN, NATO and the EU. The war accelerated the crisis of the world political system and the power clash brought to light two opposite views of the world order. The American one entrusts a solitary superpower, that places itself above the international community, with the monopoly of power, the responsibility of the maintenance of world order and the power to judge in an unchallengeable way on legality and justice of the other states' behaviour. The one of a part of Europe, led by France and Germany, Russia and China supports the goal of a multilateral governance of the world to be exerted within the UN, conceived as the guardian of a world order based on law rather than might.

The Iraqi war marked a turning point in international relations similar to the one brought about by the decision, taken by President Nixon in 1971, to put an end to the fixed exchange rates system formed at Bretton Woods. Then the weakening of the dollar and the renunciation of the US to assure the stability of international economy opened the way to the European monetary unification and the evolution of the international monetary system toward a multipolar order. Today the American unilateralism and the decision of the US to act outside of the UN framework and to escape every form of international discipline - even that of NATO - has opened the way to the formation of a European independent security system, as shown by the initiative of the Four (Germany, France, Belgium and Luxembourg) for the creation of a European Security and Defence Union.

This means that the US has ceased providing public goods of great value for the world: the stability of the international economic and political order. The unipolar world is challenged by the rise of the EU, that, for the moment, is unable to play a significant role in world politics apart from the sphere of currency, but can become independent in the sphere of foreign and security policy.

The EU does not aim at replacing the US in the role of stabilizer of world order, nor would it have the power to carry out a plan aiming at world hegemony. This means that, in the future, the resetting of world order will not be assured any longer by a hegemonic power, as occurred during the two past centuries first with the *pax britannica* and then with the *pax americana*.

The new terrorist attacks at Riyadh and Casablanca after the Iraqi war have shown that unilateral initiatives make the world situation worse. An effective reply to global challenges demands a joint management of global issues. Only multilateral co-operation within international organizations, first of all the UN, can improve world order. Actually a potential convergence of interests among the world's major states in seeking a joint solution to global issues can be perceived.

Through political unification the EU can become an equal partner of the US, increase its influence on the US, share the US world responsibilities and push the US to co-operate with the major states within the framework of the UN. The ultimate objective of this strategy should be the integration of the US armed forces into a UN police force.

Now we should ask ourselves how this aim can be reached. The adoption of a EU Constitution is still



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under consideration and the clash between sovereigntists and federalists is still in progress. In order to allow Europe to speak with one voice, it is necessary to construct a constitutional mechanism that can overcome the differences of interest and opinion among member states. This mechanism is majority voting. If the majority principle will not prevail in foreign, security and fiscal policies, we will not have a Constitution, but a Treaty. Europe shall not become a world political actor as long as the decision-making process is based on the veto power.

Blair, Aznar and Berlusconi conceive Europe as a great market without independent political institutions. They uphold the subordination of the EU to national governments. But the survival of this principle is incompatible with the enlargement. Widening without deepening endangers the ability of the EU to function, can dilute the Union and paralyze its decision-making structures. In other words, the Europe those leaders are promoting is a Europe that does not aim at becoming a credible international actor and challenging American primacy. This is the reason why Bush is pushing for eastward and southward enlargement (Turkey included) of the EU as quickly as possible.

The US does not promote any more European unification. Its aim is to divide and weaken the EU. It is common knowledge that the "Letter of the Eight" (five members of the EU and three candidates) supporting the American attack on Iraq was inspired by *The Wall Street Journal*. However there is no center of power in the world that can prevent the achievement of a European Federal Union except the EU itself.

After the end of the cold war the world's major states discovered they no longer had an enemy. War among them has become a remote prospect. Therefore a European security system has to be adapted to the threats of the new era of world politics: terrorism, poverty, overpopulation, epidemics, degradation of the environment, financial crises and so forth. All these threats to national security cannot be faced through

traditional weapons and armies.

For this reason the EU can adopt and relaunch Gorbachev's strategic doctrine based on the principle of "mutual security", which could accelerate the reduction of the war arsenals with the prospect of the elimination of all aggressive weapons, in conformity with the principle of "non-offensive defence". Therefore the European security model should be based on a small professional army. Crises management beyond the EU boundaries demands not only the organization of peacekeeping missions, but also economic assistance. Furthermore, if we take into account the waste deriving from fifteen military budgets, an agency for weapons standardization would allow considerable savings in military spending. Moreover a civilian service could allow the creation of a European peace corps that could play a fundamental role in the management of non-military aspects of international crises. Lastly, a European satellite system (Galileo) designed to identify the position of any moving vehicle, could also play a military role and will be an important condition for the EU to achieve independence of the US. Therefore European security may rest on a light military apparatus.

It is impossible to carry out now a Federal Union within the framework of an enlarged Europe, that includes the UK, the other states which are not members of the Monetary Union and Central and Eastern European countries. But the project could be promoted directly by a hard core of states built on the foundation of the Franco-German axis. This is the way the Economic and Monetary Union was established. The same way can be followed now in order to build a Federation within a Confederation. The members of the Confederation will be allowed to enter the Federation later on.

The process of European unification is at a turning point. Either the European misshapen caterpillar will generate a cosmopolitan butterfly that will provide wings for the dream of peace through the constitutionalization of international relations, or it will fade transforming itself into a heap of trifling states.

# Gaining the Consent of EU Citizens on the Constitution

## Lessons from Ireland's Two Referendums on the Nice Treaty

John O' Brennan

The Convention on the Future of Europe, established at the Laeken European Council summit in December 2001, is expected to produce a comprehensive report on the restructuring of the EU to be debated at an intergovernmental conference (IGC) in 2003-04. European leaders, faced with growing disillusionment with the European Union (EU), and tasked with selling their publics a European Constitution in tandem with an unprecedented and historic enlargement, might well be advised to take a good look at the Irish referendums on the Nice Treaty. Reversing the shock No vote of 2001, the Irish people overwhelmingly endorsed the Treaty, by a margin of 63% to 37%, after a protracted and intense campaign. This article argues that there are some crucial lessons to be garnered from the Irish experience, the absorption of which would crucially help to engage citizens with the Constitutional project, and, later, secure their consent in Constitutional referendums.

### Lesson one - Do not take people for granted

Most commentators would agree that the European integration process has been a top-down, elite-dominated one, characterised by only slight participation by citizens. There is enough evidence though to suggest that the era of so-called 'permissive consensus' in EU politics is now but a distant memory. European publics cannot and will not be taken for granted by their political elites. In 1992 the French people came within a whisker of rejecting the Maastricht Treaty; the Danish people

subsequently did reject Maastricht and only reversed this position narrowly after gaining opt-outs from the Social Chapter and monetary union; the Norwegian people have voted against membership on two occasions, despite the overwhelming consensus in the political establishment in favour of membership.

Ireland, however, provided arguably the biggest shock in the history of modern European popular democracy, with the decision by the people at referendum, to reject the Nice Treaty by a margin of 54% to 46% in June 2001. The country which, in opinion polls such as *Eurobarometer*, consistently produced the highest levels of support for European integration, and which more than any other member states had made the EU work for it, now performed a major *volte face* in rejecting the Nice Treaty. Despite the support of all four major political parties, Fianna Fáil, Fine Gael, Labour and the Progressive Democrats, as well as the support of the business community, the trade unions and most civil society groups, the electorate failed to endorse the Treaty.

The referendum campaign was notable for the absence from the doorsteps of the political parties in favour of the Treaty, a paucity of information relating to its content, a citizenry thoroughly disengaged from the limited debate which took place, an opportunism on the part of Eurosceptics, who routinely engaged in distortion, misrepresentation and obfuscation, and a pitiful turnout at the referendum of only 35% - the lowest ever in Ireland on a European

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constitutional question. The charge levelled at the Government and the political establishment more generally, was one of complacency, and indeed, supporters of the Treaty were not slow to own up to this. A lacklustre and indifferent Yes campaign lacked energy, passion, intensity, and, crucially, a visible campaigning presence on the ground in individual constituencies. The No campaign in contrast was charged with conviction, well organised and gained in confidence as the campaign went on.

The 2002 referendum in contrast saw much greater coherence and unity on the part of the Yes campaign, particularly of the Government, a much enhanced campaigning presence in all parts of the country, and a willingness to engage seriously with the concerns of citizens across a range of issue areas. Pro-Europeans were much more visible in the media, at public meetings, and on the ground in constituencies. In the end this was enough to convince a large number of citizens that the political establishment was now addressing the concerns that had kept them from voting in the first referendum. The first lesson to be derived from the Irish experience is thus clear - pro-Europeans must be prepared to make the case for a European Constitution and take it to a mass level. No campaign can proceed and succeed on the basis that the case is a self-evident one. The impression that the Constitutional project is, as ever, an elitist project, which is being dealt with in the backrooms of Brussels must be dispelled. EU citizens must have some sense of participation in and ownership over the Constitutional project. And that observation leads to a second lesson to be drawn from Ireland.

### **Lesson two: the need to mobilise important actors**

The mobilisation of a population (getting the vote out) is itself crucially dependent on the

mobilisation and campaigning zeal of a range of key actors from the worlds of politics, business and civil society. A coalition of such diverse and important groups, and its presence and visibility in a high-octane political campaign, sends out a clear and unequivocal message of commitment and seriousness, which people understand. One of the key lessons learnt by the Government and pro-Nice groups in Ireland after the 2001 defeat, was the necessity of forging as wide and convincing a coalition as possible to face down the No side, which had been much more unified and committed in the first poll. Thus, in the 2002 referendum a pro-Nice coalition consisting of all of the important business groups, the Government and opposition political parties, and civil society groups of different hues, represented a much more formidable alliance to fight the referendum and take the battle to the No side.

In 2001 there had been a problem of perception with some Cabinet Ministers in particular identified as less than enthusiastic about the European project. Progressive Democrat Leader and Deputy Prime Minister Mary Harney had publicly espoused her attachment to Boston rather than Berlin as the preferred socio-economic model for Ireland. Astonishingly, one cabinet minister admitted to having voted against the Treaty whilst advocating a Yes vote to constituents, and another, Finance Minister Charlie McCreevy, described the result as a 'good result for democracy'. None of that disharmony was present in 2002, with all Ministers singing from the same hymn sheet. The 2001 poll had also been characterised by a series of 'own goals' by European Commissioners, headed by President Romano Prodi and Fritz Bolkstein, who had called for EU-wide tax harmonisation, vehemently opposed in Ireland. Second time

around, the Commission was much more careful about public statements which might have impacted on the poll.

The mobilisation of civil society groups was also of some importance to the outcome of the second referendum. Foremost among these was the *Irish Alliance for Europe*, chaired by the prominent academic Professor Brigid Laffan. This comprised of a number of affiliated groups. Laffan came down from her ivory tower to proclaim that the referendum and Ireland's relationship with the EU 'was too important to be left to the politicians'. Individual campaigning was also of crucial importance. The 2001 campaign had been characterised by a notable absence of prominent politicians on the Yes side. The No side in contrast were highly motivated and extremely visible on the ground and in the media. The shock of the result ensured that no such complacency would be present in the Yes camp in a second referendum. Two figures especially stand out in the campaign. Former Prime Minister Dr Garrett Fitzgerald, now in his late seventies, came out of retirement and launched himself into the campaign with some vigour, appearing at public meetings in all parts of the country, canvassing voters, and displaying energy levels that one might not have expected from a man half his age. Similarly, European Parliament President Pat Cox was a charismatic presence on the campaign trail and presented a highly articulate and impassioned defence of the Treaty and the European project.

The second lesson from the Irish experience thus follows logically from the first: the success of a Constitutional referendum hangs crucially on the ability of key societal groups to organise, cohere, and offer convincing reasons, both functional and normative, for EU citizens to grant their consent. A sense of critical mass allied to an efficient and persuasive communicative effort projects a sense of

confidence and credibility, which acts catalytically to mobilise citizens.

### Lesson three: Getting the vote out

A third important observation from the Irish case centres on voter turnout. The failure to carry the Treaty in the first referendum cannot be attributed to a rise in Euroscepticism in Ireland. Indeed, opinion polls conducted in early 2003 show consistently high support in Ireland for the European Union. The central reason for the 2001 defeat instead was the low turnout – at 34.81% the lowest ever in Ireland on a European vote. The most interesting observation is that the No vote *actually fell* by about 2 percentage points between Amsterdam in 1998 and Nice in 2001. The Yes vote, however, *collapsed* by about 19%. That collapse in the Yes vote can be attributed overwhelmingly to the lack of information available on the Treaty, the confusion which followed in the wake of the distortions and misrepresentations of the Eurosceptic campaign, and the failure of pro-Europeans to mount an effective case for the Treaty. A large swathe of pro-European voters simply did not vote.

In the second referendum turnout increased substantially, following a much more visible campaign, by a factor of about one third, from 35% to 49%. Crucially, almost all of these voters seem to have voted to accept the Treaty. The No vote remained remarkably steady. Thus the evidence from the second referendum suggests that the government's campaign strategy, combining measures designed to assuage citizen concerns about the Treaty and a much more dynamic and proactive campaign proved highly effective in mobilising those 'lost' voters to come out and support the Treaty.

It seems highly likely that many member states will choose to ratify the Constitution or Constitutional Treaty by referendum. This is

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especially the case for the acceding states in Central and Eastern Europe, all of which have in-built constitutional provisions for holding referendums on important issues related to national independence and sovereignty. And while the idea of bestowing the greatest possible legitimacy on the Constitution, through the use of referendums as the preferred instrument for ratification, is highly laudable, it also carries with it the danger that the threshold levels will pose a problem, and perhaps endanger ratification. The Irish experience demonstrates clearly the need to secure the greatest possible level of citizen participation in the process in order to ensure the highest possible turnout in referendums.

#### **Lesson four: Disseminating information and communicating 'Europe'**

The final lesson to be drawn from the Irish experience relates to the quantity and quality of information available in the public domain and effective communication of the idea of Europe. EU citizens must be presented with practical information about the content of the Constitution, how it will impact on national sovereignty, and the rationale for synthesising the current Treaty framework. And these efforts to communicate 'Europe' should be undertaken in a spirit of direct engagement with citizens, avoiding as much as possible the 'Eurospeak' which does so much to alienate people. On the other hand the normative ideals that underpin the Union should also feature in the arguments of those advocating a Constitution.

Analysis of the 2001 referendum in Ireland showed that less than 10 per cent of people felt they had a good understanding of what the Treaty was about and a further 30 per cent that they understood some of the issues but not all those involved. This meant that effectively two thirds of the electorate admitted to not understanding the Treaty. Thus addressing the

information deficit became a crucial plank of Government strategy.

In this respect one hugely significant step was taken. This was the establishment of the National Forum on Europe in late 2001. The Forum was launched with a mandate to provide an arena for dialogue and information on European issues, and to facilitate discussion on the range of topics arising in the context of the debate on the Future of Europe. Its membership was drawn from the political parties, business, industry, and civil society groups. As well as a standing Forum meeting regularly in Dublin, regional meetings took place which gave members of the public the opportunity to put their opinions to their public representatives and voice concerns about the direction of the European integration process. Meetings were well attended and discussion often passionate and intense. The Forum thus became a key mechanism for bridging the 'information deficit'. And indeed, there is evidence to suggest that the Forum played a crucial part in the Government's information campaign, which was far superior to that during the first referendum, and 'struck a chord with a substantial number of voters' (Eurobarometer, 2003; *Irish Times*, 27 February 2003). In the first campaign, 44% of voters claimed they did not vote because they lacked understanding of and information on, the Treaty. Just 26% gave the same excuse after the second referendum. Crucially also the Forum has acted as a filter for government, channelling information on the strength of feeling on particular issues and communicating to elites what public opinion thinks about EU membership. In the context of a referendum on a European Constitution, the Irish case thus suggests the value of such as public meetings, information seminars, media penetration and visibility, the targeting of potential 'swing' voters, the utilisation of local party apparatuses, and ensuring effective and consistent communication of both the

functional value and normative ideals of the European integration process.

### **Conclusions**

If the outcome of the first referendum on the Nice Treaty in June 2001 represented a seismic shock to the political establishment in Ireland, then the dramatic reversal which resulted in ratification of the Treaty in the October 2002 referendum was all the more satisfactory. Foremost among the reasons for this reversal was the success in increasing turnout (by a factor of one third), a much more vigorous and visible pro-Nice campaign by supporters of the Treaty, and the successful Government strategy of tackling some of the key concerns of voters who had either stayed away or voted against the Treaty in the first poll. The Irish experience should alert supporters of a federal Europe to the importance of a number of key issues if ratification of the Constitution is to be pursued through the referendum mechanism.

First, the consent of Europe's citizens must not be taken for granted - the case for the Constitution must be made consistently and effectively; second, those making the case for the Constitution must make the greatest effort to disseminate information to the public and counter the distortions and misrepresentations of eurosceptics, which play on fears and misunderstandings of federalism particularly; third, the credibility of the pro-European arguments requires the mobilisation of the widest range of actors from the worlds of politics, business, academia, and civil society. Finally, the mobilisation of EU citizens is required, in an instrumental sense in order to ensure that voter thresholds are met, but, more crucially, to bestow on the referendum results the greatest degree of legitimacy possible. The European political establishment, if it is convinced that a Constitution is imperative for forging a new and dynamic European Union, must bring the message to the people and convince by virtue of reasoned argument and normative promise and not just the historical record.

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# Local Democracy in Yugoslavia

Gianfranco Martini

In the present dramatic days, Europe's and world public opinion is obviously focused on the war on Iraq and on its more or less foreseeable consequences on the system of international relations, in particular in the Middle East region.

Then there is the risk that other areas, crucial for Europe's future and, more in general, for the world peace, take the rear seat in the objectives and initiatives of political summits and also in public opinion's attention and participation. Certainly, included in these areas there is the Balkans region, and in particular that group of countries which attained independence following the dissolution of the Federal Republic of Yugoslavia: Croatia, Bosnia-Herzegovina, Macedonia, the Union of Serbia and Montenegro, to which we may add Albania. We can let aside Slovenia, both because it is more directly connected, by history and culture, with the *Mittel Europa*, and because, also in a geographical sense, it has always had fewer ties with the Balkan area proper, as is witnessed by the fact that it will swiftly join the European Union; just a short time ago, Slovenia's citizens have approved this adhesion with a very high percentage of votes in their national referendum.

It is well known that in the mid-1990s the intervention of the international community put an end to a bloody war in that area, opening the way to a process of democratization, of respect of human rights and minorities, of market economy; all the political analysts,

however, believe that the process will be a difficult and lengthy one, with differing aspects from country to country, so that it should be carefully watched by the European Union and other subjects in the international community, in order to make the progress towards those objectives faster, more stable and faultless.

Here a question arises. When the process of the enlargement of the European Union to ten more countries (which will become twelve in 2007) will be formally completed, there will be in Europe some Balkan countries (the above mentioned five) which will not be part of the fifteen original members, nor of the ten or twelve which will join later. An anomalous situation, not without risks originating by the feelings of disappointment, frustration and euro-scepticism it will arise both in the ruling élites of those countries and in their public opinion, with foreseeable consequences on the social, economic and democratic stability, already questionable.

So a series of problems, tightly interwoven, arise: the start of a process of gradual integration of the five countries into the European Union (vertical integration), and a thrust towards a horizontal integration among themselves, even more so because they have long constituted, at least on a political and juridical plane, a single state reality, the Republic of Yugoslavia.

When the warring war ended, with the Dayton agreements, many European and international

institutions got into action to help the material reconstruction of those countries. However, another serious and urgent problem remained to be solved at the same time, that of reconstituting the texture of a civil society capable of living together in peace and of carrying on an inter-ethnic and inter-confessional dialogue among communities torn by conflict and hatred.

To this second task the Council of Europe has been devoting itself through its Congress of Local and Regional Powers, which originated the Agencies for Local Democracy, which in turn merged later into an Association that the author has the privilege to chair. These Agencies are formed following a formal partner agreement among territorial bodies (Communes, Regions, intermediate bodies); if certain conditions are fulfilled, they give birth to and will support an Agency, with the collaboration of Non-Governmental Organizations and, of course, with the concurrence of the municipality of the city where each Agency is located. There are already eleven such Agencies (three in Croatia, three in Bosnia-Herzegovina, one in Macedonia, two in Serbia and one in Kosovo, to which others will be added shortly); they get the political recognition of the Council of Europe, and are

managed by a permanent delegate. They operate by projects, with European and international funds, so as to ensure a political and institutional democratic progress, foster economic and social development, promote cross-border cooperation, the political training of young generations, parity between men and women, and the democratization of communication media; all this is oriented to a constant approach towards a united Europe, to which these countries are tending by their history and culture.

This initiative of the Agencies of Local Democracy is still not well-known, but it is providing interesting results even in the framework of the stability pact for South-Eastern Europe. It is an initiative without precedent and is based on the commitment of territorial bodies open to the political and human needs of a decentralized cooperation. It is, in a way, an experience which is ideally linked to a vision of reality that does not limit itself to the role of governments and central institutions, but mobilizes aspirations, willingness and participation at grass-roots level, often the most efficient because they operate on the ground and at direct contact with people's expectations.



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# World Water Forum in Kyoto

*Laura Cima*

The 3rd World Water Forum has been held in Kyoto from March 16 to 23, 2003, with the participation of 120 ministers and more than 13.000 delegates from 130 countries. The various subjects have been discussed in tens of sessions, in regional days (among which one for the European Union), in seminars and round tables that have taken place in three nearby locations, Osaka, Kyoto and Shiga. The last two days have been dedicated to the Ministerial Conference, at the end of which two documents have been approved: the joint Declaration and the Portfolio of Water Actions. The Ministerial Declaration has been the object of a long debate between the representatives of the governments, but from the start unfortunately there has been the usual confrontation between the European Union and the United States, the latter interested above all in promoting politics aimed at favouring the free market (also in order to open a competition to the current French-German oligopoly) and in promoting private investments in the developing countries. The European Union has tried to assert with coherence its position, to no avail, mindful of the environmental problems, stating that water is a common good and that every man has a right of access to it. It stated therefore that it is necessary to mobilize at all levels the national and international financial resources necessary to improve the hygienic and sanitary conditions through the transfer of technology, knowledge and the construction or optimization of infrastructures capable of satisfying the necessities of the people, lending special attention to the poor; also, it has

recognized that water is a right, as demonstrators and ONG's, who were pacifically demonstrating during the works of the Conference, were claiming. In this climate of divergence, the countries of the G77 have become an active part, putting forward as the main objective the increase of the aids for solving the water problems of their regions. Faced with this situation of stall and inability to find an international agreement that could cope in a constructive way with the serious problems concerning the water resources of our planet, Japan, the hosting presidency, (just like it happened last time with South Africa at the World Summit on Sustainable Development one year ago) was given the task to write up a compromise text, that in the end turned out to be of low profile. The ministers of the European Union therefore decided, in a dedicated coordination meeting, to give in the final day of the Forum a speech, delivered in the plenary session by the Greek Presidency, in which the topics of particular interest to the European Union that could not be included in the Ministerial Declaration were stated again.

Faced with this political failure of the international community, the road followed in Johannesburg has been travelled over again, transferring on initiatives and plans the hope of attaining the objectives of the Millennium Round. Public-private partnerships are therefore urged to take part in confronting the emergency: the Ministers present have adopted the "Portfolio of Water Actions", an analysis that contains 426 actions proposed by 36

countries and 12 international organizations, which promotes a series of new initiatives in the field of the international partnerships launched in Johannesburg. The Forum has not questioned the oligopolistic structure of the world water market; on the contrary, it has opened the way even more to the private management of water without strengthening the public control of it. The right to water resources for all has not been recognized even in practice, there are no agreements made in order to avoid barriers to the access to water by part of the poor, or in order to guarantee free or symbolic rates to the have-nots.

No solutions have been found to the problems raised by many countries concerning the policy favouring the great dams, that are irreversibly damaging the small farmers, depriving them of the access to water streams.

Considering the dull results of the last Summits, it would be desirable to launch again a new process of consultation with civil society and a new policy of the World Bank concerning water resources, founded on the principle that water is the birthright of humanity, a common good and a natural resource for all; as an irreplaceable source of life for the ecosystem, it is in fact a resource that belongs to all of the inhabitants of the earth and must contribute to solidarity among its citizens, communities and generations. It is the duty of society as a whole to guarantee to all the right of access to water, without discrimination on the basis of race, sex, religion, income or social class, and it must recognize access to water as a fundamental, inalienable, individual and collective right.

Individual and collective health depends on water, and agriculture, industry and domestic life are deeply bound to it. The right to sanitation is a decisive element for human health and protection of ecosystem. We know that 25 percent of the world population has no

access to drinkable water, and this today is synonymous with a fight for survival. Access to water will be halved within 2015, according to the Millennium declaration and the Johannesburg Action Plan.

Each year, more than 200 million children die because of unhealthy water, and its poor quality provokes 80 percent of illnesses in countries of the southern hemisphere. On a planetary level, water is becoming more and more a scarce, polluted, badly managed and non-homogeneously distributed resource, and inevitably the source or object of conflicts and tensions in many parts of the world. In 2050, 7 billion people will suffer from lack of water. The alarming situation that drought and consequent desertification are creating in Africa and in other areas of the world, leads the inhabitants of those arid lands to abandon their own territories in search of food and water. This is the origin of the migratory phenomena that characterize this phase.

The integrated management of water resources is of fundamental importance in developing countries to guarantee sufficient agro-alimentary production, adequate amounts of hygienic-sanitary water, and to defeat conditions of poverty without compromising water equilibriums. Today, the world water market is in the hands of an oligopolistic structure that has invested significant capitals in this sector. The World Bank finances agreements between the large water corporations and the governments of developing countries only on the condition that water resources are privatized: large water corporations have already created their organisms, like the World Water Council and the Global Water Partnership.

We think that it is necessary to exclude the supplying of water from the trade negotiations in the field of services, since water must be considered a right and cannot be made subject

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to the laws of the market.

The protection of water resources must therefore also pass through the realization of policies of rational water use, reduction of consumption, preservation of resources, information, communication and education. It's important:

- to make efforts in all authorized areas to promote a correct and austere management of the planet's water resources, so that every man and woman may utilize them for essential needs;
- to actively work against the privatization of water resources, and for a world water market that allows us to overcome the current situation in which a decidedly oligopolistic market prevails;
- to take concrete initiatives of decentralized

cooperation with those nations in which the problem of degradation and pollution of aquifers is the greatest;

- to introduce, through the national representatives at the World Bank, a new process of consultation with civil society for a new World Bank policy with regard to water resources, according to the principle of water as a common good of humanity and of the access to water as a fundamental, inalienable, individual and collective right.

But all efforts of the meetings, like the important 3rd World Water Forum, risk today to be vanished because of the war, that we cannot yet imagine what tremendous effect and impact could have on the whole planet.

## Argentine and Brazil for Re-Launching Mercosur

Progressist Nestor Kirchner's victory at the Argentine presidential election in May, just few months after Lula's victory in Brazil, may open a new and important phase in the Latin-American development. In fact both Presidents talked in favour of a re-launch of the regional economic and political integration, especially of the Mercosur. Kirchner also proposed the creation of a single currency as an important condition for market integration, whereas Lula underlined the need for a regional parliament as a vehicle for political and institutional integration process. Both of them seem to have understood that the ALCA, the Pan-American free trade zone wanted by the USA, is not acceptable at present conditions. Kirchner said that it is necessary to develop the Mercosur and to create an integrated Latin-American area able to negotiate with the USA in a less asymmetric condition than the current one. The integration of the region will be surely difficult but it is a positive fact that both Presidents of the two major Latin-American countries have understood that it is absolutely necessary (*gi.b.*).

# European Federalism and Social Policies

*Raimondo Cagiano de Azevedo & Marc Heim*

*(Part 1)*

## **Introduction: social economy and social policies**

The lack of a social dimension in the building of Europe is clearly of a liberal inspiration. The failure of the communist experiences has had the effect of reinforcing this trend. The underlying assumption of such a model is that the social cannot do without the economy. There can be some positive social fall-out of the economic activity. And in the case of too negative consequences, there will be some corrective social measures to be taken, but always on the margin, so to speak, of the economic logic, which remains the only determining one. The economy thus has been deprived of one dimension - the social dimension - that is quite peculiar to it. With this removal - more academic than political - the real economic and social policies could no longer be oriented by a global project. For some time now, the situation, however, seems to be changing radically: voices are raised everywhere calling again for a political intervention aimed at finding a remedy for the shortcomings of the market and bringing up in the debate the issue of social justice. Also, people speak more and more frequently of the necessity of defining a third way.

If we want to avoid falling again into the mistakes of the past, it must be asserted that this third way shall necessarily be one of Proudhonian inspiration. Proudhon aids us in understanding the basic cause of this situation: he considers, in fact, a social economy based on

a comprehensive vision of the economic and social relations that we have lost more and more today because of this fictitious division of the economic, the political and the social.

It is interesting to note how Proudhon builds up his project of social economy: he starts off by criticizing the foundations of political economy, making reference to a well-known text by Malthus. Malthus slashed political economy in this renowned passage: "A man who is born in a world already possessed, if he cannot get subsistence from his parents on who he has a just demand, and if the society do not want his labour, has no claim of right to the smallest portion of food, and in fact, has no business to be where he is. At Nature's mighty feast there is no vacant cover for him. She tells him to be gone."

Here is the necessary, fatal conclusion of political economy: Death to him who has no possession. Individual liberty and property, which is the expression of it, are given in political economy; equality and solidarity are not.

Justice, equality and solidarity are part of the demands of the socialists. However Proudhon is critical of this position too, as well as of Fourier's socialism, which he defines a utopia, and Cabet's communism: "Communism reproduces, on an inverted plane, all the contradictions of political economy. Its secret is to replace the individual with the collective man, without any of the social, production, exchange, consumption, education, family

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functions. And because this new evolution does not reconcile or solve anything in any case, it leads fatally, like the previous ones, to iniquity and misery".

And in an even more premonitory way, Proudhon reckons that this idea shall lead to the administrative arbitrary disorder and to the negation of liberty. As well, one century before the Austrian economists (Boehm-Bawerk, von Mises and Hayek), he states that communism and socialism deprive themselves of the economic calculus: "Socialism does not count, it refuses to count".

It is clear here the nature of Proudhon's methodological way of proceeding. After having recognized as basic the principles of liberty and property peculiar to political economy, like those of justice, solidarity and equality are peculiar to socialism, he is going to conclude with a double negation of these two conceptions, if taken separately. They are an antinomy. Social economy will be built then on this antinomy, the two poles of which are irreducible, they cannot be eliminated, but in a fruitful tension, provided that they are put in balance.

In the light of this introduction, we can now examine the traditional social policies and how they must be overcome.

### **The social dimension in Europe**

#### *a) A recall of history*

In this perspective, that separates the economy and the social, a man cannot take part in "the Nature's mighty feast" unless he can participate in the free exchanges organized under the property regime: this assumes the possession of a minimum of goods. Otherwise, he is excluded, unless he finds "the way to excite the compassion of somebody" (Malthus). The first

way of social integration results, de facto, in a system of "co-optation", through the transmission of patrimonies, the self-selection of the élites, the elitist education, with no consideration to ... social endogamy. The second answer is based, after all, on charity or assistance (preferred term today, but indulgent all the same).

The nineteenth century has been characterized by the supremacy of the liberal political economy and the negation of every worry of social justice. So, Malthus and Ricardo (opposed on many issues of economic theory) joined each other again for getting the "poor laws" suppressed. It is the situation experienced by Proudhon and Marx, that of an increasing impoverishment, a limitless exploitation of workers (men, women and children) causing a dreadful misery. Confronted with the rising popular discontent, the ever larger uprisings of workers, the progressive organization of labourers, the European governments of the era were going to take the first social measures, concerning the length of working time, the employment of women and children. Progressively, the labour struggle was to result in an increase of salaries and an improvement of working conditions. However, all these measures were still harbouring cares of "compassion": to protect the weakest and avoid dramatic situations. Calculated compassion anyway: it was already the price to pay for social peace.

The end of the 20th century and in particular the 21st century are going to see a progressive institutionalization of social policies. To keep it simple, it can be said that they are measures taken by the State-Providence. It must be remarked, however, that these social policies do not put in question the primacy of the economy. They were - and remain - of a palliative nature. They constitute the social price to pay for the logic of the maximum economic efficiency to be

attained. Or, to say things differently, they continue to treat social problems on the side, or outside, of the economic sphere. Now, this conception is nowadays outdated: it does no longer correspond either to the present situation or the stakes of tomorrow.

We will limit ourselves, in illustrating them, to three examples: unemployment, pensions and social security.

The unemployment benefits, when they were introduced - and with what resistance by part of the liberal media - were addressed to a very small part of the active population. But most of all, until the years 1970's, unemployment was essentially cyclical and of short duration. In addition, the States could put in place relatively efficient economic policies: the trade exchanges were limited, the national industries widely protected by high custom duties and capital movements remained limited. Today the nature of unemployment has radically changed. It has become essentially structural, and for a great part of unemployed people, more and more chronic and of long duration. Without talking of the costs, it was necessary to bow to the evidence: the compensation mechanisms leave an increasing number of individuals on the side of the road.

If we add to that the increasing lack of stability of jobs, the compelled partial working time, which creates a new category, so far unknown, the "working poors", we must conclude that the patching ups will not suffice any more and that whole new ways of income apportionment must be devised.

Considerations of the same kind can be made for what concerns pensions. The present system has been established in a time when the life expectancy in Europe was that of the developing countries today, and was seldom over 60 years. Birth rate was still high. The

burden of inactive people then remained bearable. Here too the situation has changed radically. And the retirement systems are in crisis everywhere. The phenomenon is made even worse by the putting in early retirement of active 50-year-old people, because the economic system believes they are no longer efficient enough.

The systems managing the health costs experience a similar evolution. It should not be forgotten that more than 50% of the costs concern people over 65 years old. In addition, still one generation ago, the inter-generation solidarity was often family-centered: the care of old people was taking place in this framework. Today, it rests more and more heavily on the community.

We could list many more examples. The result will be the same. One conclusion becomes evident: the institutionalization of the assistance systems is in crisis. It is worth noting that the Maastricht treaties and the following ones are silent for what concerns social policies, a consequence of the lack of agreement among the European governments on this very sensitive matter. Despite lengthy procedures and negotiations, no significant agreement has been possible. It is the evident sign of the "social deficit" of the European construction which we have remarked in the introduction.

### *b) The conditions for an action plan*

An action plan on the social matters will always come from two complementary avenues: the first relates to necessity, the second to choice. Of course, we have the knowledge, all the instruments which would allow us to take the best decisions. But we must note that very often decisions are made under the urgency of necessity and sometimes rationalized later. This answering to each and every blow is not useless, nor is it completely ineffective when

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evolution is slow or when one looks at short-term. But it is ineffective in a time of deep transformations.

Here too, we will limit ourselves to three examples: unemployment, family and pensions. Could, for example, a capitalist system outside of Europe function with 19 million unemployed people? Everywhere else this would constitute a risk of civil war. In Europe, the economic system has integrated such a situation, with its economic and social cost. Here is the cost to pay for maintaining the maximum economic efficiency, the most swift adaptation to the technological changes and the evolutions of the market. All the solutions tested for solving this problem have to do with "necessity", they are partial solutions most often for giving jobs to the young, measures for the long-term unemployed, stage-parking ... And the last measure in time: that of the working week of 35 hours, from which they expect miracles.

Basically, all such policies are based on old assumptions that are no longer true today. That of full employment, firstly, which continues to be taken as a reference point, although its realization is beyond reach. The assumption, secondly, that workers enjoy a certain security over time because of their work agreement of indefinite duration, that their job is a full-time one and that the ensuing salary allows them to have access to a satisfactory living standard. No one of these conditions is fulfilled today any longer. The current evolution concerns not only people without a job, but all those who have one. Is it shocking to think that, in twenty years

time, the working time could be brought to 4 hours a day?

In fact, our society is progressing towards the extension of life time, not of working time. Then there will not be anymore a sufficient number of jobs corresponding to the past conditions.

But the consideration of this evolution will require a thorough rethinking of social policies and, beyond that, of the mechanisms of apportionment and redistribution.

We have already mentioned the crisis of the pension systems and the ever more considerable burden of inactive people relative to active. But there is also the problem of an inactivity most often imposed to individuals still in full possession of their capabilities, and for a duration of about twenty years. Here too, it is possible to content oneself with a patching up using old-time recipes. Certainly that will not be sufficient.

As to the family, we observe that young people marry less and less, and later and later. It must be realized that the resources necessary for having the intention to form a family in satisfactory conditions are often beyond reach for an increasing number of young people. Once more, the answers given by social policy have been non-existing or largely insufficient.

Examples could be added at pleasure. What we are trying to show is that the answers which are proposed today or put in place for dealing with these problems are largely inadequate, insufficient or even often ineffective. (*Continues*)

# The Commission on Human Rights: A House of Impunity or the Rule of Law?

Rik Panganiban

The International Criminal Court is rightly lauded as a historic enhancement of the international human rights system. However the ICC should be seen within the larger nexus of the existing human rights bodies in the UN system, principally the Commission on Human Rights, the principal human rights monitoring and standard-setting body of the United Nations. Often lost among the diverse and complex debates on specific rights issues, country situations, and various minorities and sub-groups, the larger question of the reform of the Commission on Human Rights and other human rights bodies is one that deserves closer attention.

It is important to recall that United Nations reform is merely a process, without inherent value on its own, that can proceed in several different directions and for many different motives. On the one hand there are those who would use the reform agenda as a pretext to diminish, undermine and control the United Nations. And then there are those who seek to develop more democratic, sustainable, and effective systems of global governance, such as the World Federalist Movement. The question becomes: UN reform for what purpose?

This year's session of the Commission on Human Rights was the scene for another battle over the UN reform agenda. The 59th session of the Commission, meeting from March 17 to April 25, 2003 at the *Palais des Nations* in Geneva, brought to the fore the immense challenges in creating effective systems for the

protection of human rights worldwide.

Several human rights NGO's expressed doubts about the possibilities for progress at this session of the Commission. The election of Libya to serve as chair of the Commission did not fill human rights advocates with optimism, given Libya's dismal record on most human rights indicators. The ongoing war in Iraq promised to occupy much of the debate within the Commission. And severe budgetary and time constraints curtailed the traditionally long sessions of the Commission that often ran late into the night in previous years.

The International Service for Human Rights, a distinguished Geneva-based NGO that has monitored the Commission since 1984, was particularly pessimistic in its report on the 2002 Commission (*Human Rights Monitor*, No 57-58, 2002) on the prospects for reform of the Commission. They characterized efforts to "improve the efficiency" of the Commission as attempts of violator countries to shield themselves from accusations and described the Commission as becoming a "House of Impunity."

## Reform-related Issues

There were several debates and proposed resolutions related to reform of the work of the Commission and the Office of the High Commissioner for Human Rights. The most significant ones were on the Sub-Commission on Human Rights, the Office of the High



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Commissioner, and standards for membership in the Commission.

### **Sub-Commission on Human Rights**

One resolution adopted without a vote (E/CN.4/2003/L.66) focused on the Sub-commission on Human Rights, the group of independent experts who develop studies, research and give expert advice to the Commission on specific human rights issues. The resolution confirmed the decision to not allow country-specific resolutions to emanate from the Sub-commission, although the Sub-commission would continue to be able to debate country situations. Thus violator states succeeded in silencing another independent voice within the United Nations that might criticize their human rights practices.

### **Reform of the Office of the High Commissioner for Human Rights**

As the principal institution for the coordination, administration and technical servicing of the various human rights bodies in the UN system, the Office of the High Commissioner for Human Rights was the subject of much debate regarding its effectiveness, independence and mandate.

In response to the recent report of the UN Secretary General on UN reform, which suggested specific reforms of the UN human rights bodies, the Office of the High Commissioner for Human Rights reported (E/CN.4/2003/124) on what steps he and his staff were planning on taking. Among the reforms mentioned, most notable was the creation of a “Special Procedures Branch” to assist in a more coherent and effective manner the 21 different thematic special procedures experts and working groups.

Cuba introduced a resolution (E/CN.4/2003/L.83)

on the “composition of the staff of the Office of the High Commissioner for Human Rights.” This resolution called for strong measures to be taken to remedy the predominance on the staff of the Office by Westerners as well as to reduce the amount of earmarked voluntary funds received by the Office from states.

Several interventions from the High Commissioner and states noted the difficult problem of reconciling the increasing mandates of the Office of the High Commissioner with the relatively small budget of the Office within the overall UN budget, at about 1.4%. The High Commissioner noted that without an increase in the Office’s percentage of the regular UN budget, he had no choice but to increasingly rely on the states’ voluntary contributions to fund the work of the Office.

### **Standards for Membership in the Commission**

The principal debate on reform within the Commission was centered around the issue of standards for membership in the Commission on Human Rights. The existing practice is for the 53 members of the Commission to be elected by five regional groupings: Africa (15), Asia/Pacific (12), Latin America / Caribbean(11), Eastern Europe (5) and the Western Group (10).

The issue of standards for membership in the Commission is a critical one for the credibility and efficacy of the UN human rights body. Because if the Commission is to be able to fulfill its mandate to monitor and set standards for all human rights, its members themselves should not be violating those very same standards. Indeed, several observers have noted that violator countries are increasingly seeking election to the Commission in order to block resolutions that criticize their own practices.

Carried over from the debate in last year’s session, the issue of standards of membership

was re-opened by the United States during the election of the Chairperson of the Commission. After the vote on the Chair, Phil Reeker of US State department suggested that there should be "substantive qualifications for participation in the UN Commission on Human Rights, rather than some rotational scheme or vote-trading." (*Human Rights Features*, March 24-31 Issue).

This cause was taken up by Micheline Calmy-Rey, of the Swiss ministry of foreign affairs during the High Level Segment. Calmy-Rey noted the importance of the six main human rights conventions, asking: "...ne conviendrait-il pas de réserver l'accès à la Commission à ceux qui acceptent d'appliquer ces instruments, d'utiliser et de coopérer avec les mécanismes issus de la Commission ? C'est en tout cas un facteur dont la Suisse tiendra compte lorsqu'il s'agira d'élire les membres de cet organe." That is, she suggested that the Commission should restrict membership to those states who have accepted the six conventions and who cooperate with the special procedures created by the Commission.

The High Commissioner Sergio de Mello himself, in an interview with *Human Rights Features* (22-25 April 2003 issue), suggested similar "criteria" for membership: "Aspiring to membership or becoming a member entails, as a minimum ... ratifying all core human rights conventions, translating those into national legislation and extending a standing invitation to all special procedures, which after all, are the creation of the very commission."

Several NGOs also stated their positions on standards for membership. The *Fédération Internationale des Ligues des Droits de l'Homme* (FIDH) in their position paper called for a resolution "which submits CHR membership to criteria of cooperation with the UN mechanisms, such as the extension of a permanent invitation to UN Human Rights

monitoring mechanisms." ICJ similarly supported cooperation with the special procedures: "States aspiring to Commission membership should at the very least evince a willingness to cooperate with the Commission's own experts and mechanisms. States such as Algeria, Zimbabwe, Cuba, China, India, the Russian Federation and Syria are highly active members of the Commission and yet have often refused to allow the organs of the Commission to visit. (ICJ Press Release, April 24, 2003)"

A Human Rights Watch representative, in a briefing to NGOs, suggested that members should subscribe the main human rights conventions, countries that have been censured by the Commission should not sit on it, and overall members should cooperate with the Commission.

Amnesty International suggested the highest bar to membership, noting that states standing for election should:

- Extend a standing invitation to the special procedures of the Commission and to cooperate with their requests to undertake visits,
- Ensure full and prompt implementation of the recommendations of the special procedures,
- Ratify key international human rights treaties and their optional protocols, and provide for communications procedures and on-site investigation,
- Ensure full and prompt implementation of the recommendations of the treaty monitoring bodies,
- Ensure timely submission of periodic reports to treaty monitoring bodies.

(From *Media Briefing Paper* AI INDEX: IOR 41/004/2003, March 13, 2003)

The running joke among NGOs was that if such stringent standards were adopted, only a few Nordic countries would be able to sit on the Commission. It is clear that no country can claim to be totally without blemish in its human

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rights record. However coming up with a formulation that might keep the most serious violator countries from sitting on the Commission is seen by many as an important effort.

No resolution on this question was put forward by this year's Commission, but it is anticipated that debate on this issue will continue into future sessions of the CHR. Whether or not new champions for this issue will arise, such as Canada, Australia or the European Union, is yet to be seen.

### **Conclusion**

As this year's Commission on Human Rights demonstrates, the UN reform debate is at its root a struggle over the rule of law. Clearly the Office of the High Commissioner, the Commission on Human Rights, and other UN human rights bodies are flawed instruments badly in need of revamping and re-visioning. With states often locked into the political battles

of the moment, it is up to civil society to put forward a more holistic, far-reaching, and profound vision of a more effective international human rights system. Because who else will stand up for the victims? Who else will speak for the oppressed?

In the words of the High Commissioner Sergio de Mello: "Militating for the rule of law, for the strengthening of the international system, for multi-lateralism is, I think, more important than ever, particularly at a time when some - and I hope they will remain only some - speak of the irrelevance of the UN. I certainly don't agree with them, as you can imagine. I believe the UN has never been as relevant and as necessary as today, which does not mean it doesn't deserve reforms. And certain mechanisms, such as the Security Council or even our Commission, can improve their function and their ability to respond to crises in particular. But the UN as a whole, imperfect as it may be, has never been as necessary as it is today. (*Human Rights Features*, 22-25 April 2003)"

# Global Civil Society and World Federalism

Giovanni Finizio

If we consider the basic human needs and we submit the present world order to a quick evaluation, it is plain to see that it is absolutely dysfunctional to the individual and collective well-being. We can consider some significant indicators, such as the deterioration of the environment, the increasing social polarization in the national and global contexts and the gloomy "habit" of war in international life. The first origin of this old but worsening situation is truly the established world order inherited from the peace of Westphalia in 1648, later modified by the United Nations Charter and made more complex by economic globalization, interdependence and by the transnationalization of players and relationships. As a consequence, the prognosis for satisfying the basic human needs consists of a new world order based on: a) a plurality of decision centers set on a scale raising from the ones nearer to the citizens, as the neighbourhood and the city, passing through regional organizations such as the European Union, to arrive at the United Nations; b) the extension and deepening of democracy from the local to the global level. In conclusion, what we need is world federalism. The main purpose of this article is to analyze the potential role of the so-called Global Civil Society in a world order of this kind and in the strategy to get to it. To reach this aim, we start from defining civil society in its traditional ambit, the nation-state, and we will talk about its globalization, its functions and therefore about its usefulness for a change-over strategy.

The expression "civil society" has had different

meanings over the centuries, from the Roman era, to the Doctrine of Natural Law, to Enlightenment, to Hegel, Marx and Tocqueville. In my opinion, it is really useful to consider the meaning given to it by Antonio Gramsci, in his *Prison Notebooks* (1971), where civil society is described as an ambit separate from both the state, felt as a coercive governmental apparatus, and from the economy and the family private sphere. Civil society for Gramsci is the public space existing between the big bureaucratic structures of the state and of the economy, and the private sphere of family, friends and our own privacy. The main point is that civil society is a public, not governmental sphere. Therefore, in order to give a definition, it is fundamental to consider the relationship between state and market, and even more between the public and the private fields.

The public field is where we vote, we pay taxes, we take part to a war; the private one is where we do everything else - we play, we sleep, we produce, we consume. The first one is the domain of the state and of its formal institutions, characterized by coercion and by the monopoly of the use of legal force; the second one includes all the other possible subjects, from individuals to social organizations, from multinational corporations to civil associations, and it is characterized by freedom: we can think of the market, privacy and individuality.

Civil society, in this context, is set as a public and open domain (like the government), but

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also as a voluntary and not coercive domain (like the private one). It is a compound of individual and collective entities - individuals, associations, public interest groups, churches, medias, etc. - as well as of relationships, through which its members, even though acting as private entities, play public roles: it is the field where we speak about guarding a crossroads with our neighbour, we plan donations to the local school, we discuss about how our church could give shelter to the homeless or we organize a summer soccer tournament for our children. The civil society role is a public one but, differently from the state, it doesn't want to exert the monopoly of legal coercion; we, its members, work voluntarily and in this sense we inhabit a private domain oriented to the cooperative (not coercive) pursuing of the public good, aiming at consensual (i.e. integrating and collaborative) behaviours. Civil society is therefore public without being coercive, voluntary without being privatized.

It is immediately plain to see which is its role in the democracy, the political instrument to pursue the common good, different from the sum of individual interests: civil society, being the place where private entities think of and pursue the public good, makes a synthesis possible: human needs meet "public need". The democratic institutions will then change such political demands into "democratic public law" and into suitable policies.

The globalization of civil society is caused by some modification processes of the Westphalian international relations system - interdependence, transnationalization, international organization, economic globalization, human rights internationalization - and could be defined as a process by which national civil societies go beyond the boundaries of their own states, to join each other up to losing each and every national feature. The main point is that the state has lost the monopoly of the representation of its own

citizens' interests on the international level, and so the vindication of the global interests of humanity is claimed alongside the national interests, whose sum is different from the first. The globalization of civil society builds a transnational place, composed of solidaristic relationships, where all of us together play political roles, to pursue the world good. Such globalization is therefore extremely necessary for a cosmopolitan citizenship, which needs rights, civil society and institutions.

I'd like to propose now the domestic democratic scheme on a global level. Global civil society could be described as the field where individuals, associations, public interest groups, movements, institutions, entities interact transversely across states and independently from them, from the international organizations and from the global market, putting forward questions, proposals, ideas for the pursuing of the global collective good. Speaking about its functions, the first and innate one is included in its definition: the structuring of political questions to get to the humanity public good. However, such questions should be proposed to a world government, the only authority that could answer to such global inputs with laws and policies. In the absence of such a government, global civil society must claim the humanity public good from the nation-states (singularly considered or in multilateral contexts, like international organizations), which are always and only after their national interests, even though they don't have the suitable means any longer, and from the United Nations, which the same states don't let play this role.

In this situation, the global civil society is virtually compelled to exert the following second function: to make the demand for the common good, structured and put together by it, become one with the request of changing the international relations system in a democratic

and "humane" direction.

The third function of the global civil society comes from the fact that both demands it brings ahead, the common good satisfaction and the changing of the international system, are not met by the only systemic actors that could satisfy them: once again the states. Therefore, besides demanding, nowadays it plays a constituent role. In other words, on the one hand it pushes as strong as it can, submitting the request for a change to all systemic actors, and on the other, it places itself as the protagonist of this change.

This third function is the most important and radical, and some traces of it can be seen in the history of the so-called civil society counter-summits. It is a way that has become more pointed particularly in the 1990s, on the occasion of important thematic UN conferences: from Rio 1992 about the environment and development, to Vienna 1993 about human rights, etc. The most significant developments of the summits of civil society occurred in Italy since 1995 with the "Assemblies of the UN of the Peoples" and in New York in May 2000 with the "We, the Peoples" Millennium Forum, both important opportunities to reflect about the need for the

global civil society of networking around common values, in order to demand and constitute a democratic and human-centric new world order.

In conclusion, this analysis shows two unescapable points with regard to world federalism for the global civil society: on the one hand global civil society is a fundamental part for the good functioning of a democratic world order; on the other, it must be the leading actor of the strategy to get to this order. About this last consideration, it must be said that the present time is crucial for civil society organizations, including also the federalist ones: they must take consciousness of their own potential, of the three functions of which they are, and must be, bearers, and they must realize that the way to a world government is a constituent one. It is nowadays plain to see, therefore, that the federalist strategy must pass through global civil society: we must take consciousness that we are part of the global civil society and that we have some roles to play; that, sharing common values, we can build in a constituent way a new federalist world order, and that we must, all together even with our existing differences, get to our common goal of a just and peaceful world, projected into the future.

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# Japan's Peace Constitution and Its Contribution to International Security

*Hiroshi Katsumori*

The second paragraph of the post-World-War-II Japanese Constitution's Preamble says: "We, the Japanese people, desire peace for all time and are deeply conscious of the high ideals controlling human relationship, and we have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world. We desire to occupy an honored place in an international society striving for the preservation of peace, and the banishment of tyranny, slavery, oppression and intolerance for all time from the earth."

The final paragraph of the preamble reads: "We, the Japanese people, pledge our national honor to accomplish these high ideals and purposes with all our resources." Article 9 of this constitution - which renounces war and pledges never to maintain war potential nor to recognize the right of belligerency of the state - is the means for realizing the high ideals stated in the Preamble.

There is a strong debate here in Japan over the appropriateness of Japan making an international contribution in world conflicts by sending its Self-Defence Forces (SDF) to participate. Conservatives, who wish for Japan to be a so-called "normal nation", seek a constitutional revision, changing Article 9 so as to enable Japan to fully and legally participate, as its contribution, in wars like all other countries. The words normal nation mean that Japan should be like most all the other nations in the world - using military forces to achieve its objectives if all other means fail.

Even in the government's current, already problematic interpretation of the constitution, the SDF is constrained in its limited participation within both the Japan-US Security Treaty and UN Peacekeeping operations. Thus changes such as conservatives seek would further violate the spirit of the Preamble and Article 9's unequivocal renunciation of war. An international contribution for peace can by no means be equated to the sending of military forces.

Charles Overby, Ohio University Emeritus Professor and founder of the Article 9 Society, illustrates in his book *A Call for Peace: The Implications of Japan's War-Renouncing Constitution* a multitude of alternative kinds of non-violent contributions that nations can make, that have nothing whatsoever to do with military force. Furthermore, these non-violent means would genuinely lead to peace and justice whereas, military force simply sets the stage for more gross forms of violence.

In this report, however, let us explore how Japan might contribute to international security without violating its Peace Constitution, as it presently stands with no revisions. In my opinion, it is a violation of Japan's constitution for Japan to participate in joint military action with the United States' unilateral military actions, because the constitution prohibits the "right of collective defense".

On the other hand, if the Japanese SDF is reorganized, it might well be possible for the

SDF to participate in Peace Keeping Operations (PKO) as a part of the multilateral UN collective security system. A reorganized SDF would have to be trained not for war and destruction, but for the multitude of non-violent means for the pacific settlement of disputes, as outlined in Chapter VI of the United Nations Charter. Article 33, Chapter VI, of the UN Charter specifies that parties to a dispute shall "... first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice." The UN, in fulfilling its Chapter VI responsibilities, will require watch groups to prevent disputes from spreading, oversee the performance of cease-fire agreements, monitor elections and arbitrate etc. A reorganized SDF trained in the skills needed to perform the above kinds of non-violent conflict resolution could make a positive contribution to world peace and dispute resolution without violating Japan's constitution.

Light armaments for UN persons doing these kinds of non-violent things may be necessary, so long as the arms are strictly for self-defense, emergency evacuation, etc. Chapter VII of the UN Charter, which outlines the use of military force when all non-violent means fail, could not be carried out by Japanese SDF without violating Japan's constitution.

Now on to more specific details. On December 18, 2002, the International Peace Cooperation Meeting, under the chairmanship of Yasushi Akashi, former vice secretary-general of the UN, made a proposal based on a "positive internationalism". This proposal suggested that the law of the SDF should be revised so that its regular function might become that of "international peace cooperation".

In a somewhat parallel thought, Masaru Honda, of the editorial staff of the *Asahi* newspaper,

wrote in the *Asahi Shimbun* on December 20, 2002, that Japan should seek to join the UN Standby Arrangement System (SAS). This system seeks to enable the UN to respond more quickly with dispute settlement, preventive diplomacy and other means to cope with conflict. The UN Standby System has four levels and 75 countries have already expressed a willingness to join it.

We should give careful consideration to SAS, in that it seems to be some first steps toward a world without war. This system has a perspective of World Federalism and its police system for the future.

A third proposal that has some relationship to the above two is one by Ichiro Ozawa, head of the Liberal Party. In November 2001 Ozawa proposed that in order to develop the UN collective security system based on the ideals of Japan's Constitution, Japan should be the first to place all the Japanese SDF with the UN. Although some objections may be raised to Ozawa's opinions in many respects, this proposal may be a worthwhile one for us to examine - with a constraint in mind that the SDF not be used for military operations.

Permit me now to suggest several matters that should be considered so as to lead to the development of the UN SAS in such a way that Japan's SDF might participate in it and not be in violation of Japan's Constitution.

1. The world will be divided into many domains (D), taking into consideration factors such as population, land mass size, etc. An appropriate number of members of the Standby System will be stationed in each domain and called a Standby Team (ST).

2. Members of the ST will be recruited as volunteers from all over the world. It is desirable that ST members for a given D be a mixture of nationalities from that D.

3. United Nations ST members stationed in



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each domain must be directly under the command of the UN and must be managed independently of the governments that lie within the D. Every ST member will be given United Nations citizenship, which surpasses the citizenship of individual countries in the D.

4. When a dispute occurs in a D, a ST will be quickly deployed under UN command so that they might quickly seek non-violent conflict resolution while the fire is small.

5. Funds to manage the UN Standby System will come from contributions by all nations whose security will be enhanced by such a system. This increased security will enable individual nations to reduce their national military budgets, thus freeing up funds for the UN SAS.

Mixed nationalities in the STs will help in creating trust among the individual countries within the Ds. It is well known that the border guards between France and Germany are composed of youth from each country. This is an amazingly successful story especially when we remember how bitterly they fought each other in WW-I and WW-II. We might expect the nationalities of the STs in the domain containing Japan as composed of South and North Koreans, Chinese, Russians as well as Japanese. Similarly, we may imagine an ST

composed of Israeli and Palestinian people and another made up of Indians and Pakistanis.

Some might view these ideas as pure fantasy, but who would have predicted in advance the collapse of the Berlin wall? To form the concept of UN citizenship, the argument on international officials given by Shunsaku Kato, Emeritus Professor of Kanto Gakuin University, member of the World Federalist Movement (WFM) Council, and Vice President of WFM-Japan, will be helpful. The international officials are responsible only to the international organizations, according to Article 100 of Chapter XV in the UN Charter. His article appeared in the No.30 issue of WFM-Japan newspaper published in October 1995. If the UN Standby Arrangements System functions effectively, international disputes can be resolved at the earliest stage. Thus military operations prescribed in the UN Charter, Chapter VII, would not be invoked.

Shunsaku Kato proposed years ago (see *The Federalist Debate*, vol. VIII, No.3, 1995) that the high ideals of Article 9 of the Japanese Constitution should be introduced into Article 51 of Chapter VII in the UN Charter. His proposal leads to an idea similar to that mentioned above.

# Mindless, Cowardly Terrorism

*J. Noel Glynn*

In a parallel universe the history of the twentieth century was different. The United States was not such a powerful nation, did not have a Security Council veto; the World Wars had not happened and the human race was mercifully spared the Nazi holocaust.

Most colonised nations had thrown off European rule by 1910. Much of Africa, Asia and Latin America had prospered, forming powerful allies for the now unsurpassed superpower: China. Europe had declined in power and influence.

The USA had greatly declined by 1945 and faced continuous opposition from much of the world, led by China, who dubbed it an "imperialist power". The US bitterly protested that, since its revolution against Britain, it was staunchly anti-imperialist. Native Americans did not share that view and organised a powerful international lobby which caught the imagination of influential Asian and African states.

The United Nations decided that Native Americans had been persecuted, firstly by European colonists and later by the United States. Due to this persecution, they alleged, whole tribes, languages and cultures had disappeared in effective genocide. To make amends the UN set up a federation of Native American states, known as the Native States of America. The existing area of the United States was thus divided between the old USA and the new NSA.

## **No consultation**

Scandalously this division was made without any consultation with the US people or government. The UN gave the NSA the best territory: the Atlantic and Pacific seaboard and a swathe of mainly fertile land stretching across the continent joining the two coasts. The USA got territory in the north along the Canadian border and in the south along the Mexican border. Washington DC was divided between the two national entities although the NSA claimed that for historic reasons the whole District should be their capital.

## **American fury**

The United States' public were furious at the high-handed attitude of the UN in imposing this dismemberment of their country and determined to destroy the NSA. Some militant Americans spoke of driving the Natives into the sea, while some militant Natives spoke of expanding their territory to take over the whole of the North American continent.

As soon as independence of the NSA was declared in 1948, Canadian troops poured south across the border to support the USA in its war on the NSA. The USA lost territory and the NSA expanded to approximately 60% of the land area of the former USA. The 40% USA that remained was divided into two non-contiguous territories; the larger of these became absorbed into Canada, the smaller into Mexico.

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## **Law of return**

Meanwhile, the NSA's congress in Washington DC passed a "law of return" which entitled anyone with Native American blood in their veins to immigrate to the NSA and immediately gain citizenship. People flooded in from all over the Americas, claiming the governments in their countries were oppressive dictatorships, particularly discriminatory towards indigenous Americans, and run mainly by the descendants of European colonialists.

The argument put to anyone who claimed this law of return was unjust was that US citizens had plenty of other English-speaking countries they could go and live in, but Native Americans had nothing else of their own.

## **Iroquois Federation**

So successful was the NSA, running a federal democracy based on the principles pioneered by the earlier Iroquois federation, that it attracted finance from all over the world and became a flourishing nation state, supported principally by the global superpower: China.

## **Six day war**

In 1967 the NSA, claiming that they had reliable intelligence that they were about to be attacked by Canada and Mexico, attacked the USA. As a result, in just six days, they took over the whole of what had once been the US, even extending into bordering areas of Canada and Mexico – "essential for security"!

## **Chinese diplomacy**

After a few more years (1973) the NSA were in turn attacked by the USA, but after a war of three weeks agreed to a cease-fire. After some vigorous shuttle diplomacy by the Chinese foreign minister, they eventually pulled back

from some of the territories they had seized. US people had mostly lost hope of regaining their homeland. They had no proper government. Many US citizens had lost their homes and their farms; many were in refugee camps or exile.

## **US resistance**

But resistance movements among European, African and Asian Americans formed. Many of these pulled off some strikingly spectacular acts, including plane hijackings and suicide bombings. Invariably dismissed as acts of "cowardly, mindless terrorism" by the Chinese dominated world media, they were regarded as self-sacrificial acts of heroism by the despairing US public.

## **Illegal settlements**

Many of the Native Americans were not content with the 60% of the territory which was officially the NSA on the grounds that God had originally given them the whole of the American continent and that therefore they had a right to reclaim it. They set up heavily armed settlements in US territories despite the fact that UN resolutions described these as illegal and demanded their dismantling.

There was little US citizens could do. The NSA was well financed and received an abundance of the latest weapons from their allies, particularly China.

But sympathy for the USA was growing. Networks of supporters formed, especially in Europe and parts of the English-speaking world, to aid these dispossessed people. Many sought to bring about a negotiated peace and others, particularly those ideologically opposed to China, formed international terrorist networks which attacked Native American and Chinese property killing many.

### Religious support

The church preached that the injustice of depriving good American Christians of their homeland should be put to rights. Some of the more militant preachers used their pulpits to advocate an armed crusade against the infidel Native American entity and the global forces that supported it, especially that godless country: China.

### Terrorism hits China

On 11th September 2001, planes hijacked by US sympathisers, collided with skyscrapers in Shanghai and Beijing. As a consequence China declared a war on terrorism and by bombing raids toppled the government of Romania where, it maintained, these terrorists were based, despite two offers from that country to negotiate.

The president of China declared that anyone who was not with him was with the terrorists. Many countries who had much sympathy for displaced US citizens were reluctant to support this "war" but were afraid of the economic or military consequences of upsetting the global superpower.

### China violates human rights

China arrested many people in Romania. Some, they claimed, were members of the terrorist group which had attacked buildings in China. Others, they said, were forces of the Romanian government which had supported the terrorist network. These prisoners of many nationalities, including American, were flown to Okinawa, a Chinese military base on a Japanese island, and held there incommunicado for months without charge. Some Chinese lawyers tried to get them released, but judges decided that since Okinawa was not Chinese territory the normal liberties enshrined in Chinese law did not

apply. The Chinese government also maintained that since these were "terrorists" the normal safeguards of the Geneva convention did not apply.

Groups of dispossessed US citizens made "terrorist" attacks in the NSA. Consequently the NSA continued punitive "reprisals" against the US villages and towns they maintained these terrorists came from, killing US citizens at three times the rate of NSA citizens killed. Each side swore to avenge each new attack.

Native Americans dubbed as "racist" anyone who expressed sympathy with the dispossessed US people and moderate Natives who sought to understand the US point of view were dubbed: "self-hating". China only occasionally rapped the NSA on the knuckles when their military operations verged on massacres, such as bombing camps of homeless US civilian refugees.

### New Chinese century

In 1996 a powerful group of Chinese patriots launched "the Project for the New Chinese Century". In it they proposed that Chinese military spending should be vastly increased and that their military and economic power be used to promote the superior Chinese system of "democratic socialism" (a blend of Taoist, Confucian and Maoist philosophy) throughout the world, on the grounds that it was self-evidently superior. They named a number of countries they suspected of developing weapons of mass destruction and of harbouring potential sympathisers of the USA, including: Britain, Australia, Spain, Italy, Canada and Poland. Their website stated China should use its military to bring about regime change in these countries and to liberate their oppressed people.

Beijing refused to do anything effective to bring

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about a negotiated settlement between the NSA and the United States "Authority" (it was not recognised as a government). Beijing announced that the USA must change its leadership before any negotiations could start and that instead they would soon be launching an attack on Britain, allegedly a hotbed of support for pro-US "terrorism" and more seriously: developing nuclear weapons which might challenge Chinese global power. Clearly, the Chinese leadership explained, nuclear weapons must not be allowed to proliferate, though China had already torn up the nuclear weapons limitation treaties they had signed some years earlier.

### **Attack on Britain**

Many states dreamed of a peaceful world under just international law and succeeded in setting up an International Criminal Court to try perpetrators of war crimes. Before attacking Britain, China declared it would have nothing to do with this court and succeeded in getting various states - in exchange for generous aid, trade and weapons contracts - to agree they would never indict any Chinese citizen before it.

Beijing tried to persuade the UN Security Council to authorise an attack on Britain, but failed, calling some of their traditional allies "traitors" for not having supported them. They

attacked anyway, aided by their trusty ally India and a few other sympathisers. The British put up a plucky fight, but none of their allies dared come to their aid, having been warned by China of the consequences. Thousands of Britons lost their lives. Because of damage to the infrastructure, famine and disease set in. Furious Britons turned against each other. British Asians in many towns were massacred. Many Scots, Welsh and Irish blamed English domination and the English in Scotland and Wales were also subject to attacks. Northern Ireland erupted into interethnic war and the Dublin government sent in their army to quell it.

Despite some stage-managed TV shots of two hundred Britons cheering as the Chinese destroyed portraits of the Royal Family, China seemed genuinely surprised that the British people did not welcome them as liberators. No British nuclear weapons were found.

The world over, hatred of China and her allies grew alongside sympathy for the dispossessed US people. Anti-Eastern terrorist networks expanded as "cowardly, mindless" people joined them. Incensed by the injustice of the way the powerful were ruling the world, they determined to act even at the cost of their lives. Governments had to curb civil and political rights in order to hunt down these international criminals. A new Dark Age dawned.

# Herbert G. Wells and the Ideal of the World State

A post-Victorian "mundialist" (1866-1946)

Joseph Montchamp

Today Herbert George Wells is considered, at best, as one of the fathers of science-fiction. A century ago he was probably the most popular English writer. Indeed, we praise his "scientific imagination", his "intuitions" or "anticipations". The truth is that science has caught up with most of his visions or inventions and generally overtaken them in an unbelievable way: radio, television, genetic manipulation, brainwashing, eugenics, in vitro fertilisation, tanks, planes, moon rockets, atomic bombs, bacteriological warfare, the exploration of space, the cold war, hijacking and... terrorism on a world scale. Some would say that H.G. Wells is outmoded, old fashioned and forgotten; many of his works are not easily available, or out of print.

## A man with a Mission

However, there was a subject which was especially close to his heart, which he tried to formulate (without much popular success) and which comes back again and again in many of his works to the very end of his life: it is the organisation of a World State. It seems that, in the long run, his considerable fame had slightly given to his head and he had come to consider himself as a prophet of things to come, a global Nostradamus (but not a guru!). His vision tended towards a unified world-state, a planned socialist world state. His dream, alas, collapsed with the second World War (which he had announced long before) and it turned into a nightmare with Hiroshima.

Herbert George Wells was the most famous and

popular English writer between 1895 and 1917. He was born at Bromley in Kent in 1866, the son of a grocer (like Mrs. Thatcher!), apprenticed to a draper, then tried an apprenticeship with a pharmacist, became a pupil-teacher and, at last, got a scholarship which allowed him to study at the Royal College of Science at Kensington. He graduated in Natural Science in 1890 and taught at various schools. He was very much influenced by the lectures of the great biologist Thomas Henry Huxley on the evolution of man. Teaching and publishing schoolbooks, Wells moved towards Scientific Popularisation. From there it was a short step to science-fiction.

In the novel he found a means to explore ideas in many fields. *The Time machine* (1895), for example, is a kind of scooter to explore the past and the future until year 802.701! The book was an immediate success. *The War of the worlds* (1899), was the first invasion of our planet by extra-terrestrial creatures - Martians, of course. Its dramatic adaptation for the radio by Orson Welles, in 1937, was probably the most striking instance of its innumerable posterity. *The First Men in the Moon* (1901), probably inspired by his great and famous contemporary Jules Verne, presents the best description ever made of the surface of the moon, if we believe the astronauts who have been there. *When the Sleeper wakes* (1899) shows us London about 2200 with its grim skyline, a forest of huge windvanes, under the dictatorship of the Electric Council, with gigantic aeroplanes silently drifting in the sky - a City ravaged by revolution. H.G. Wells was fascinated at once by the class struggle, progress and

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catastrophes. Catastrophes will be prevented only by the organization of a World State. But the key-question in Well's mind is: how can freedom be preserved?

H.G. Wells tirelessly and endlessly wrote novels and essays, pamphlets and articles on an incredible range of topics. After 1900 he published several novels in which readers perceive a Dickensian vigour, pleasant documents on pre-war society, tragi-comedies of lower middle-class life, social observation and satire written with humour and *gusto*. In his clear, lively, precise and down-to-earth style H.G. Wells wrote for millions of readers to whom he brought the novelty of science and a socialism (his own) which refused to be mistaken for the Fabians' or the Webbs': He applied scientific speculation to society!

### **The vision of an astronaut**

Wells casts on the earth the eye of a cosmonaut or an astronomer. A biographer has written "the whole planet was the yard where his ideas were at play". But he went far beyond this planet. The individual interests him only in exceptional circumstances: it is the point of view of the scientist and the experimenter who dashes into the unknown, or the small man who rises against society, come what may. He pictures in his mind the future of the masses, of "mankind" – a favourite word – he considers himself as a "predestinate socialist", a kind of Modern Moses carrying on his back the tables of Science, climbing towards a promised land. But he hates Karl Marx (a rival-prophet?); the brilliant future does not belong to the Marxists. But H.G. Wells always moves between light and darkness - there are in him traces of predestination and waves of Puritanism.

He denounces imperialism and colonialism but he tends to replace them by scientific systems which are as totalitarian as nazism or communism. But at bottom, as a true blue

Englishman, he hates systems and ideologies. He never really believed in Soviet communism. He met Lenin in 1920 and for a short while he observed the unfolding of the Revolution, but after his meeting with Stalin in 1934, he did not believe anymore in a glorious future for the proletariat. He foresaw a conflict, a break between the USSR and the West, at best he could only foretell a cold war. A stout individualist he speaks ceaselessly of the "collective mind", but he fears the mob and has no confidence in dictatorships, whatever their kind. His works are full of dictators, despots or gang-leaders who are ferocious, bloodthirsty or downright mad.

On the one hand he cannot bear competitors in Utopia, on the other hand, thanks to his popular common sense and English pragmatism he is vaccinated against Marxism and fascism. He does not lose sight of economic necessities either: "he knew that the art of the grocer is the microcosm of good political economy".

A disciple of Thomas Huxley, he thought that man's brain would continue to develop through the ages and he believed that evolution helped and accelerated by the scientific revolution would transform societies, integrate political parties, unify or obliterate social classes, castes and religions - and languages.

Let us not forget that H.G. Wells is a novelist, an artist, a journalist, an "experimenter", and basically a sceptic. A patriot and a militarist for a short time, in 1914, the War shattered all his beliefs - he strayed into theology (his own, obviously) and it was a disaster. Too busy writing and preaching his own creed, he did not go in for politics, however he was given a job... at the Propaganda Ministry (!) where, as usual, he disagreed and quarrelled with everybody. In 1918 he put all his hopes in the League of Nations.

He was for a world order, but his own plan was not popular at all; he advocated: a strong League of Nations capable to enforce its own decisions or

sanctions, the abolition of the British Empire and the Royal Navy, the abolition of sovereign states - Great Britain would become a Republic. No wonder the Times refused his articles.

The League of Nations, established by the Treaty of Versailles, was a total disillusion. He discovered that diplomats and politicians who pretended to organise the world had no knowledge of the history of the world - included its most recent developments. So, in one year, in 1920, he wrote and published a vast *History of the World*, which became a best-seller in its shortened version. In those days, just after the War, he refused to despair.

### Man dances on a volcano

Yes, he refused to despair, but his apocalyptic fears increased with the 1929 crisis. He could see or perceive portents of war here and there. Disenchanted but still optimistic he summed up history as "a race between education and catastrophe".

Obviously he is not a professional historian (he liked to define himself as a journalist) but like Paul Valéry he has observed the collapse of civilisations - already in his first novels he had been haunted by mounds of ruins and rubble at the heart of the great cities.

Everytime he introduces a new invention or scientific device he sees its dangers. He dreads the end of the world precipitated by the delirious imagination of some mad or fanatical dictator .

Consequently peoples must be educated and the world must be unified, a global development of the earth freed from nationalism is required. This development must be planned and managed by an elite (Wells is an elitist) of enlightened scientists who will educate the masses. It is imperative to find bold, creative and rational minds. A task which is nearly impossible.

Wells had always strongly criticised what he called administrative and philanthropic socialism, which Hilaire Belloc had satirised in his book *The Servile State* (1912). H.G. Wells had joined, then left the Labour Party, he had disagreed, quarrelled and broken off with his friends, the Webbs, he had squabbled with Bernard Shaw, because he considered their socialism as a system to control men and make them happy without asking their permission and because it was leading to a bureaucracy of clerks, penpushers, intellectuals and pseudo-experts trained by other civil servants or small-minded officials without any experience of the world - or in other words a class of mandarins who were the very opposite of his ideal, "the *samurai*". One must beware of a caste of functionaries who are constantly plotting against normal man. Born in the lower middle class, Wells hated the socialism of philanthropic aristocrats (what we call today "humanitarian" or "*le caritatif*", the so-called socialism of the high-minded, lordly, charitable, arrogant, aggressive, contemptuous and condescending do-gooder: "the socialism of a ruling class who takes care of the poor".

Then, another point: democracy is founded or demagogy. Therefore we must not mistake narrow-minded, obscurantist and fumbling experts trained for paperwork for genuine specialists who are constructive and co-operative and who build the future. We cannot expect too much consistency, Wells denies being a philosopher or an intellectual. He is a man of the people, basically a self-taught man, a man in a hurry - in this respect he is very modern. He does not believe in the end of the history but he fears sudden accelerations and decelerations (see the short story *The Day when the Earth stopped*).

A government without borders remains a distant perspective but the world evolves towards a technological globalisation, in spite of the crisis of 1929. Wells is reproached with a lack of sensitiveness which accentuates his pessimism:



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many of his characters are ruthless, primitive, sadistic, ferocious, see the inhabitants of the moon or the creatures on the Island of Dr. Moreau.

His vision of the future of the planet is often dark. Published in 1933 and made into a film in 1937, *The Shape of Things to Come* tries to forecast future events. It announces a war for 1940-43: "war came at last in 1940 with a stupid accident at Danzig where a young nazi shot a Jewish traveller". This conflict will be followed by a long period of upheavals and a cold war, which remains unnamed. The situation will improve and the world will begin to reorganise after 2002, thanks to improved means of communication: radio, electronics, highways, aviation. A kind of Internet will be developed. But the new world state which repudiates democratic control is far from being attractive: the Syndicate of Transports which has organised "a sea and air" dictatorship must fight against "the age of fanatics, pioneers, prophets and murderers".

After 2106 the Air Dictatorship and the World Council which control all communications enforce a drastic "Puritan Dictatorship" (cf.

Talibans) and this after the sad failure of the World Federation of free peoples. The rule of professors and psychologists (*sic*) enforces a control of behaviour which makes one year for the pure air of the Gulag and the delights of Stalinian clinics.

Finally "the world which was divided territorially between the great powers becomes a World divided between functional great powers". Indeed, it is difficult for us to perceive the improvement.

However it may be, in the long run, at last, a peaceful revolution is achieved after the Conference at Mégève "which wound up the second World Council" (p. 390) in 2046, an era of peace and prosperity seems to begin, even if there is no guarantee for individual happiness and freedom.

The most curious point is that after this "geogonic" planning in this happy technocratic world there exists an official language: "Basic English" of 850 words, while numberless languages and dialects have coalesced and melted into a universal *lingo* of two million words. After the Babel Tower comes the Flood!

## Wells' Work

We can only give a short list of Wells' countless publications.

### A) Science-fiction

- *The Time Machine*, 1895.
- *The Invisible Man*, 1897.
- *The War of the Worlds*, 1898.
- *When The Sleeper Wakes*, 1899.
- *The First Men in the Moon*, 1901.
- *The Food of the Gods*, 1904.
- *The War in the Air*, 1908.
- *Men like Gods*, 1923.
- *The Shape of Things to come*, 1933.

### B) Novels and short stories

- *Love and Mr Levisham*, 1900.
- *Kipps*, 1905.
- *The History of Mr Polly*, 1910.
- *Ann Veronica*, 1909.
- *Tono-Bungay*, 1909.
- *The Country of the Blind*, 1911.
- *The New Machiavelli*, 1911-2.
- *The Outline of History*, 1920.
- Shortened version: 1922
- *A short History of the World*.

### C) Biographical writings:

- *The World of William Clissold*, 1926.
- *Experiment in Autobiography*, 1934.
- *The Fate of Homo sapiens*, 1939.
- *Mind at the end of its Tether*, 1945.

# The Iraqi War and its Consequences for Europe and its Relationships in the World

*Jo Leinen*

The war in Iraq is over. The allies have rapidly defeated the Iraqi armed forces in a "Shock and Awe" campaign. What are the consequences of the war in the gulf and which lessons do we have to draw from it? What does it mean for the future of a common foreign and security policy of the European Union?

Thanks to the honesty (or was it stupidity?) of the deputy US Minister for Foreign Affairs, Paul Wolfowitz, we know today that the "destruction of the weapons of mass destruction" was just a pretext for the US to attack Iraq. The real reason behind the action of the American armed forces was the desire to re-order the Middle East region and to increase the influence of the USA in the neighbourhood of the oil fields.

The background of this new US policy is a change in the strategy behind the country's international behaviour. The US is withdrawing from the system of multilateral cooperation and is moving towards unilateralism at all costs. These considerations found their expression in the national security strategy invented by President Bush. This strategy sees the recognised rules of the commonwealth of nations only as a bargaining mass for US power politics, and not only envisages preventive defence strikes, but also provides that the US abandon the search for consensus in the international community of states and look for a "coalition of the willing" instead.

This strategy has naturally met with scepticism and rejection by a majority within the United

Nations; the new American way calls into question the entire current system of international security.

At the beginning of the war, the Europeans were split between those countries which agreed to the USA procedure almost unreservedly, and those which rejected it outrightly as disproportionate and irresponsible because of its unpredictable consequences. The divide run right across the European Union. While Great Britain and Spain placed themselves unmistakably on the side of the USA, France and Germany held just as unmistakably against it. So, it cannot come as a surprise that the future Member States in Central and Eastern Europe did not look for guidance from the EU, but placed themselves on the side of the USA.

What are the consequences of this behaviour for Europe?

It is undisputed among European politicians that transatlantic relations are still an important instrument for peace in the world. The relationship between Europe and the USA must be improved and extended. Within these relations NATO takes a privileged position. The countries of Europe and in particular the Member States of the European Union should aim at improving the situation by a more active involvement within the alliance.

For the EU, this implies the need to strengthen its unity on external and security matters.

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Already now a majority of the citizens of Europe want a common foreign policy. We need an institution which brings together the tasks of the Secretary-General of the Council and those of the Commissioner for External Affairs, and which is equipped with the adequate means to successfully accomplish these tasks. The European Foreign Minister must have a right of initiative and the ability to rely on the structures of the European Commission. Besides, he needs budgetary means which allow sufficient room for manoeuvre to his office. We must pursue this approach in order to arrive at the single "telephone number" once demanded by Henry Kissinger for questions regarding the European foreign policy.

The major challenges of our time cannot be solved militarily. We must, however, also recognise that there are situations in which the last resort can only be military force. But military force must indeed be the "ultima ratio". In any case there must not be a process of getting progressively used to the military option, by which military force becomes just an instrument as any other. The European Union must acquire its own security doctrine, which has to include the political, social and cross-cultural elements for defusing and resolving conflicts.

The strategy must aim at the creation of a fair international order in which all states are able to co-design their common future under equal conditions and according to equal standards. The most important instrument in this connection is the UN. Although it is undisputably in need of reform in many areas, nobody will seriously dispute the fact that the UN is the only institution which can contribute to global solutions.

Despite its clear emphasis on a civil orientation, the EU must also extend its military capacity, in order to increase its weight on the international

stage. It can and must not be our goal to compete with the USA's multi-billion dollar defence budget. The Member States of the EU must instead better coordinate and standardise their various military establishments. We urgently need an agency for research and armament, which unites the efforts of the member states and thus produces the necessary synergies. A coordinated market for armaments will lead to reduced development costs and a higher rate of production, which in turn lowers prices. The money that can be saved in this way should be used for modernisation and development in those fields which have been neglected up to now, such as transport and logistics, information and communications technology. The uniform equipment of the European armed forces will lead to smoother co-operation and less duplications.

Our efforts should concentrate on the challenges which result from the new global situation. The East-West conflict cannot be the yard-stick of the European defence policy any more. Instead, the focus must be on regional conflicts such as civil wars and towards the new threat posed by terrorism. It is essential to align the structures of the future security and defence policy with these tasks.

The EU must concentrate in developing those abilities which it already has and which are recognised by the international community. One of these abilities are the so-called Petersberg Tasks, which include conflict prevention and peace-keeping. Even today the EU involvement in the Balkans and in Congo is based on these tasks. The EU likewise has a good reputation in the area of humanitarian aid and the support of nation building. These should be intensified further with regard to the fight against the causes of terrorism. The assumption by the EU of the NATO military mission in the former Yugoslav Republic of Macedonia on March 31st and the success of

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the EU police mission in Bosnia and Herzegovina are encouraging examples of successful policies of the European Union.

The basic condition for a well-functioning European policy is the political will for cooperation. This readiness exists in the field of the external and security policy only among some of the Member States at the current moment. In order to speed up the CFSP, this "core Europe" should make use of the instrument of "enhanced cooperations". The sooner the states united in the enhanced cooperation are able to act, the sooner the other Member States will follow their initiative. Eventually, they will not be able to resist the momentum of the "pioneers".

The Gulf war teaches us that the transatlantic

alliance must be strengthened by an independent European pillar. Unity of Europe in global questions will also strengthen the system of the United Nations and will thus prevent unilateralism and the increased use of "coalitions of the willing".

The challenge for the Europeans is not the immediate increase of their military expenditure, but the creation of a common foreign, security and defence policy. Those Member States which are already prepared to give federal features to the EU in the area of the CFSP should take the initiative for such a policy. The quicker they obtain convincing results, the sooner the other Member States will join in. A common voice by Europe in the world contributes to global peace and corresponds to the will of the citizens in the European Union.

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# The Oil Currency Wars

*Annamaria Viterbo*

Steve Hanke (Professor of Applied Economics at the Johns Hopkins University), among other distinguished economists, suggested that the second Iraqi war was in fact an oil currency war. It's acknowledged that Iraq holds the second largest oil reserves in the world after Saudi Arabia, more than 112 billion barrels, but its resource potential may be far greater due to the fact that the country is still largely unexplored.

Iraq is one of the eleven members of the Organization of the Petroleum Exporting Countries (OPEC) with Algeria, Indonesia, Iran, Kuwait, Libya, Nigeria, Qatar, Saudi Arabia, United Arab Emirates and Venezuela. All the OPEC countries are members of the International Monetary Fund, but among them only Indonesia (1995), Kuwait (1995), Nigeria (1995), Qatar (1996), the United Arab Emirates (1996) and Venezuela (1995) are members of the World Trade Organization, whereas Algeria and Saudi Arabia have applied to join it. All the economies of these countries rely heavily on oil export revenues (f.ex. oil exports account for around 20% of Iran's and Kuwait's gross domestic product and 40% of Saudi Arabia's GDP) and until the introduction of the euro, the international currency used for oil transactions has been nearly exclusively the U.S. dollar. Moreover, in the majority of OPEC countries the dollar is the currency mostly used in the composition of long-term debt and the U.S. dollar holdings in foreign exchange reserves increased from 51.3% in 1991 to 68.3% in 1999, staying at that level through the end of 2001 (while in 2001 the euro accounted for only 13%

of total exchange reserves).

Recently, despite this environment of a predominant oil-dollar governed economy, many of the OPEC States have seen a momentum towards the euro as an oil transactions currency standard.

In the Islamic Republic of Iran, from the 1990s and prior to the elimination of the official exchange rate, government oil export proceeds, surrendered to the Iranian Central Bank at the fixed rate of rials 1,750 per \$1, were mostly earmarked for imports of basic necessities and publicly guaranteed debt. When in 2002 a managed floating exchange rate arrangement was adopted, the exchange rate of the rial started to be determined in the interbank foreign exchange market. Shortly after, being Italy, Germany and France among the major trading partners of Iran, the government made a proposal to receive payments for crude oil sales to Europe in euros instead of U.S. dollars, and the majority of reserve funds in Iran's Central Bank were shifted to euros.

As a countermeasure, in March 2003, President Bush extended for 5 more years the sanctions originally imposed on Iran by President Clinton: two executive orders of 1995 and the Iran-Libya Sanctions Act (ILSA) of 1996 prohibit U.S. companies and their foreign subsidiaries from conducting business with Iran, and from concluding any contract for the financing of the development of petroleum resources located there.

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In Iraq, when Saddam Hussein came to power in 1979, the dinar began to collapse, still remaining officially pegged to the dollar, also used as intervention currency. While for Saddam Hussein and his high officers the dinar official rate remained unchanged at the fixed rate of 1982 (1 dinar per \$ 3.22), the only way for citizens to obtain foreign currency was through the black market, which reached an exchange rate as high as 3.000 dinars per dollar. In June 2001 state banks were allowed to transact at the prevailing market rate and the exchange rate regime began a *de facto* managed floating.

Since after the first Gulf war, the United Nations Security Council Resolution 986/1995 allows Iraq to sell specified dollar amounts of crude oil for the purchase of essential goods and services, to be distributed under UN supervision (the UN oil-for-food program). In 2000, claiming that the dollar was “the enemy currency”, Saddam threatened to suspend all oil exports - about 5 percent of the world’s total - if the United Nations didn’t approve the request to use the euro as the currency for selling oil through the oil-for-food program. In November 2000, the UN Office of the Iraq Programme allowed the issuance of letters of credit for the purchase of Iraqi oil in euro denomination, and a bank account in euros was opened, yet maintaining the existing deposits in dollars. The switch to the euro merely formalized the Iraqi practice of purchasing humanitarian supplies exclusively from nations it viewed as potential allies, that is to say, several Arab countries, China and European States. Despite criticism of financial nonsense, we can agree with *The Observer* (February 16, 2003) which pointed out that the euro has gained almost 25% against the dollar since late 2001; this also applies to the Iraqi \$10 billion oil-for-food account kept at the New York branch of the French bank BNP Paribas.

Nowadays, at the end of the second Gulf war, it is clear that the Bush administration will

conduct a U.S. dollar-based monetary policy in Iraq. American military officials are paying Iraqi civil servants in dollars and they are expected to do so for at least the next several months. A team of experts from the U.S. Treasury Department has been charged to study the transition to a new currency and the renewal of the central bank. On May 7, 2003, President Bush removed the administrative sanctions on American companies conducting business in Iraq and the Iraq Sanctions Act of 1990, which, it is said, restricted the exports of equipments necessary for reconstruction; the Treasury Department will also allow personal remittance, under which people in the United States may send up to \$500 a month in cash to any person in Iraq, and the Treasury Secretary estimated that if half of the 143.000 Iraqis living in the U.S. sent such an amount to Iraq, about 30 million dollars would flow to Iraq each month. Additionally, the International Monetary Fund and the World Bank are soon expected to provide loans for helping Iraq reconstruction.

Americans have also exercised their influence in Kuwait and in Afghanistan, a non-OPEC country rich of natural resources. In January 2003 the external value of Kuwait’s dinar, first determined on the basis of a special weighted basket of currencies, was pegged to the U.S. dollar. Meanwhile, Afghanistan adopted the U.S. Treasury experts’ suggestion to introduce new banknotes for replacing the counterfeit and devalued Afghani notes, therefore definitely rejecting the interim government’s proposal to use the euro as legal tender. Incidentally, North Korea, the latest “axis of evil” country, decided in December 2002 to officially phase out the dollar and start using euros for trade operations.

According to the International Energy Agency (Oil Information 2002), more than 45 percent of the total merchandise imports of OPEC

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countries is coming from the Euro-zone, and OPEC members are the main suppliers of oil and crude oil to Europe. Moreover, Algeria and the European Union concluded in 2001 an Association Agreement that strengthened their commercial relations.

The U.S. economy has acquired significant structural imbalances, a high current account balance deficit (now \$535 billion, almost 5% of the U.S. GDP), a merchandise trade balance deficit of \$478 billion, and a federal budget deficit of \$255 billion. Meanwhile the European Union enlargement will probably result in a larger share of global trade and in an aggregate GDP of \$9.6 trillion, directly competing with the U.S. economy's GDP of about \$10.5 trillion. Moreover the European Union has a more balanced external accounts position and the use of the euro as a reserve currency is increasing. The structural imbalances of the United States and their negative trend could provoke a loss of international trust in the dollar, while significant monetary shifts are occurring in reserve funds of foreign governments. Among

other developing countries, China and Venezuela have already started to diversify their currency reserves away from dollars, shifting towards the euro.

The two oil currency wars conducted by the United States in Afghanistan and in Iraq, and still under way, aim to maintain the monetary *status quo*, i.e. a dollar supremacy in international markets. A policy of straight monetary competition, conducted by the United States against the euro, could result in a world economic crisis. An enlarged and united Europe supported by a hard currency is a requirement for a partnership with the U.S., leading to a stronger collaboration between the two Federations and to the peaceful development of the world's society. Such a partnership, regulated by an international monetary organization like the International Monetary Fund, could be based on a euro-dollar exchange rate arrangement, a first step towards a future, single world currency area and a world central bank.

Sources: IMF, *Annual Report*, 2002; IMF, *Annual Report on Exchange Arrangements and Exchange Restrictions*, 2002; World Bank, *Global Development Finance*, 2002; OECD, *Economic Outlook*, n. 72, December 2002; International Energy Agency, *Countries Analysis*, 2002; International Energy Agency, *Oil Information*, 2002; Eurostat, *Structural Indicators*, 2002; OPEC, *Annual Statistical Bulletin*, 2001.

# A Question of Orientation: Federalist European Union Common Foreign and Security Policy

*John Williams*

In which direction should a federalist vision of a European Union Common Foreign and Security Policy be orientated? Should it be orientated towards maintaining the politically multi-dimensional Atlantic Alliance as the primary means of achieving a federal world government? Or should the federalist vision be orientated specifically towards the achievement of that federal world government?

Christian Glöckner, the chair of the Union of European Federalists' working group on the European Union's CFSP, posed such challenging questions when he proposed a conference on the European Union's CFSP this autumn at the UEF Otzenhausen/Saarland committee meeting. In doing so, he presented the UEF with a potentially constructive challenge. This challenge is, namely, in which frame of reference should European Federalists conceptualise their vision of a federal European common foreign and security policy? Should it be set within an Atlanticist, essentially cold-war frame of reference, a frame of reference having as its primary objective the maintenance of transatlantic political relations? Or should such a federalist vision be set within a post-cold-war global frame of reference, a frame of reference perceiving European political integration as being the test-bed for an ultimate federal world government?

The UEF's working group on the subject has so far failed to opt for one or the other of these choices. Agreeing on the content of a Federalist EU CFSP, the working group disagrees on its

orientation. The conflict between the working group's consensus on the substance of a Federalist EU CFSP and the lack of an equivalent consensus relating to its orientation is as follows:

## **Consensus that:**

- As the strongest economic power of the world the European Union's moral obligation is to facilitate the under developed regions of the world realise their full economic, social and cultural potential;
- The European Union's need is to develop its military capacity for peacemaking, creating a common EU-Army, creating a common defense equipment market, spending 2% of GNP on defense matters in an integrated way, integrating Art. V rule into the Constitution treaty, refusing the intergovernmental procedure as proposed by the Barnier-group.

## **Lack of consensus that:**

- Nato should remain the basic frame of reference for the development of the European Union's CFSP, and that within this frame of reference the European Union should develop a peace-keeping capacity to complement that of Nato;
- Therefore the European Union's CFSP must not either undermine or contradict in any way the policies of Nato.

This conflict between the report's agreement on substance and disagreement on orientation has



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a strategic significance for the FEU's political development.

It is a significance that stems from the Euro-federalists placing their Federalist tenets within two distinct, yet ostensibly divergent, frames of reference that are denied as being distinct, not to say contradictory. Being rooted in the immediate post-second-world-war era and stimulated by the developments of the cold war, the conventional Euro-federalist conception of a federalist CFSP places itself strictly within an Atlanticist frame of reference. Ostensibly perceiving this frame of reference as the transitional means of achieving global security, in effect this conception of European CFSP perceives the maintenance of Atlanticism as an end in itself. It is a European CFSP conception, both in reality and presentation, at odds with federalist goals, namely a federal world government functioning on a balance-of-power based upon a genuine equilibrium.

Analytically and in terms of political strategy, these divergent conceptions of what a federalist European CFSP should be, have ramifications for the FEU requiring examination in order to clarify its collective position on European security. These ramifications confront the UEF with the choice of perceiving its European CFSP ideals either in Atlanticist, implicitly cold-war terms, or in explicitly post-cold-war terms that perceive the development of European security based on federalist principles as the test-bed for federalist global security. This analytical choice cannot be avoided because it forces choices of political strategy.

These analytical and politically strategic choices confronting European Federalists are brought into focus by the increasingly ideological transatlantic splits concerning matters of world governance. Far from merely being the result of the Anglo-American intervention in Iraq, such ideological transatlantic splits are inherent in

the transatlantic relationship. Thus, Jonathan Steele, in *The Guardian*, May 20, 2003, observes: "What Bush did was not a total novelty. His brazen unilateralism is built on tendencies which have never been absent from US foreign policy. Clinton used military force at least three times without security council authority: in Bosnia in 1995, in bombing Baghdad for four days in December 1998, and in attacking Yugoslavia over Kosovo in 1999."

In terms of world governance, these ideological splits re-enforce themselves along transatlantic lines with even more fundamental splits over human rights and environmental issues. From a detached, federalist perspective, the accumulative logic derived from these perpetual splits should be to perceive the transatlantic alliance system, based on common ideological bonds, as a cold-war relic of little relevance to the post-cold-war goals of a federal world government.

It is a perspective, juxtaposing the role of facilitating Atlanticist crisis management with that of advocating a federal world government, that confronts Euro-federalist with an irreconcilable choice. The choice is irreconcilable because the area in dispute, far from being within the geographic domain of Atlanticism, is outside that domain. As such, the dispute brings into focus the underlying conflict between an Atlanticist analytical perspective and a Federalist analytical perspective.

In other words, which of these analytical perspectives should form the basis of the UEF conference on the European Union CFSP this autumn, as proposed by Christian Glöckner? The almost inevitable frame of reference of the conference, namely the European Union policy in the Middle East after the Anglo-American intervention in Iraq, makes that choice stark. Not only does such a frame of reference pose challenges concerning how to constitutionally

develop more coherent and effective internal and external CFSP decision-making mechanisms. Of greater significance, it is a frame of reference that highlights the delineation between an Atlanticist security policy that facilitates the cohesion of transatlantic political relations, on the one hand, and a European security policy that promotes the European Union's global interests and aspirations, on the other. It is a significance crystallised by NATO's out of area expansion in Afghanistan and Iraq.

This conflict revolves around the advocacy of federalist modifications to the existing European Security system versus the advocacy

of a European Security system that develops within a framework based on federalist principles of democratic accountability. The conflict poses the question of whether the FEU should facilitate in the crisis management of Atlanticist European Security, accepting existing decision-making infrastructures, however undemocratic, as a means to preserve transatlantic relations, consolidating Washington's global hegemony in consequence, on the one hand. Or, on the other, whether it should advocate a genuinely federalist European Security system as the test-bed for a federalist global security system based on a more equitable, and hence viable, global balance-of-power.



**NEW WEB SITE:**

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*Happy surfing!*

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# Of Paradise and Power: America vs. Europe in the New World Order

## A critical analysis of Robert Kagan's thought

Vera Palea

The debate on the future of World Order and in particular that of the USA-Europe relations, has received a significant contribution - even if not shared - from Robert Kagan, one of the leading American experts in foreign policy, a *senior associate* at the Carnegie Endowment for International Peace and one of the theorists of the famous "Bush doctrine".

His latest book, *Of Paradise and Power: America vs. Europe in the New World Order*, published in January, has quickly become the new "Bible" of the American right wing nationalistic philosophy.

According to Kagan, the deep differences that the United States and Europe have shown in the way they have tackled the Iraqi crisis and, in more general terms, on issues such as the world government and the role of institutions and law in regulating international issues, chiefly depend on the military power gap existing between the two continents. In fact, Europe's relative military weakness could explain its strong interest in building a world where military power counts less than economic power. And this same military weakness would give rise to a strong interest in and commitment of Europe in favor of the creation of an international order where laws and institutions would count more than the power of the single countries, where unilateral action by the stronger states would be forbidden and where all countries, regardless of their power, would enjoy the same rights and would be equally protected by universally shared international behavioral rules.

According to Kagan, in an anarchic world the fear of the weaker powers is of becoming the predestinated victims of the greater powers, that the former try to bridle in the name of international laws. On the other hand, the great powers fear the restrictive regulations of international laws more than anarchy, because in an anarchic and Hobbesian world, power is the only guarantee for security and welfare. Therefore, it is this difference in terms of military power that emerges today in the transatlantic rift.

Europeans claim that their refusal of American unilateralism is the evidence of their deep respect for the principles of the world order. However their call for multilateralism and international law is not wholly disinterested.

On one hand, the fear of American unilateralism and, on the other hand, the lack of military power to fight it is inducing Europeans to constrain the American superpower through institutions such as the UN. The Security Council could be seen as a substitute of the power that Europeans lack.

Moreover, on achieving a condition of stable peace within their continent, Europeans have developed a Kantian vision of the world which is made up of negotiations, diplomacy, cooperation and rules. But, in Kagan's view, it has been possible to develop this vision only because the United States has guaranteed security in the world. European integration, with its neo-idealism of a pacific international order based on treaties, courts and international

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organizations, has been able to expand only because the United States was there to defend international order and to show its muscles in an otherwise Hobbesian world where survival depends on the power of arms.

However, according to Kagan, Kant was unable to explain how nations could conquer perpetual peace without destroying freedom. Indeed - still according to Kagan - a world government would inevitably be despotic and would represent a much greater threat for peace than the Hobbesian international order.

In fact, this Hobbesian and anarchic world would force the United States, as the only military power capable of guaranteeing security, to break the rules of the "post-modern" world that Europe dreamt of so strongly.

If the United States refuses to submit to some of the international conventions - Kagan explains - it is because it must try to maintain a high level of capacity and efficiency in its fight against "evil". If it acts unilaterally, it is because Europeans have renounced a policy of power. If the USA has become a privileged objective for terrorists and enemies of freedom - Kagan concludes - it is because they are burdened with the responsibility of guaranteeing international order along with defending Europe from the folly of its military inadequacy. Therefore, the United States should be guaranteed the power to defend itself and, to this end, it cannot be hindered by regulations and by international assemblies.

So what is the future of American-European relations? Kagan's fear is that European criticism of the United States may become increasingly harsh. In this case, a day may come - it may already have come - when the Americans give the European Union's proclamations the same level of attention as they are currently giving to the ASEAN and Andean Pact's claims.

Therefore the best thing would be that the Europeans manage to overcome their fear and their anger against the "great villain" and remember how the presence of a strong, even dominating America, is of crucial importance to the world and in particular for Europe. "All in all, it would not be such a high price to pay for Paradise".

On the other hand, it would be advisable for the United States to show a better understanding of the sensitivity of other countries, in order to build up political credit to be used on occasions when multilateralism is not possible and unilateral action inevitable. In other words, the USA should try to put into practice what their founding fathers used to call "dignified respect for humanity's opinions".

This is, in short, Kagan's doctrine, which deserves a series of comments. I am inclined to agree just on one point of this doctrine which I will deal with later.

A first consideration is that, contrary to what is asserted by Kagan, American unilateralism and its imperialist drift lead nowhere but to an increase of resentment and hate from the countries and people excluded from the decision-making processes on the world's main issues, thereby provoking increased instability along with a growing number of terrorist attacks. A unilateral strategy is therefore unable to create security and welfare, not even for Americans, but instead represents a major threat.

A unilateral world where the only power - whose strategic interests are such that it cannot be the promoter of a disinterested pacification project - decides for everyone, would inevitably lead to the exacerbation of international tensions and conflicts.

Contrary to Kagan's assertions, in a Hobbesian world the states, as well as the individuals,

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would be willing to give up part of their autonomy and sovereignty in exchange for security and welfare.

The solution to the problem of world anarchy does not lie in a power policy but in a change in the international balance towards forms of world government open to the participation of the major regions of the world. Only the creation of a democratic world order will guarantee security and welfare. In this sense the UN should be refounded.

On the other hand, the perspective of a single seat at the Security Council for each great region of the world would constitute a significant incentive for the pacification, democratization and integration of the Middle East. There is no trace of any undertaking in this sense in Kagan's theory nor in the current American strategy.

It is now time for Europe to take over and play an essential role in the definition and establishment of the guidelines of the new international order.

On this particular point, Kagan is right. Europe has always left the burdensome task of guaranteeing security in the world to the United States and, for this, it has serious responsibilities. A divided Europe unable to act has contributed to the rise of American unilateralism and the exalted sense of power that has spread among the American political class and political analysts such as Kagan.

However, history has offered a unique opportunity to remedy these serious responsibilities: the European Convention. The European Convention, entrusted by the Laeken Conference to revise the European Union's treaties, will not only play a crucial part in the future of the European Union, but also in the future of the whole world.

In his book, Kagan repeatedly refers to a

presumed political union that has already been reached within Europe.

This is a significant conceptual error made by Kagan, which does not allow him to fully grasp the delicate phase that Europe is currently undergoing, nor the huge potentials at hand, provided that the conventionalists know how to operate adequately.

But at this point, can we really define a group of states with no single diplomacy, no single defence and no appropriate federal budget as a political union? Can we really define Europe as an achieved political entity when important political decisions are made unanimously, and often secretly, by the various heads of state of the Union and not by a government democratically elected by the European Parliament? Defence, a single foreign policy and a federal budget: this is the minimum institutional goal that the Convention should reach for Europe to achieve a strongly progressive role on the international scene.

Only such a federal move in this direction would give Europe both the power and the resources to stop the hegemonic-imperial syndrome of the United States and to defuse the devastating destabilization that it could bring about.

Finally, the last comment refers to the reading of Kant proposed by Kagan and the criticism he addresses to the philosopher.

Contrary to Kagan's assertions, Kant, in the second final article of *Perpetual peace* entitled "International law should be founded on a federalism of free states", clearly explains how perpetual peace can be achieved without jeopardizing the freedom of the states: "through a constitution similar to the civil constitution which grants to everyone their own right. Such a constitution would constitute a federation of peoples".

And as a federation is, by definition, founded on the principles of democracy, it does certainly not represent a despotic form of government.

Hence there is nothing "post-modern" - as claimed by Kagan - in the respect for the laws, treaties, and international organizations. There is only the awareness that nationalism and a power policy, as history has shown, do not reduce but on the contrary increase anarchy in international relations. In Kant's words, we must condemn "barbarism, roughness and

bestial degeneration of humanity, attachment to freedom without laws, continuous fighting, preference for unbridled freedom over rational freedom; in the same way, we must think that such a demeaning condition does not befit a civilized people, who should therefore strive to free itself as soon as possible". And a power policy is nothing else than freedom without law.

### **Appeal for Europe\***

There are moments in history that can shape the future for generations. The present moment is one of these. An international crisis that sees the citizens of our Countries alarmed for a war liable to turn into a world-wide conflict. An unbalanced relationship between a great democracy to which we do not forget we owe our freedom, the United States, and the community of our peoples, that know they have a common destiny, but feel unable to master their future because they are divided and impotent.

The European peoples have a Parliament and a single currency, but they still lack a "government" that is direct expression of their vote and that represents them in the world. And this is so because the National States still maintain the "right of veto" on all of the important issues.

This is the real source of the democratic deficit of the Union, this is the cause of Europe's inability to act, this is the origin of the resignation and the passivity of the Europeans.

Today as never before the alternative is between the division and the unity of our continent. Between a fragile intergovernmental coordination and a true political union. And yet the choice is simple and clear.

Those who truly want the union ask for the birth of a European federal government, based on the European Commission, democratically legitimated by the election of its President by the European Parliament right after the elections, to which well-defined and real powers are entrusted in matters of economy, security and foreign policy.

Those who truly want the union ask that the decisions of the Council, that represents the national States, be always, if necessary, taken by majority vote.

This is asked for by young people, who for decades now have renounced the idea of war and want to live in a united, peaceful and safe Europe, that only a Federation can guarantee once and for all.

This is asked for by the Europeans, who want to take back in their hands their destiny and develop at last a policy decided by the Europeans, for the Europeans.

This is asked for by the world, that for a long time has been waiting for Europe to speak with one voice and to point, by its very birth as a Federal Union of Peoples and States, the way forward to construct a new world order founded on peace, international justice and a sustainable economic development.

This is asked for by reason and history, that indicate in the development of supranational federal institutions the progressive way to democratically control the global processes.

The not-to-be-missed opportunity is given by the works of the European Convention. And the task of the Convention is to indicate with clarity the way towards the construction of the European Federal Union, for today, not for an indefinite future.

In this context, the role of the Governments of France and Germany is crucial. Without their joint contribution, the Union of yesterday would have never seen the light and the Union of tomorrow could not be made. Therefore it is first and foremost up to them, in agreement with the other founding Countries and with those willing to join in the undertaking, to bear the historic responsibility to make the European Union take, in the domain of institutions, the decisive step towards the future.

\*This is the text of an appeal, signed by a great number of intellectuals, within the framework of the Campaign, promoted by the UEF, for a Federal European Constitution

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# Another United and Different Europe is Possible

*Nicola Vallinoto*

Another United and Different Europe is Possible. This was the theme of the first European Social Forum held in Florence from 6 to 10 November, 2002. It was an opportunity for JEF and UEF to be present and to promote our vision for another Europe. JEF-Europe and JEF- & UEF-Italy organised and took part in various activities throughout the whole Forum.

JEF and UEF Italy organised an action called "A referendum for Europe", similar to our activities in Paris and Ventotene. A real polling-station with ballot boxes was given to us by the municipality. It was open to the citizens in the Fortezza da Basso (where the ESF took place), while another one was open in the central Piazza della Repubblica. A total of 2,052 ballots was collected. More than 96% voted in favour of the Appeal to the Convention for a European Federal Constitution. The result of the referendum was delivered to the president of European Convention by the mayor of Florence, Mr Domenici.

In the morning of November 7, the first day of the Forum, MFE and GFE organised a lecture titled "A referendum for a European Federal Constitution" with the participation of: Gastone Bonzagni representing the organising committee for the referendum action; Francesco Ferrero, secretary general of JEF-I, Jon Worth (JEF Europe - Executive Bureau), Fabrizio Amato (Magistratura Democratica), Thomas Rupp (Mehr Demokratie), Vittorino Ferla (Active Citizenship), Fabio Marcelli (Giuristi democratici), Samuele Pii (European Youth Convention) and Nicola Vallinoto as chairman. All the speakers underlined the need

that the Convention drafts a federal Constitution for Europe. After the presentation of the federalist positions by Bonzagni and Ferrero, Amato stressed the importance to include social and labour rights in the Charter of Fundamental Rights, which will certainly become the first part of the future constitution. Rupp presented the European Referendum Campaign aiming to link all organisations sustaining the perspective of an open referendum about the contents of the future Constitution during the European election in 2004. The initiative aims at giving Europe's citizens the power to decide on the Europe they want. Ferla linked the constitution to the idea of a European people that - through the referendum instrument - participates in building a "European constitutional sovereignty". Jon Worth stressed the importance for JEF Europe to be present in the Social Forum and to promote the Campaign for a European Federal Constitution, while Pii highlighted the common aim of all organisations present and proposed a common action in the next future.

The second part of the seminar concerned the presentation of the instant book *Europa anno zero* (Europe, Year Zero) written by Nicola Vallinoto, Maurizio Monero and Andrea Sandra with a foreword by Franco Praussello. The authors underlined that the aim of the book is to support the participation of the citizens in the constitutional process and the construction of our common Europe.

In the afternoon, JEF-Europe organised, in co-operation with ECOSY and ETUC-Youth, a

conference called "Another Europe, another world: Young people on the move". Jon Worth had the chance to present the positions and campaigns of JEF to more than 700 young people. His task was not an easy one - it is simply not possible to explain federalism in terms of short and snappy sentences without lapsing into something that sounds like the words Europe United. Jon Worth aimed to make the crowd think: why does the EU have no effective response when it comes to war in Iraq? Why are our forests in danger of acid rain and the North Sea empty of fish? From this starting point, Jon Worth aimed to explain that only with a democratic and federal structure of the European Union would problems like this be able to be addressed.

The 8th of November brought plenty of meetings, seminars and workshops concerning the European integration process. Inside the Fortezza da Basso a second polling station was opened in the plenary room where the plenary conference "From the Nice Charter to the Convention" took place. Guido Montani, national secretary of MFE, was one of the speakers. He focused on the need of another Europe with a federal Constitution able to promote peace in the rest of the world too. Montani was interrupted many times by the cheers of more than 2,000 people. Among the participants was also Guglielmo Epifani, secretary general of CGIL, the largest Italian trade union.

And also Epifani, invited by the Young European Federalists, voted Yes on the referendum for a European federal constitution. Other celebrities voting on the Constitution were Valdo Spini (MP and Member of the Convention), and Riccardo Petrella (columnist of *Le Monde* and leader of ATTAC Europe). Our activities have been covered by major media, among them the main Italian press agency ANSA, EUobserver and 6 important Italian newspapers.

The morning of November 9 was focusing on preparations for the succeeding demonstration. At 1 pm a huge demonstration for peace started with a million of participants.

The high participation in our federalist referendum was very surprising. Within 3 days 10,000 leaflets on the referendum have been distributed, over a total number of 60,000 delegates. And all participants saw the banner hanging at the entrance of the Fortezza saying "A Constitution for Europe".

The European social forum was an amazing event. Thousands of people coming from all over Europe and other parts of the globe met in Florence to discuss whether "Another Europe is possible". More than 50 federalists participated actively and took part in a huge number of workshops and seminars dealing with subjects of interest.

After the Florence summit we can say that the movement for a different globalisation wants a united and different Europe. A social and peaceful one. The different approaches and visions of Europe are coming closer and closer. Federalist efforts started with our participation in the Genoa Social Forum, in the 4th United Nation Peoples' Assembly, and in the 2nd World Social Forum ([www.MFE.it/newglobal](http://www.MFE.it/newglobal)). Our attempts to explain why a federal Europe can guarantee social and civil rights, and why a political Europe can be a peace alternative, are producing the first concrete results.

During the Nice European Summit, in December 2000, three different demonstrations took place: the trade unions for a Europe of rights, the federalists for a European Constitution, and the radical movements against a fortress Europe. The united and free Europe of the Ventotene Manifesto will be possible when all expressions of European demos can find a common aim. Maybe in Rome, 2003?



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# The Challenges Before the American Federalist Movement Today

*Gil Jonas*

The American wing of the World Federalist Movement is facing its most critical challenge since the advent of the Cold War in the late 1940s. Before examining the contemporary crisis, it is prudent to recall that the American federalist movement was the fastest growing and most potent U.S. force for internationalism after World War II. When the five most powerful federalist forces united in Asheville, NC, in February, 1947, as the United World Federalists (UWF), more than 20,000 committed activists were manning the local barricades in over two hundred local units. Within three years those numbers had doubled. Every major national magazine and radio network featured coverage on the world federalist movement. Hundreds of prominent Americans from every walk of life were publicly associated with, and supportive of, the UWF, including Albert Einstein. Virtually everywhere, mainstream leaders openly endorsed world federal government.

The gradual realization of both the American people and the Truman Administration that the Soviet Union had expansionist designs, beginning with Eastern Europe, provided the *coup de grace* for the federalist dream in the United States, but not without help. Impatient to achieve a world government which would at the very least protect Americans from nuclear disaster, the UWF's leaders were convinced by a Washington lobbyist in 1950 that, with sufficient resources, he could "persuade" a majority of the Congress to commit the U.S. to such a limited world government. To finance this objective, the UWF Board decided to cut back all of its programs and staff committed to the long-term,

especially for public education, leadership development, nurturing of students, and the training of cadres to carry the struggle forward. These decisions compelled the energetic Student Division to walk out of UWF and try to form a new and more encompassing student organization, but it was too late. Without sufficient resources and in the face of the Korean Conflict draft, as well as the burgeoning Cold War, the student initiative failed. As did, of course, the "quick-fix" lobbying strategy of the UWF leadership.

Thereafter, the American branch of the world federalist movement entered into a prolonged and steady decline for the next four decades, though many of its activists participated in single-issue campaigns to ban nuclear testing, reduce nuclear weapons, increase economic and food assistance to the Third World, end colonialism, combat racism and strengthen and/or reform the UN. Unfortunately, not very many American federalists perceived the foreign policy connections between and among each of these issues. Fewer and fewer young Americans became committed activist federalists. By the end of the 20th Century, few young Americans could honestly explain what federalism is or how it came about in the United States. Lastly, none of the American presidents after Truman was particularly concerned with strengthening world organization because of the nation's preoccupation with the Cold War.

Meanwhile, the post-war forces of economic, social and political globalization have been moving relentlessly forward, but at widely

differing tempos. By the 1990s they had constructed a global economic community increasingly integrated by global communications, finance, transportation and technology. Important current information monopolized by academia or government began to appear before the world's citizenry, especially those with access to a personal computer, palm device, TV satellite or a battery-driven radio.

A half century ago the single most persuasive shortcoming of the world federalist case was the absence - in any meaningful sense - of a global community upon which a just political order could be constructed. Two thirds of the world's people were under Western imperial rule and virtually all of them were non-white. Both colonialism and racism obstructed the free choice of the world's peoples to pursue democratic world federation. These factors were complicated by the Soviet Union's blatant pursuit of political domination, and the Communist victories in China, Indochina, and Cuba. Fortunately for the "Free World," cooler heads prevailed in virtually every crisis. The leaders of the Kremlin and of the NATO allies accepted the nuclear stalemate of deterrence, comprehending the fatal consequences of either a first strike or retaliation. However, on every other level, competition and limited "traditional" warfare were acceptable; hence, the U.S. military involvements in Korea, Vietnam, Lebanon, the Taiwan Straits, Greece, and Cambodia, while European allies faced violent challenges in North Africa, Malaya, Angola, and the Congo. Simultaneously, the U.S. conducted sub rosa assaults on leftist regimes in Iran, Guatemala, Angola, Nicaragua, Castro Cuba, and Chile. The Soviets sought to destabilize almost every vulnerable regime from post-war France and Italy to struggling new nations just out of colonialism. The U.S. and NATO, in response to the perceived threat of Soviet domination, often backed right-wing regimes which were equally oppressive.

The saving grace for this orgy of opportunism was the fact that throughout the forty-year struggle between the West and the Soviets, wiser voices kept emerging to restrain those who, a la Dr. Strangelove, would have launched our nuclear missiles on the shabbiest of pretexts. Those voices of restraint were influential in Congress, the press, academia, think tanks and the Foreign Service.

Today, such voices of sanity among the nation's prestigious leaders are rare. Contemporary American politics is by and large comprised of pygmies, intellectually and politically. The press has become thoroughly dominated by highly conservative, in many cases ultra-right wing, owners, managers and voices. The competition provided by 24-hour cable news has impelled the networks to dumb-down their own news coverage, to make it more entertaining and less informative, and to mirror the increasingly jingoistic palaver of Bush, Cheney, Rumsfeld and the vast public relations apparatus controlled by the U.S. government, whereby the party line is echoed by "information" practitioners on every U.S. military base here and abroad, as well as by the subsidized apparat constructed by the right-wing of the Republican Party in the private sector. Ultra conservative clones, subsidized by Bush supporters, parrot the latest "party line" within hours of its pronouncement. Truth is the first victim.

There has been nothing like this propaganda phenomenon since the collapse of the Comintern. Indeed, it would not be surprising if in fact the Soviet propaganda apparatus, with contributions from Joseph Goebbels, was the model for the present Bush-led propaganda campaign. One can see the inspiration of Leni Reisenfeld in the carefully-orchestrated fighter jet landing of George Bush on the deck of the U.S. Abraham Lincoln to pronounce - what indeed, that the Iraq war is almost over? This bogus "event," in which the aircraft carrier circled numerous times thirty miles off the California

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coast, is the Administration's "Nuremberg Rally." It seemed to validate the worst of the White House myths "justifying" the recent war - that Iraq was culpable in the September 11, 2001, terrorist attacks, and that the destruction of the Saddam Hussein regime was an appropriate "pay-back."

This then is the context in which the American federalists are rethinking their strategies. Never during the past 70 years has ultra-nationalism so ruled the political ethos, the media or the majority of Americans. To be sure, there are millions of Americans who actively opposed America's unilateral and preemptive invasion, many of whom insisted that only a favorable Security Council vote could legitimize what Bush had already determined to undertake. However, the vast majority of these peace activists have had absolutely no "end game." Many come from the old Stalinist/progressive movement. Others from the Greens or from religious denominations, including pacifists. But none carries the policy analysis far enough to talk about radically restructuring the world order. The recent explosions of citizen outrage at Bush's unilateralism have left the federalist movement in the dust.

The paradox of this vacuum is that only a year ago the most important achievement of the world federalist movement, indeed of the World Federalist Movement (WFM) itself, was the creation of the International Criminal Court. The leadership, skill and perseverance of WFM produced a global miracle in seven years. The ICC now exists and will soon begin functioning. Virtually nobody could have foreseen that in 1994. That 139 nations signed the Rome Treaty and ninety have ratified it is the most important international development since the founding of the United Nations in 1945. Clearly, most of the world's nations are prepared to enter an age of global civil society under evolving world law.

As great as this achievement was globally, it has contributed to a political disaster within the United States. With the ICC and the U.N. as its foils, the Bush Administration is not only actively subverting the ICC, excluding Americans from any tribunal with jurisdiction over war crimes, and using bribery and threats to persuade smaller nations to deny the ICC's jurisdiction; it has, without any precedent, unsigned the Rome Treaty itself. It is bent upon using secret military tribunals to try war criminals and it is impeding the few public trials of alleged Al Qaeda operatives in the United States, while constraining civil liberties and dissent.

It is pursuing this imperial yet anti-global behavior with the support of the majority of the American people and of the media, periodic poll data notwithstanding. Indeed, it has used the ICC to whip up anti-United Nations and anti-internationalist sentiments on a wholesale level. Although the U.S. has consistently demeaned the United Nations while attempting to manipulate it, most Americans still blame the United Nations (and the French and Germans) for their "refusal" to support US war aims in Iraq. Along the way, the unilateralist Bush Administration has declared its opposition to the Kyoto Treaty and to at least a dozen other pacts and protocols which would protect the rights of women and children, ban land mines, bioweapons and adolescent soldiers, and promote other desirable objectives.

To its credit WFA has over the past few years taken the lead in creating a Washington coalition of internationalist and human rights groups, several of them with high media visibility, in support of the ICC. Many civil society leaders and staff clustered around the U.N. headquarters are aware of the WFM's enormous achievement in creating the ICC, but few other Americans know about it. WFA staffers have not been able to convert the rank-and-file of its coalition members to a federalist mode. Most recently recruited WFA members have been generated

through direct mail which rarely produces local or national activists. Those who sign up or contribute by direct mail may well continue their gifts for years but that is usually the extent of their commitment.

Part of the WFA's present problem has been the aging of its leaders and membership. Easily half are over sixty-five, with a high proportion in their seventies and eighties. The older leaders and members provide a major percentage of WFA's annual income. While ranking high in commitment and endurance, WFA's elderly leadership have been deficient in program content, unfamiliar with the latest technological advances, and reluctant to exploit active global crises to further the federalist philosophy. Last November in Denver the leadership was shocked when the randomly gathered national council members adopted a strong resolution opposing a U.S. preemptive invasion of Iraq. A parallel resolution on the Israeli-Palestinian conflict, based on the one adopted by WFM in London last July, was hastily suppressed, then killed in committee.

For some time now, the bulk of WFA's initiatives have been staff-driven. That in itself is no scandal except that by the year 2000 it had become apparent that the staff itself was beginning to regard itself as "the WFA" and to increasingly consider the elected leadership as their appendage. That year a process was begun to reorganize the WFA's unwieldy governance, with a Board comprised of over 100 members. A new structure adopted in March, 2001, reduced the national board to 30 members but left policy decisions to a national council comprised of any member in good standing who happened to attend the subsequent council meetings. (Paid staff, as members in good standing, have voted in these meetings, which, deliberately or not, often made the D.C. staff an influential voting bloc.)

Then, in October, 2001, WFA named a new

Executive Director (E.D.) who had no federalist experience, background or knowledge. Soon officers and staff began complaining about the "waste of time" which the policy debates, limited at most to four hours twice a year, were causing. The E.D. complained that policy resolutions and their follow-up conflicted with his own allocations of staff time. The E.D. gave the impression that the chapters and members existed solely to buttress his views and proposed activities. He challenged the wisdom of grass roots activity and chapter autonomy. In his 16 months at WFA's helm, he sought to suppress any chapter differences with him over either programs or priorities, while he himself failed to produce a single new program or policy initiative of any significance. His negativity discouraged initiatives in some of the largest and most active chapters. Meanwhile, the financial condition of the WFA deteriorated from poor to bad.

No strategic plan was devised during this period, despite numerous promises. It became clear that the Executive Director was depending upon receipt of a large foundation grant to hire consultants to devise such a plan, after they had sampled public opinion about their views on world federalism. That grant never materialized; no plan was crafted. Early this year the E.D. resigned to take the deputy post with a human rights group.

During 2002 several WFA Board members had brought to the attention of the leadership that alarmingly few American students understood the federalist concept, even as applied to U.S. history. This realization was in part a consequence of meeting so many young Europeans in Ventotene in 2001 and London in 2002 who understood federalism and were enthusiastic supporters of the European federalist movement. In vain, some of us urged WFA to produce a curriculum on federalism for junior and high school students.

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Instead, WFA's response has been to seek ways to avoid the use of "federalism" in its approaches to new converts, at least in the early "stages." Indeed, after a three-day retreat, the staff persuaded the WFA Board to merge organizationally with its much smaller subsidiary group, the Center for U.N. Reform. They plan to market research for a new and more "acceptable" name, while transforming WFA's members into a non tax-deductible agency which can endorse political and fund candidates. WFA's shell would continue as a tax-deductible vehicle for "education." The fate of the chapter structure is unknown.

There is nothing inherently immoral or illegal in such an approach. It is simply mistaken in its assumptions that the tiny apparatus which WFA can mount will compete with the Bush juggernaut or even the Democratic Party in campaign contributions. It should surprise no one that a world federalist campaign endorsement in the current milieu is hardly to be welcomed by serious candidates.

Another mistaken assumption is that a successful campaign to transform American policy by 180 degrees can be conducted within the Beltway - that is, solely within the Washington D.C. political structure. Absent enormous sums of money to "bribe" Members of Congress to change their votes, federalists simple cannot compete with Big Business, Big Finance, or Big Labor in this increasingly cynical and tawdry "game". Without a broadly-based grass-roots constituency to bolster our lobbyists on Capitol Hill, few legislators will feel the pressure to seriously consider aligning themselves with federalism. In this way, at least, the number of members and of chapters counts.

That point may already be comprehended by those crafting WFA's successor - it seems that they are willing to camouflage world federalist objectives in order to make them more palatable

to a larger audience. Thus, if market research shows that far more Americans will support a diluted version of the world federalist agenda, then that is what we shall give them. Many Board Members are already urging that the word "federalist" be dropped from WFA's new name and some propose that it be dropped from recruiting literature. One proposed name which was greeted with some enthusiasm was "Global Solutions," offered as the broadest common denominator, but it could also identify a chemical, communications or software company.

The notion that there is a way to "sell" world federalism the way one sells soap or toothpaste is deeply flawed, anti-democratic and intellectually dishonest. If market research indicates that few Americans support a democratic world federal government, are we to resign ourselves to lesser objectives? Of course our objectives are not popular - yet. But for the first time in our lifetimes, the objective conditions are present which require supranational solutions to supranational problems. The rest of the world is on the right track. The American Government is dead wrong and, at least for now, the American people are being tragically misled. To abandon our mission because it seems too difficult to achieve is both historically wrong and foolish.

Federalists should employ every tool available that is consistent with honesty, transparency and democratic means. They include market research, direct mail, advertisements, public relations, and websites. But we should understand that the mission is long term and to conduct a long-term struggle, we require trained, informed and articulate cadre with decades ahead of them, cadre who can conduct the complex but compelling advocacy required by our cause. This means recruiting younger men and women based on the entire set of federalist objectives and not on a simplistic slogan, a bumper sticker or a bogus name. It means allocating a significant proportion of our

resources to the development of grass-roots support and activism, so that local activism may buttress lobbying efforts. It means being honest enough to admit we do not know how long it will take nor how we will get there, but

that, if we keep our eyes on the prize, global forces now in play will ultimately compel the American people, and their government, to support the rule of enforceable law globally.

## Europe Repudiates War

*Nicola Vallinoto*

"Europe repudiates war as a means of settling international disputes and recognizes peace as a fundamental right of human beings and of all the peoples. Europe contributes to build up a pacific and democratic international order; to reach such a goal it promotes and favours the strengthening and the democratization of the United Nations and the development of the international cooperation."

This is the text of the Campaign promoted by the "Tavola della Pace" (Table of Peace) ([www.tavoladellapace.it](http://www.tavoladellapace.it)), an Italian network composed of hundreds of pacifist, catholic and environmental movements, trade unions and local authorities engaged in the developing of the peace process.

During the national meeting "United for Peace" held in Assisi on the 7th December 2002, Nicola Vallinoto introduced the document "Never again wars in Europe, never again wars in the world" ([www.mfe.it/peace](http://www.mfe.it/peace)), approved by the Italian section of UEF during its executive board on the 30th November 2002, asking for support of all other pacifists movements. The document is a request to the European Convention to introduce a first article in the European Constitution about peace, similar, as to the

content, to Article 11 of the Italian Constitution. The "Tavola della Pace" adopted this Campaign on MFE's proposal.

The campaign "Europe repudiates war" was officially launched at the end of January 2002 from the 3rd World Social Forum held in Porto Alegre, Brasil, during a meeting on the role of Europe in the world, organized by the "Tavola della Pace".

Since 1995, the "Tavola della Pace" organizes the March for Peace, from Perugia to Assisi, and the "Peoples' United Nations Assembly" every two years.

In the fourth edition of the Assembly held in Perugia in October 2001, Uef and Jef Italy contributed to the composition of the final document with the following paragraph concerning Europe: "The European Union must complete the integration process, with the realization of the political Union based on a federal Constitution. The European Federation must develop its own foreign policy, oriented to the prevention of conflicts, and its own European civil service that will allow people to give a contribution to the construction of a new international democratic order".

The next edition of the Peoples' United Nations

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Assembly and the March for Peace will be entirely dedicated to Europe and to its role in the world. It will take place in Perugia from the 9th to 12th October 2003, during the six-month period of the Italian presidency of the European Union, just before the beginning of the intergovernmental conference. These two Italian events are going to be full of interest because they could be considered as a powerful pressure by the civil society on the IGC that will start on the 15th October 2003.

Flavio Lotti, the national coordinator of the "Tavola della Pace", during the meeting in Assisi on the 7 dec. 2002, declared that the pacifist movement must primarily focus on Europe for at least the next two years. The construction of a united Europe speaking with a single voice is the only possible alternative for restoring international legality, justice and democracy in the world. Europe's political interests and conceptions of international right are totally opposite to the American ones. Europe, also thanks to its geographic position, tries to establish and consolidate rights at an international level, creating a different relationship with the rest of the world, becoming a very important reality to refer to.

Lotti insisted also on the "creation of a European network" starting from the Campaign "Europe repudiates war". At present, this is particularly easy to get in Germany, where the red-green coalition won the last political elections, making the defense of the value of Peace one of their main goals. Anyway, all over Europe we can witness a greater and greater interest around the document "Never again wars in Europe, never again wars in the world", which is a good starting point to realize such a network. In Frankfurt and Lyon, for example, thanks to the personal commitment of Francesca Lacaita and Jean-Francis Billion, several events have been organized and hundreds of signatures have been collected. A

great deal of the positive support obtained by the document has come also from the web site [www.mfe.it/pace](http://www.mfe.it/pace) translated in 4 languages. More than 1,200 people from Italy, Germany, France and the United States signed the document.

Among all these positive contributions, we would like to mention the one by the Medel association (Magistrats européens pour la démocratie et les libertés). This Campaign has already had a positive effect, thanks to the amendments proposed by some members of the European Convention, namely Elena Paciotti and Valdo Spini. The Campaign has been supported also by the large peace demonstration held in Rome on the 15 February 2003 and organized by the "Stop The War" Committee, with more than 3 million participants.

That event, which on an international scale involved more than 100 cities and 110 million people all over the world, can be considered as the first step of the moving of the so-called World People, who recognize the importance of peace as a unifying value for all the peoples. As the French sociologist Philippe Zarifian declared "we are witnessing an incredible increasing of the importance of a Loyal Humanity who cares for the great issues of the present world (such as Peace, Ecology, Poverty). This involvement is felt at an upper level, Humanity, which is above the political strategies of all the nation-states and above ideologies too. Peace is the natural and logical outcome of the declaration that we all belong to one Humanity, not only to an anthropological Humanity, but to a political Humanity"<sup>1</sup>

The same day of the demonstration for peace, 15th February 2003, UEF Italy has organized in Rome a meeting on "Peace and European Constitution" to which all the other pacifist movements were invited. All the speakers

shared the proposals presented by federalists. Lidia Menapace, representative of the "Permanent Convention of women against wars", supported the federalist requests and promoted our document inside "Rete Lilliput", an Italian network widely present at local level, working for a fair and better society.

Peace is the unifying principle of the so-called World People and is the main value of federalists. They are fighting for a world-wide federation as an instrument able to guarantee perpetual peace. In Europe the weld between federalism and pacifism is getting closer and closer and under the pressure of pacifist movements it's possible to start working on the project to constitutionalize international relationships. The preamble of this political convergence is stressed by the Campaign to

include in the European Constitution the right to peace and the renouncing of war as a means of settling international disputes. Therefore peace becomes the supreme objective of the political struggle.

Since February 15, the demonstrations for peace started to be considered as the political priority of our time. The first steps of World People are now visible. It could become the political subject able to start a global constituent process. The task of the Federalist Movement is to convince the World People to share the battle for the European federation first, and for the world-wide federation later, carrying to fulfillment the slogan of the MFE Congress held in Bari in 1980: "Uniting Europe to unite the world". Only winning the federalist debate in Europe we can hope to gain it all over the world.

<sup>1</sup> Philippe Zarifian, *L'émergence d'un Peuple Monde*, Presses Universitaires de France, Paris, 1999

## Federal Union (UK) in WFM

*Bruce Ritchie*

At its AGM in London on March 22, 2003, Federal Union passed a resolution to apply to the World Federalist Movement to be accepted as an Associated Organisation.

Federal Union was founded in 1938, at the same time as Clarence Streit's American organisation with the same name; deliberately so, though their approaches were somewhat different. While Streit wanted an association which would include the USA from the start, the British believed that American isolationism

would prevent this, so they planned to start with a federation of European nations. During the second World War it included many major thinkers and writers.

By the fifties it included World Federalists, European Federalists and some who believed, like Streit, in an Atlantic Federation. It was a founder member of both the World Movement for World Federal Government, and of a Union of European Federalists.



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In the sixties it wished to amalgamate with other British world federalist groups, and resolved to do this by disbanding, to be replaced by the British Association for World Government (later renamed the Association of World Federalists); it was envisaged that there would also be a European Federalist organisation, which never happened.

For many years the British branch of the European Movement represented the European Federalists in the UK, something neither of them was entirely happy with.

Then the late Ota Adler resolved to revive Federal Union. After a number of years it became once more a membership organisation under fully democratic control. Recently it has held regular, interesting meetings, and has been recognised by the UEF as its British Branch. Most recently it has formed Young Federal Union, affiliated to the JEF.

Nowadays it is working for a federal structure for Britain and for Europe. Its aims also include ultimate world federation, which should, I believe, make it acceptable as an Associated Organisation of the WFM.

## Victims Trust Fund of the ICC Campaign

The World Federalist Association (WFA) is coordinating a major national campaign, with some 20 other U.S. civil society groups, in support of the Victims Trust Fund of the International Criminal Court (ICC)

The Victims Trust Fund will provide direct reparations to victims of future atrocities, their families, and their communities. The money can help pay for medical and psychological care, restitution of property, community memorials, the education of orphans, the proper burial of the dead, and other vital needs of survivors. It is part of the

International Criminal Court, which will hold perpetrators of genocide, war crimes and crimes against humanity accountable before the law when their own countries are unwilling or unable to do so.

The Victims Trust Fund Campaign is a national effort to raise money for this important new fund while also demonstrating to our elected leaders just how much U.S. citizens care about international justice. Even though 60-70% of Americans want the U.S. to join the ICC, our current leaders have actively opposed the Court. To take action, go to [www.victimstrustfund.org](http://www.victimstrustfund.org).

# Meetings on a Different Globalisation

After the cold war, a group of activists of the European Federalist Movement - Rhône-Alpes together with other interested parties launched a regional chapter of the WFM. Since then, while each has been pursuing its own unique objectives in its own ways, the local sections of EFM and WFM have been cooperating successfully, through a “dual action” formula that has brought many of the EFM ranks to work on globalist projects, and especially through some recent joint ventures such as “An Evening with the United Nations” held for three years in the European House of Lyon. This experience has served as a model for many other French regions.

Thus, in occasion of the *Rencontres pour une autre mondialisation* and together with the *Citoyens du Monde*, it almost came natural to WFM Rhône-Alpes to arrange two evening programmes with a strong federalist slant. The *Rencontres* were started in 2001 by the local ATTAC committee in order to serve as a way for the public opinion in Lyon and surroundings to participate in the critiques and debates around globalisation sparked by the World Social Forum in Porto Alegre and followed with extreme interest by a wide spectrum of the public. The 2003 edition of this event was expecting over 30 participating organisations (including Greenpeace, the Friends of the Earth, the Committee for the Remission of Third-World Debt, *Terre des Hommes*) and 2,500 individuals. As far as the federalists are concerned, active participation appealed in at least two ways, first as a way to reach out to young people who are

interested in the themes of world peace and international justice and hence receptive to federal ideas, and second as a networking strategy with other NGO's for mutual understanding and possibly enhanced cooperation. This led to brilliant results.

The first session was held in Lyon on February 3 under the heading “Globalisation, the decline of national sovereignty and world democracy”, and opened by Didier Colmont, chairman of WFM Rhône-Alpes with contributions from Jean-Francis Billion and Lucio Levi. The extent of the debate, the number of publications that were made available at the meeting and the number of people attending (over a hundred people could not get into the theatre where the conference was being held as there were no available seats) all go to show the existence of a strong and growing interest in federalism and federalist ideas. The second session on the International Criminal Court, held in on February 20, met with equal success, and was highlighted by a lecture by Ms Irune Aguirrezabal Quijera, WFM spokeswoman and coordinator for the ICC at the European Coalition of NGOs (which has been supervised from the secretariat of the WFM New York chapter since 1995). Overall, the success of the *Rencontres* not only showed once more the usefulness of WFM and EFM cooperating, but also highlighted the importance of good communication with NGOs and civil society in order to muster the levels of consent that will be needed to succeed in those difficult and exciting times ahead. (r.c)

# Federal Countries in the World

*Lionello Casalegno*

**Ann L. Griffiths and Karl Nerenberg (eds)**  
*Handbook of Federal Countries, 2002*  
Forum of Federations  
McGill-Queen's University Press, 2002

The Forum of Federations ([www.forumfed.org](http://www.forumfed.org)), the international non-profit organization which has edited the Handbook, based in Dalhousie, Canada, promotes studies and shares information on the experiences and developments in countries which are already federations, with the goal of sharing knowledge and expertise in the field of federal government. So the Handbook presents articles on 25 federations, each with three sections covering History and Development of the country's Federalism, Constitutional Provisions relating to Federalism, and Recent Political Dynamics; two tables give institutional and political descriptions, and some economic and social indicators for each country.

The country articles are written by University experts and give a good presentation of its federal system, going in some technical detail; the third section on Recent Political Dynamics illustrates the recent events, up to a couple of years ago, so that the country is brought into the light of the international facts that each of us is aware of and remembers; this gives also the opportunity to the authors to express their opinion on the health of the country and its federal system, and on its probable developments.

From this "statistical" and presentative part of the book, there are already some general considerations on federalism that the book offers. First of all the very list of 25 countries: it includes Canada and Venezuela, Switzerland and Spain, Germany and India, South Africa and Pakistan, etc. The Editors do say it openly in the Preface: "The rule we have followed is if a country walks and talks like a federation (regardless of how it describes itself), we have included it in this volume. In the same way, if a country chooses to call itself federal even though many experts might dispute its right to that appellation, we, as a general rule, have included it there. ... The point of this book is to look dispassionately at how federal countries (broadly defined) actually function".

Thus we find well-established democratic countries (Switzerland, the USA, Germany, etc.), very centralized systems (Pakistan, Venezuela, Mexico), countries that are trying to rebuild their federal system and strengthen their democratic life (Brazil, Argentina), Islamic countries where there are no elections (the United Arab Emirates) but prosper thanks to the oil industry and their internal stability, or where there is a parliamentary democracy with a constitutional elected monarch (the Paramount Ruler) (Malaysia), or where federalism is painfully re-introduced after a long time of military rule (Nigeria). Spain is included, although it is not a federation in name, because it shares now many of the institutional features of a federal state. And I would like to mention the Federal Democratic Republic of Ethiopia, one of the poorest states on

Earth, with 80 different ethnic groups and languages, and a population of 62,5 millions, 40% of them Muslims and 40% Christians. It gave itself a federal structure in 1995, with 9 Regional States and a bi-cameral system; the challenges they have to face for realizing a process of economic and social development are enormous.

The criterion utilized by the authors to select most federations (21 out of 25) considered in the Handbook is to qualify as federal all those countries that define themselves in this way in their Constitutions. It is a simple but questionable criterion. A quotation from Wheare's *Federal Government* can help us to clarify the point: "A country may have a federal Constitution, but in practice it may work that Constitution in such a way that its government is not federal. Or a country with a non-federal Constitution may work it in such a way that it provides an example of federal government."

Even though those above mentioned 21 countries have a federal Constitution, many of them (e.g. Pakistan, Mexico, Venezuela, the United Arab Emirates), because of their centralized structure, do not have a federal government. But their political structure can evolve in the future toward a federal government.

This remark leads to tackle the problem of federative processes. A clear definition of what a federal government is can allow us to say whether or not a federative process has produced a federal government. The limit of the institutional approach to the study of federalism lies in the fact that it is static, while we need categories that allow to perceive political change. The most striking example of this limit is the fact that European unification escapes the field of observation of the Handbook. And yet, even though the EU cannot be defined as a federation, the European unification is widely recognized as

the most important example of a federative process in the 20th century.

The book, besides the 25 country articles, presents also an Introduction on Federalism by John Kincaid, and five papers on different aspects of federalism, namely on the foreign policy of the constituent members, on the Accommodation of National Minorities, on the Distribution of Powers, Responsibilities and Resources, and on Regional Autonomy in the European context.

John Kincaid did write another masterly nine-page presentation of federalism, illustrating its peculiarity of "establishing unity on the basis of consent, while preserving diversity by constitutionally uniting separate communities"; he explains how it differs from decentralization ("Decentralization is concerned with administrative efficiency and functional efficacy in an otherwise unitary system"), and in particular he shows why it is a desirable political system for the 21st century, as it is a mode of governance not imposed by a central power, it is committed to diversity rather than homogeneity, "delegating powers to general and functional jurisdictions of larger territorial scope".

This attention to diversity is also the subject of the paper on National Minorities, written by John McGarry, which can be considered a comprehensive essay on the subject. The aspiration of minority groups to have their identity recognized and be allowed some form of self-government is spreading today, perhaps as a reaction against an era of oppression by centralized nation-states which are now losing power; it may be worthwhile then to report here some considerations from the paper.

To start with, "minorities are not primarily defined by a distinct culture, language or set of values, as is sometimes claimed, but by a common desire for collective self-government".

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In federal (in the broader sense) systems these minorities can be accommodated in decentralized states, federations or federacies. The difference between decentralization and federation is spelled out clearly by the author, and explains why minorities are sceptical of the former. In a federation an autonomous unit is given: a) a grant of self-government with a division of powers "entrenched" in a written constitution (not just ordinary law), b) a representation, as unit, in the central legislature (e.g. the Bundesrat), where, if it is small, it is usually over-represented, and c) an impartial judicial tribunal which decides on constitutional disputes. This prevents the central government from unilaterally deciding to revoke a devolution of powers (as, for instance, the British government did when it suspended in February 2000 Northern Ireland's devolution agreements for a disagreement over what should be done with paramilitary weapons). The federacy is an asymmetric grant of special autonomy to only a part of the national territory, usually small and with a relatively small population, giving it limited or no representation at the center; examples are the Åland Islands in Finland, the Azores in Portugal, and Puerto Rico in the USA.

There are federations however that "are aimed at the construction of a nation-state, rather than a multi-national state. This is the case with the Brazilian, Australian, German, Mexican and American federations", where for different reasons "steps were taken to ensure that national minorities did not become self-governing". In the US, for example, "one technique employed was to gerrymander state boundaries to ensure that Indians or Hispanics were outnumbered [by WASPs], as in Florida". This is called National Federalism. And there is also Pseudo-Federalism, where minorities have virtually self-governing units, but in practice they are not genuinely autonomous. The main reason

for this is the lack of democracy and the presence at the center of a strong, all-centralizing authority. Prominent examples of this were the Soviet Union and Yugoslavia until 1989, with their centralized Communist Party and the principle of "democratic centralism", and Nigeria, during its several bouts of military rule.

Finally, the last section of the paper addresses the question that is asked in many quarters, and, as we have seen, is also at the base of several federations: "Are multi-national federal systems a good idea?". The critics argue that in such systems minority nationalism is backward and ethnocentric, that they institutionalize and exacerbate conflict, that they promote instability and endanger state unity. To these charges John McGarry replies showing that in reality, looking at historical events in several federal countries, there is little basis for those views. Federations with minorities do have problems in the course of their history, but "their institutional arrangements are sometimes a *response* to conflict rather than the *cause* of it, and they sometimes, although not always, play a role in alleviating conflict". Instead, there may be some conditions that could give a federation more chances of success: a) "the existence of "nested" identities among the minority group, i.e. some sense of allegiance to the whole state as well as to their minority homeland"; b) "the timing of the creation of a federal system is relevant. It is much better for such institutions to be put in place before antagonisms have become intense"; c) "institutional arrangements should be designed ... to ensure that [a minority] has adequate influence in central (federal) institutions"; and also that d) the electoral systems be proportional in nature, rather than single-member plurality systems, which tend to exaggerate in some cases the radical nationalist support, "turning what is merely a plurality of opinions within a particular constituency into the only opinion".

# The End of the American Era?

George Lingbour

**Charles A. Kupchan**

*The End of the American Era - U.S. Foreign Policy and the Geopolitics of the Twenty-first Century*

Alfred A. Knopf, New York, 2002

For most observers - and public opinion in general - the years between the fall of the Berlin wall and the recent war in Iraq are regarded as the triumph of America's economic and military power. For a European reader, therefore, the title of the book by Charles Kupchan, a professor of international relations at Georgetown University and senior fellow at the Council on Foreign Relations, is both provocative and stimulating.

The terrorist attacks of September 11, 2001, were a rude awakening for the American people. With the end of the Cold War, the geopolitical rift that had disrupted the second half of the twentieth century appeared to have healed. Actually, in Kupchan's view, temporary quiescence had been mistakenly regarded as a permanent peace.

The 1990s ended up - argues Kupchan - being a period of mixed messages on the part of the American authorities as regards that country's foreign policy: reluctantly intervening in Kosovo, and asking the Europeans to shoulder part of the burden of defending the continent, only to oppose the EU's efforts to actually fulfil that request; pushing for democratization in Russia, but at the same time encouraging Nato's expansion towards Central and Eastern Europe, right up to the

Russian border; one minute viewing China as a strategic partner on the Asian checkerboard, and the next as serious threat to stability.

Kupchan points out convincingly that America's isolationist spirit stems from the time and principles of the Founding Fathers. He goes so far as to recall that the unilateralist tendencies that became manifest with the presidency of George W. Bush, already emerged in the Clinton years. The Bush administration found a sort of "conceptual anchor" for its international politics in the events of September 11, 2001, and the fight against terrorism. But history, warns Kupchan, teaches that the main threat to American hegemony will come less from Bin Laden than from the emergence of new centers of power, and a return of traditional geopolitical rivalries. America must thus prepare herself to manage the transition from a unipolar to a multipolar world, and deal with a new cast of characters on the international scene.

The author reminds us that the great powers invariably design international systems that serve their interests. To do so they need a "conceptual map of the world"; to protect the world order they intend to build, they must define a "grand strategy" and maintain the right balance between commitments and resources. The Roman Empire and *Pax Britannica* are a case in point, as is the *Pax Americana* of today.

What matters most in identifying a strategic vision is to recognize major geopolitical rifts and decide how to tackle them. When the Cold War ended

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and the Soviet threat subsided, celebrated academics and analysts, including Francis Fukuyama and Samuel Huntington, tried to design new conceptual maps, which Kupchan reviews in page after fascinating page. But each time, he detects an inability to deal compellingly with the real novelty of the era: "America's preponderance of power".

At the same time, there are at least two powerful factors driving change on the international stage: the emergence of Europe - marking the end of unipolarism - and the new American internationalism. "Europe's political union is in the midst of altering the global landscape" and just when a second pole is growing in the West, Kupchan also sees the growth of "competition over status, wealth and power".

According to the author, the enlargement of the EU is by no means likely to dilute or weaken the European project - instead it might be a sort of "crucial catalyst", driving essential reforms and leading to a differentiation between an "inner core of member states" and newcomers who are integrating more slowly. Just as it was westward expansion that drove the United States to bridge the cultural and economic rift between North and South. The author claims that Europe's biggest weakness is its lack of "firepower", in not facing up to the fact that to disregard this issue means to remain dependent upon American military might. In particular, Kupchan invites the Europeans - and the Americans - to view the process of integration in terms of the future, rather than the past. In other words, not so much as a way "to check the geopolitical ambition of the nation state", but rather as "a way to acquire power and project geopolitical ambition for Europe as a whole".

For Kupchan there are three issues that have shaped the parable of American foreign policy: the divide between "realists" and "idealists"; an effort to reconcile the competing cultures and interests of the country's different regions; and "partisan

politics" - including attempts to limit its interference in the conduct of foreign policy. This is essential reading for anyone interested in understanding the history of the United States, from relations between the Founding Fathers and Europe, and Woodrow Wilson's failed venture with the League of Nations, to the political masterpiece of Franklin Delano Roosevelt preparing new international institutions for the post-war era, in an approach that Kupchan insists was designed to achieve "workable minimums", as opposed to "impossible maximums".

Can a new "liberal internationalism" develop today for the benefit of the whole world? Kupchan describes the 1990s as being more of an anomaly than a rule, with a political leadership that grew up with the Cold War and was naturally projected on to the international scene, a thriving economy that allowed the U.S. to sustain an active international role, and with very few casualties in its military operations.

But with a new post-Cold War political leadership coming to power, a sluggish economy and new and potentially far more destructive threats to deal with, the scenario could change dramatically.

In contemplating this turn of events, history once again provides a helping hand. Kupchan reviews three examples of integration: the birth of the American Federation, the Concert of Europe following the Congress of Vienna, and the European Union. In each case, he traces three political and conceptual landmarks: the use of "strategic restraint", i.e. the notion of checks and balances and the far-sighted moderation of power; the role of the institutions and of the Constitution in "binding and bonding", with a balance among the people, the states and the federal government; the role of "social integration", with the creation of a common national identity. "Strategic restraint", "institutions" and "social integration" are the three main ingredients that Kupchan states must serve

“as the foundation of a new liberal internationalism and form the conceptual core of a new American grand strategy”.

From the perspective of these three guiding criteria, the author examines relations between the United States and Europe and China. He analyzes the pros and cons of a rapprochement between China and Japan, which might spark off a mechanism of regional integration not unlike Europe with France and Germany, and alleviate America's role in the stability of Asia. As for Europe, the cornerstone lies in the construction of an independent defence capability, to which America must respond by affording the EU a measure of influence on strategic choices. Kupchan sees two fronts on which the United States and Europe must begin cooperating without delay: consolidating peace in south-eastern Europe and integrating Russia into Europe, with a view to bringing the defeated adversary into the new world order, starting with membership of Nato, to prevent a new division of Europe.

Regional blocs based on “strategic restraint” will nurture limited geopolitical ambitions and at the same time, play a fundamental role for neighbouring areas (“proximity matters”): the United States will turn their attention above all towards Latin America, the EU towards North Africa, while the Chinese-Japanese bloc will be looking towards the integration of India and Pakistan; the United States will also have a special role in the Middle East. If the more backward nations are to advance, there will have to be a long term plan in place based on “the building blocks of development”, in other words “human capital, economic infrastructure and political capacity”.

It will take more than adequate international institutions to permit “strategic restraint” to be implemented: the institutions represent both an antidote to geopolitical competition and a means of keeping America at a safe distance from the

opposite extremes of unilateralism and isolationism. According to Kupchan, the United States should steer its course towards defining three ranks of international institutions. The first should include the UN Security Council, a sort of directorate of the major states - including the EU - operating informally as a discussion and coordination forum created consensually and without veto rights, along the lines of the 19th century Concert of Europe. The second rank would include institutions responsible for defining the rules and regulations of the international system, from the WTO to monetary and financial relations, and the system's legal infrastructure. The third would feature the institutions called upon to deal with long term threats, from weapons of mass destruction to the environment.

In his last chapter, Kupchan provides a comprehensive overview of history as both cyclic and progressive. His analysis points to the evolution of the mode of production and its effects on the institutions of governance and on communal identity as the driver of historic change, and sees these three factors together as the elements that identify an era. Kupchan goes so far as to suggest that the current “digital era” marks not just the end of American supremacy, but also the decline of the industrial economy and the national state, and the dawn of a new historical era, characterized by uncertainty, social fragmentation, and waning civic engagement. The first step we are called upon to take is to recognize the factors driving change and to draw the necessary political and strategic consequences.

In conclusion, the reader is tempted to put this fascinating and complex book to the test by analyzing the behaviour of the United States and Europe - rather, the countries of Europe - amid the circumstances that led up to the second Gulf war. Perhaps it would not be fair to a book with the ambitiously epochal scope of history. Yet at the same time, Kupchan himself helps us understand



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that the European agenda cannot afford to wait for the sedate pace of history: the governments and peoples of the Union are being called to make momentous decisions about their future Constitution, their role in the world defence system, and the structure of whatever international institutions they wish to have. The

domestic dimension of the Union goes hand in hand with the international dimension - including some questionable aspects of Kupchan's analysis, from the reform of the UN Security Council to the absence of a role for the EU in the development of Latin America. An urgent, difficult but wholly necessary engagement.

## From International Law to Global Justice

*Antonio Mosconi*

**Amartya Sen**

*Globalization and Liberty (in Italian)*

Mondadori, Milano, 2002

Amartya Sen (Santiniketan, Bengala, 1933), winner of the 1998 Nobel Prize for Economics, is Master of Trinity College, Cambridge, UK. His works focus on the problems of hunger and poverty, on investigating the relations among choice, wealth and equity, among ethics and economics, among resources, values and development, among development and liberty.

In *Globalization and Liberty*, a collection of his recent essays, conferences and articles, Sen applies the concepts and the analysis tools developed all along his life as a social scientist to understanding the necessary conditions for globalization to fulfill its potential of development and liberty, rather than to increase, through physical entropy and upsetting social inequalities, the speed of the planet's destruction. To this end, Sen decides first of all to put himself in the position of an external observer, like Adam Smith did, rather

than in that of a member of the original pact, like in John Rawls' contractualism. Such external position allows him to consider also the interests of the non-participants in the original pact, and in particular of those of future generations. The elaboration of the concepts of "globalization" and "justice across borders" constitutes the most innovative part of his reflections with respect to his previous works; and his conception of equality as the individual's "capability" to pursue his life-plans, i.e. as freedom, remains the pillar which sustains his new ideas.

There is nothing more *global* than the *no-globals*, he starts off in a provocative way. Thus it is not globalization that those movements are fighting against, but rather inequality in the distribution of its benefits (wealth and power) between nations and within nations.

Unlike many other scientists, Sen does not recognize the peculiar characteristics, linked to the scientific revolution, that differentiate the current globalization from past phases of trade internationalization; he believes, on the contrary, that we do not have to deal with a new

phenomenon. "Around 1000 A.D., global reach of science, technology, and mathematics was changing the nature of the old world, but the dissemination then was, to a great extent, in the opposite direction of what we see today. The high technology in the world of 1000 A.D. included paper, the printing press, the crossbow, gunpowder, the iron-chain suspension bridge, the kite, the magnetic compass, the wheelbarrow, and the rotary fan. A millennium ago, these items were used extensively in China and were practically unknown elsewhere. Globalization spread them across the world, including Europe. A similar movement occurred in the Eastern influence on Western mathematics. The decimal system emerged and became well developed in India between the second and sixth centuries; it was used by Arab mathematicians soon thereafter."

However, for understanding the transformations under way and the relationship between a certain mode of production, the ensuing social order and the political framework necessary for its stable and equitable functioning in whatever epoch, the generalized use of the term "globalization" turns out to be less useful than its specific use for today's situation. Sen adopts this approach for stressing the importance of the contribution of many different cultures to the development of human civilization and for condemning any obstacle put to the diffusion of knowledge, which always results in an impoverishment for all. All the same, his not-so-analytical approach does not prevent him from concluding that the market is one institution among many; that changes to policies and institutions are necessary; that the answer to give to global doubts is global (re)construction; that the Bretton Woods system, devised when the political, economic, social conditions and, above all, the power relations were quite different from those of today, must be deeply reformed; that "the

various institutions to defend the different but interrelated freedoms" must be strengthened. All is well that ends well, then; however, the feeling remains that, lacking an analysis of the revolution in progress in the mode of production and in social relations, Sen bases his conviction of the necessity of changing the global political direction only on the Kantian categorical imperative, which an extreme pragmatist could brand as wishful thinking. Suitably resorting to historical materialism would have allowed him, on the contrary, to silence the pragmatist too.

When Sen takes sides in favor of human rights on a global scale he is much less questionable. Here he is on his own turf: "Indeed, insofar as human rights are seen as rights that any person has as a human being (and not as a citizen of any particular country), the reach of the corresponding duties can also include any human being (irrespective of citizenship)... Of course, a government can dispute a person's legal right not to be tortured, but that will not amount to disputing what must be seen as the person's human right not to be tortured." Here we are confronted with that "contradiction between facts and values" that, according to Mario Albertini, "constitutes for the militant a personal matter". And here comes out, in pointing at such contradiction, the confirmation of Sen's militant nature. He ventures, in his desire to fill the gap that would divide mankind in a good West and a mean East, as far as denying that the concept of "human rights" is an exclusive heritage of the West, as it belongs also to significant Asian minorities. "Pretending that human rights are a contribution of the West to the rest of the world is not only shallow on the historical plane and culturally chauvinistic, it is also utterly counterproductive. It creates an artificial divisiveness, not founded in history nor adding to a better mutual understanding. The ideas constituting the notion of human rights have emerged in one form or another in

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different cultures, and we can trace fundamental components of them back in history and in the traditions of every one of the most important civilizations... Diversity is to be acknowledged not only between nations and cultures, but also within each nation and each culture. Diversity within nations can, however strange it may appear, contribute to the unity of the world and to its harmony..." However, Sen neglects to acknowledge the West as the originator of the liberal, the democratic, the socialist and the federalist ideologies, and also of those institutions which, although in an imperfect manner, limited by the black hole of foreign policy, put them in practice through the division and balance of powers. Such omission, concerning history, cannot be explained by the present crisis of the democratic ideologies and institutions, which, as we know, is caused by the crisis of the national states and can be overcome by extending to the world level those same ideologies and institutions.

The contradiction between legal right and human right cannot be solved by international right, because in its domain the original pact applies to each nation, to each people, considered separately. Only the human right is *universalist*, while the legal remains *particularist*. "In this particularist conception, the global demands of justice primarily operate through intersocietal relations rather than through person-to-person relations, which some may see as central to an adequate understanding of the demands of global justice", because "individuals live and operate in a world of institutions, many of which operate across

borders".

Sen deems it impossible to solve all problems about justice with one *comprehensive* "original position" (as "grand universalism" would do) or even with two overlapping "original positions", one for within each nation and the other for the relations between the peoples of all nations (a combination of "national particularism" and "the law of peoples", involving international relations). He takes into consideration instead the presence of "multiple identities" (or plural affiliation) in the idea that an individual has of himself. "Identity choice has a strong bearing on global justice. Recognizing the possibility of identity choice has the immediate implication that global justice must be distinguished from international justice, with which it is often confounded". The reach and relevance of global justice greatly surpasses that of international justice. The identity feeling expressed in manifestations of global commitment for peace, for sustainable development, etc., goes well beyond national identities.

All this calls to memory the route to peace through right that Hans Kelsen pointed out in 1944, when the design was being conceived of those great architectures (like the Bretton Woods institutions) aimed at ensuring the world order after the war. In our days, it is a matter for satisfaction for the World Federalist Movement that the International Criminal Court has at last entered into force, after the ratification of the Treaty by the required number of states just before its 24th Congress (London, July 11-15, 2002).

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