

Transforming the United Nations System: Designs for a Workable World

Joseph E. Schwartzberg

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Joseph E. Schwartzberg is Professor Emeritus at the University of Minnesota, and is the author of *Transforming the United Nations System: Designed for a Workable World*. He served on the board of directors of the World Federalist Association, has chaired its Policy and Issues Commission, and is President of the Minnesota Chapter of Citizens for Global Solutions.

Henceforth, every nation's foreign policy must be judged at every point by one consideration:

does it lead us to a world of law and order or does it lead us back to anarchy and death?

Albert Einstein

Prolegomena:

The correctness of Einstein's admonition ought to be self-evident; but that is clearly not the case. Rather, most of the influential inhabitants of our planet prefer to live in a state of denial. Were that not so, they would sense the need to bestir themselves and try to correct glaring shortcomings in our system of global governance. The threat of nuclear war was uppermost in Einstein's perception; but comparable threats have arisen from other sources: global warming, loss of bio-diversity, depletion of vital resources such as petroleum and fresh water, and the explosive potential inherent in the obscene gap between the world's haves and have-nots, to cite but a few. The reasons for inaction are many. But, among them, the inadequacies in the design of the institutional machinery of the United Nations system and the total absence of certain institutions that are urgently needed are especially noteworthy. This book on which this essay is based puts forward numerous recommendations, which, if adopted, would help remedy, those deficiencies.

Let's begin with six fundamental propositions:

- **We must find ways to supplant the law of force with the force of law in international affairs.**

- **Our planet is an exceedingly complex and interdependent organism;** what nations do within their own borders often adversely affects other nations in unacceptable ways.
- **Global problems require global solutions;** there are many pressing problems that national governments cannot solve acting on their own.
- **National sovereignty conveys to governments not only certain rights, but also responsibilities;** the foremost responsibility is the promotion of the security and welfare of the nation's citizens.
- **All human beings are entitled to the enjoyment of political, civil, economic and social rights** as set forth in *The Universal Declaration of Human Rights* and various treaties and covenants adopted in furtherance of that declaration.
- **We are our brother's keeper;** when nations fail egregiously to protect the rights of their citizens it becomes the responsibility of the international community to protect those rights.

Admittedly, it is not now, nor will it soon be, within the power of the international system to act in full accordance with all of the above points. The world's imperfections, particularly in respect to human rights, are so numerous and widespread and its available human resources are so limited that doing so would not be feasible. Nevertheless, the propositions put forward do suggest paths for movement toward global reform. The points of departure should be those at which the most egregious offenses are occurring, as in the cases of genocide and ethnic cleansing. As the institutional machinery of the United Nations system improves, the scope of its involvement should expand commensurately.

Since the founding of the United Nations in 1945, the world has undergone enormous changes. Among the many new developments, I will here highlight only a few that are essentially extrinsic to the UN system in its present form, but whose increasing salience will require adjustments within the evolving system of global governance.

First, whereas global governance, such as it was in 1945, was generally perceived as the virtually exclusive preserve of sovereign states whose territorial integrity was inviolable, international organizations have come to be increasingly important. Apart from agencies functioning within the UN system, those with a more or less global scope include such entities as the WTO, the G-8 and G-20, and the Organization for Economic Cooperation and Development. Organizations such as NATO and the Commonwealth of Nations have an increasingly widespread, if not quite global, reach. At a regional level, the European Union plays an especially prominent role and serves as a model for further integration in Africa, as well as in other parts of the world.

The march of "globalization" over the last several decades has also resulted in a much greater role for non-state actors, especially giant multi-national corporations (MNCs). The record of MNCs is decidedly mixed. Although they have unquestionably become powerful engines for economic growth, the benefits from that growth are very unevenly distributed; and the methods

of growth have entailed substantial and inadequately recognized negative consequences, most notably environmental deterioration, social and economic dislocation, and the subversion of local cultures. Not infrequently, MNCs, often in concert with compliant governments in the developed countries and with the blessing of the Bretton Woods institutions (which the wealthy nations dominate), have been able to make inroads in the political and economic policies of relatively weak states thereby calling their sovereignty into question. Any future design for global governance that fails to take the corporate sector into consideration will be seriously flawed.

Another important set of non-state actors are non-governmental organizations (NGOs), a key component of what is often termed “civil society.” Their potential to play a major role in shaping public opinion and the thinking of policy-makers, especially in democratic polities, is enormous. NGOs have been especially active in promoting human rights; and the adoption of some of the relevant UN conventions and treaties would probably have been slower were it not for the involvement of NGOs. It seems appropriate, therefore, for the UN to devise new governance mechanisms that would enable it to better draw upon NGO expertise and dedication.

Since the end of the Cold War, we have seen a widespread and continuing revolution of rising expectations. Where fatalistic acceptance of injustice was once the norm, voices demanding justice are increasingly raised. And, to the extent that those voices are ignored and denied participation in the political processes of their nation, some segment of the population will either resort to terrorism or lend support to others who do. Additionally, because of the revolution in communications technology, the possibility of forging common cause among the oppressed and dispossessed, in opposition to the privileged elements of the world’s population, is greater than ever before.

At the global level, the affluent sixth of humanity has two choices. It can choose to live in what are, in effect, gated communities, protected from the “rabble” by whatever the state can provide in the way of military, police and surveillance apparatus. Or they can elect to ameliorate the situations that breed alienation and violence. The latter choice would require substantial strengthening of the institutional machinery of the international community. Though that would not be cheap, it should ultimately prove to be a great deal less expensive than maintaining the unjust, phenomenally wasteful and dehumanizing status quo. This is not to assert that a wholesale redistribution of the world’s wealth is necessary; but it is necessary to provide the world with a realistic sense of hope. A properly transformed UN will help make that goal attainable.

It must be admitted, however, that the record of attempts to reform the United Nations system provides, on initial consideration, little cause for optimism in regard to the prospects for adoption of the reforms proposed in this work or, for that matter, of any other far-reaching set of institutional reforms. Changes for the better are, by no means, preordained and humankind may indeed continue along paths that could lead to the destruction of civilized society. The menu of perilous options is ample. But, so too is the menu of creative choices. Humankind must soon recognize and respond to the seriousness of the dangers on the horizon before they reach a phase that precludes their being adequately addressed.

The workable world that I envisage centers on a revitalized and **substantially strengthened United Nations system**. While many of the essential institutions within that system are already in place, none is optimally constituted. In particular, their methods of allocating decision-making power bear little relationship to the actual power of global actors outside the arena of the UN itself. Consequently, their fairness and even their legitimacy are often called into question. Moreover, some institutions needed for an efficiently working UN system have yet to be created, while others have become obsolete or have failed to live up to the expectations of their creators and ought to be eliminated. Finally, the entire system suffers from a serious democratic deficit. Institutions are needed by which to engage ordinary world citizens and civil society organizations in the work of global governance.

Although my proposals are idealistic in conception, they are not utopian. I do not foresee a world free from conflict, but rather one in which international warfare will become as inconceivable as war now is between member states within the USA or, for that matter, between member nations within the European Union. In such a world, conflict will be managed or contained with a minimum of violence, a maximum of reason and an acceptable degree of constructive UN engagement.

Nor do I envisage a world free from economic want and serious social and environmental stress. But I am convinced that humankind can, in as little as one or two generations, substantially narrow the obscene gulf separating the world's haves and have-nots. That achievement will greatly reduce the propensity for domestic violence and international terrorism and free economic resources now allocated to the ill-conceived "War on Terrorism" for the pursuit of more beneficent ends.

Proposals:

Global problems require global solutions. This dictum provides the author's motive for writing. The idea ought to be self-evident, but clearly is not. Our present system of global governance—if one can call anarchy a system—shows little evidence that the principal actors on the global stage have come to grips with the magnitude of the existential threats to a sustainable civilization. The world has thus far failed to put in place a set of agencies suitably empowered to deal with the threats confronting us. Existing institutions, within and outside the UN system, must be strengthened and given broader mandates; and new agents of change must be created. The decisions they make must be recognized as legitimate. Fundamental reforms in the near future are essential.

A key premise is that **the design of decision-making institutions has an important bearing on the quality and legitimacy of the decisions they make.** To the extent that this simple truth is recognized, society will be inclined to endow vital institutions with greater responsibility and provide them with greater resources. From this it follows that improved designs for existing institutions and, where needed, the creation of new, well-designed institutions, can set in motion a virtuous cycle that will contribute significantly to the evolution of a more workable world.

None of what I propose will come about easily. Wealthy and relatively secure nations tend to support the status quo. Within the UN, the five permanent, veto-wielding members of the Security Council (the so-called P-5), will be particularly inclined to defend their anachronistic and unfair privileges, a situation derived from their being on the winning side in a war concluded more than two-thirds of a century ago. This is undoubtedly the greatest single reason why reform of the UN Charter has to date been so difficult. Additionally, in the absence of a reformed and strengthened UN, the United States in particular has, for decades, been inclined to rely on unilateralist initiatives or on self-appointed “coalitions of the willing” (under US leadership) to achieve its geopolitical objectives, often in defiance of international law and leading to tragic, even if unintended, consequences.

But medium and small powers are also generally inclined to pursue parochial and short-term interests. They too tend to resist infringements on their precious sovereignty. Their leaders often fail to realize that promoting the good of the whole will generally also, in the long run, serve the good of their own nation. Nor would many acknowledge the remarkable extent to which their sovereignty has already been eroded by a multitude of intrusive forces, many of which may be subsumed under the general heading of “globalization.” In short, vested interests, inertia and ignorance present powerful impediments to the realization of the agenda set forth in this work.

There are other serious problems as well. Greedy, over-ambitious and despotic leaders continue to bully their way onto the global political stage and stir up trouble in and beyond the areas they control. Serious tensions between cultures and between individual nations persist. Severe ethnic and religious strife, mainly intra-national, remain endemic in much of the world. And major changes have emerged within the global ecosystem about which we are inadequately informed and insufficiently prepared.

Many problems within our complexly interconnected and astonishingly diverse global society cannot be adequately dealt with by individual nations. Rather, they cry out for concerted regional and/or global oversight. They will necessitate the evolution or refinement of norms of international behavior that establish not only the rights and responsibilities of nations, but also codify and guarantee the rights and responsibilities of individual human beings. And individual citizens must be accorded a greater role in shaping their own political destiny. The global democracy deficit must be progressively reduced. Our sense of global stewardship must be heightened.

Collectively, society will have to refine and accept fair and sustainable economic and environmental standards. This presupposes the existence of appropriately empowered institutions designed in such a way that their decisions will be seen as legitimate, command broad international respect, and receive political backing from the global community. My book notes a number of such institutions and—in keeping with the dictum that **form follows function**—it demonstrates why the designs proposed – though certainly not the only ones conceivable – are appropriate for the functions to be performed.

Some of my proposals would require amendment of the UN Charter. Others would not. Oddly, some of the most important proposed changes, for example, the creation of an initially advisory World Parliamentary Assembly, would be in the latter category in that Article 22 of the Charter

authorizes the General Assembly to establish such “subsidiary organs” as it deems necessary for the proper performance of its functions. On the other hand, expanding the Security Council by even a single seat would require a Charter amendment. Other proposals might not require Charter amendment, but would necessitate reinterpretation of that document, as has already happened on numerous occasions, for example in regard to peacekeeping, a word the Charter does not mention.

Many of my recommendations are predicated on the eventual acceptance of a political paradigm that interprets the term, “sovereign equality of nations,” quite differently from the way it is presently understood. The current, increasingly dysfunctional legal fiction in respect to sovereignty, originating with the 1648 Treaty of Westphalia, is enshrined in the “one nation – one vote” principle followed in the UN General Assembly and many other UN agencies. **But the presumption of equality is so glaringly at variance with the perceptions and behavior of nations outside the arena of the UN itself that the disjuncture seriously compromises the credibility and legitimacy of the entire UN system.**

Yet, the Security Council, the one UN organ whose decisions are meant to be binding, invalidates the pretense of equality. The power of the veto frees the five permanent members from the fear of being adversely affected by any resolution of which they seriously disapprove. Another ten elected members enjoy an enhanced diplomatic status, but only for a two-year, non-renewable term. And the 178 remaining nations are effectively denied the franchise. The vaunted sovereign equality principle does not apply.

To appreciate the absurdity of the sovereign equality principle as it works in the General Assembly, consider the ratio of the population of China, the UN’s most populous member, with roughly 1.35 billion inhabitants, to that of Nauru, the least populous member, with a population of only 9,300. The ratio is nearly 150,000:1; yet, Nauru’s GA vote is equal to that of China. And, there are so many other states with small populations that it is theoretically possible for 129 nations, with a combined population of only eight percent of the world’s total, to command the two thirds majority needed to win a General Assembly vote on a substantive issue. Even more absurd is the possibility that 65 nations (one-third of the total membership), with a combined population of not quite one percent of the world total, can block passage of a substantive resolution. Is it any wonder, then, that the UN Charter does not empower the General Assembly to make binding decisions?

To deal with the disparities and power differentials among nations, sensible decision-making rules should embody some principle of **weighted voting** based on simple, objective mathematical formulae, the logic of which derives from the issues addressed, with due regard for the often divergent interests of shareholders and stakeholders within the UN system. The formula proposed for the GA, for example, is:

$$W = (P + C + M) / 3$$

wherein **W**, a nation’s voting weight, is the average of three terms: **P**, its population as a percentage of the total of the total of all nations in the UN; **C**, its GNI-based contributions to the regular UN budget as a percentage of the total; and **M**; its percentage of the total membership. **P**

may be seen as representing the democratic / demographic / stakeholder principle; **C** represents the shareholder principle (the capacity to be effective); and **M**, a constant (0.51% in a GA with 193 members) derives from the presumptive legal fiction of sovereign equality. Based on data for the year 2009, the rounded percentage weights for the ten leading nations would be: USA 9.9, China 9.6, India 6.7, Japan 3.5, Germany 2.6, France 2.0, Brazil 2.0, UK 1.9, Italy 1.7 and Russia 1.6. At the opposite end of the scale would be a number of microstates with weights of 0.17. The ratio between the highest and lowest nations would be 59:1.

Weights would, of course, be recalculated at regular intervals to reflect demographic and economic changes. And the formula itself would be re-evaluated from time to time and possibly amended, say to enhance the democratic term in the weighting equation.

The proposed GA formula could be also be applied to a number of other UN agencies or adapted for their special functions. (My book provides many examples.)

Of course, there would be little point in changing the decision-making system in the GA if there were not also a change in its powers, namely to enact *binding* resolutions, in effect, to grant it legislative capability in dealing with problems of a truly global nature.

But legislatures ideally represent *people* as well as nations or states. Absent popular participation, they lack legitimacy. Thus, I propose that GA reform be complemented by the creation of a World Parliamentary Assembly (WPA). Such a body, initially with only advisory power, would gradually be accorded true legislative competence.

Regrettably, space considerations preclude discussion here of the formulae for allocating decision-making power in the proposed WPA at various stages of its evolution. Suffice it to say that they entail weighted voting formulae and a gradual democratic shift from the “degressive proportionality” characterizing the European Parliament (with fewer citizens per seat in demographically small countries than in those that are larger) toward the “one person – one vote system practiced in the people’s chamber of many parliamentary bodies.

Despite the establishment of a genuine global legislature, the UN will continue to need a relatively small Security Council (SC) to deal expeditiously with threats to the peace and other issues that require an urgent response. In recent decades scores of proposals have been advanced for enlarging the SC by one or more seats so as to make it somewhat more inclusive; but disputes as to which nations merit inclusion, the length of their terms and whether or not they should be accorded veto powers have foreclosed reform.

In contrast to these expansionist scenarios I propose a SC with only twelve regional seats, but with *universal membership*, weighted voting and no veto. The weighting formula would be:

$$W = P + C + 8.33\% / 3$$

wherein **W**, a region’s voting weight, is the average of three terms: **P**, its population as a percentage of the total of the total of all regions in the UN; **C**, its contributions to the regular UN budget as a percentage of the total; and a constant, **8.33%**(1/12) , its percentage of the total

membership, a new legal fiction signifying the assumed equal worth of each region's global perspective.

Based on their weight, three regions would consist of a single nation: the USA, China and India. The number of nations in the remaining nine would range from 5 (in two cases) to as many as 42 (in Africa South of the Sahara). The regional designations and rounded percentage weights are here indicated in descending order: Europe 15.9, US 12.5, China 12.2, India 9.3, Latin America and Caribbean 7.9, East Asia (other than China) 7.2, Africa South of the Sahara 7.2, Southeast Asia 6.6, West Asia (other than Arab League) 6.5, Arab League 5.5, Russia and (European) Neighbors 4.7, and Westminster League (Canada, Australia, New Zealand and 12 small island states of the Western Pacific) 4.5.

Obviously, this reshuffling of membership and power would necessitate substantial adjustments in SC working methods and protocols. My book discusses this issue in detail.

Space limitations prevent more than passing reference to other important agencies within the envisaged United Nations system and to several of the key problems that it faces: budget and finance, staffing, peacekeeping, and management of the global commons, all of which are treated in detail in the book. The notes below follow the order of the detailed discussion in my book.

Among the UN's core agencies is the much criticized Economic and Social Council (ECOSOC), a body whose achievements have fallen far short of early expectations. The Council requires radical restructuring, expansion of its competence, and a change of name to Economic, Social and Environmental Council (ESEC). Also recommended is a hybrid decision-making system, with some seats reserved for individual major states and most elected by regions.

The expansion and protection of human rights is an increasingly salient part of the global agenda. Presently, the Human Rights Council is under the General Assembly and composed, in large part, by nations with weak human rights records. The Council's future membership must be merit-based; its mandate must be enlarged; its decision-making system must be reformed; and it must be reconstituted as a core UN agency.

The judicial components of the UN system, especially the International Court of Justice, have, thus far, been woefully under-utilized. I put forward several ways of correcting this deficiency and of forging more coherent relationships between judicial bodies at the global and regional levels, as well as with more specialized tribunals such as the International Criminal Court and the International Tribunal for the Law of the Sea.

Little heralded, but enormously important, are the UN Secretariat and the specialized UN-affiliated agencies, funds and programs. Their mandates, however, lack coherence and are often redundant. My work suggests ways by which these deficiencies can be substantially mitigated.

Recruitment and retention of competent staff is a perennial problem throughout the UN system. Especially problematic is the promotion of gender-equity and fair regional representation. Appointments and hiring must be depoliticized and made merit-based, in part through eligibility testing and in part through workable equity formulae.

The view that the UN decision-making should be reserved exclusively to nations is increasingly open to challenge. Apart from giving people a voice in the proposed World Parliamentary Assembly, there is need to institute a system whereby expert input from civil society organizations can make a more effective contribution. The system I propose would establish five topically based “civil society coordinating councils” to amalgamate and prioritize specific initiatives and pass cohesive recommendations on to the appropriate agencies within the UN Secretariat.

Adequate and reliable funding is a *sine qua non* for the realization and maintenance of the agencies composing the UN system. My work discusses the pros and cons of a variety of ways for raising needed funds and advocates, *inter alia*, that assessments for the regular budget be set at a uniform, but very low (and easily affordable), percentage of the GNI of all member nations. Even with a rate of assessment as low as 0.1%, the revenue derived would be well in excess of twice the total expenditures of all UN entities (exclusive of the Bretton Woods agencies).

From its inception, the UN has been preoccupied with questions of security, sometimes successfully, often not. A political landscape vastly different from that of 1945 now calls for radically new perspectives on peacekeeping and for promoting the incipient field of “peace building.” Among my recommendations are the establishment of a standing, all-volunteer, elite UN Peace Force, the institution of a UN Administrative Reserve Corps (UNARC) and the creation of a UN Administrative Academy for the training of UNARC personnel. More workable ways of minimizing threats from weapons of mass destruction, especially nuclear threats, and dealing with terrorism are also considered.

In recent decades, environmental concerns and economic and ecological sustainability have emerged as issues of existential importance. Dealing effectively with these concerns demands coordinated efforts on a global scale and recognition of many components of our shared environment as “global commons” (the atmosphere, the high sea, polar regions and outer space). New regimes are proposed for managing these commons so they may serve the entire human family, as well as other life forms, and for protecting the environment in general.

Conclusions:

If implemented, the reforms proposed above would result in a configuration for the system of global governance substantially different from the one that presently exists. While many possible futures are conceivable, I argue in the penultimate chapter of my book, “**A New Global Governance Architecture**,” that, the optimal choice will be **a constitutional system of democratic, federal world governance**. This preferred transformation would allocate decision-making power by means of reasonable weighted voting formula and operate on multiple levels in accordance with the principle of subsidiarity. (Such a multi-tiered system has proved effective for the European Union and is implicit in every well functioning federal system.) It would engage a sweeping range of actors with constitutionally guaranteed rights to participate in global decision-making: states, regional inter-governmental organizations, representatives of civil society, and popularly elected members of a World Parliamentary Assembly. It would be marked

by fair gender balance and equitable representation from both rich and poor nations. To preclude the possibility that one nation or small bloc of nations might dominate the new government, there would be an elected plural Executive Council, with regionally based representation.

The timing for action on the changes proposed in this work would be flexible. There is no obviously optimal, much less necessary, sequencing for their adoption. While there are arguments in favor of an evolutionary approach, adopting reforms one at a time, a strong case can also be made, on grounds of synergy, for adopting multiple changes as parts of one or more integrated reform packages. For example, the creation of a United Nations Peace Corps in tandem with the establishment of a United Nations Administrative Reserve Corps would provide each of those agencies a greater chance of being effective than would be the case if either were to be established without the other. There is also the possibility of adopting all or most of the proposed reforms by means of a single grand constitutional process, commencing with a comprehensive review conference under the terms of Article 109 of the Charter. All things considered, a relatively gradual, piecemeal approach seems more promising at the outset. But that could well change as trust in the efficacy of a reformed UN system is generated.

The final chapter of my book, “**Getting There,**” outlines a multi-pronged strategy for bringing about the needed governmental transformation. It will, *inter alia*, necessitate changing the political climate in key UN member nations. That will not happen, however, without devising a much improved system of global education, the fostering of a cosmopolitan ethos, the creation of more effective civil society networks to spearhead reform campaigns, and the forging new alliances between civil society, foundations, progressive governments and other change agents.

It seems unlikely that major transformations will come about early in the reform process. Rather, a few key and highly noticeable, reforms—in regard to funding, decision-making and/or peacekeeping—might become catalysts for further change. The creation of a World Parliamentary Assembly would certainly constitute a fundamental breakthrough. Since fundamental change often occurs in the wake of major catastrophes, additional potent catalysts will likely include horrific acts of terrorism or any of a wide range of possible natural crises brought about by global warming, population growth or other causes. Increasing public recognition of the inability of the present state-centric system to deal adequately with the existential threats confronting us will surely give rise to an increased demand for global solutions, solutions that only a world government can provide. But time is short. There is no guarantee that we will muster the degree of intelligence and will to save ourselves from ourselves. Self-inflicted omnicide is definitely a possibility. The time to overcome our collective inertia is now.