

WORLD CITIZENSHIP & HUMAN RIGHTS

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Medford, MA

April 26, 1988

I am deeply honored and pleased by this invitation to address this society. My lack of formal credentials while seemingly a disadvantage for you could, of course, turn into a distinct advantage for me. With no academic standing to defend, I can be more or less unrestrained and even bold in my remarks. Moreover, the subject matter is of such a vital concern that academic niceties must be renounced for plain speaking if we are to add to our mutual understanding of common problems and potential solutions.

I do nonetheless possess two kinds of unconventional credentials. First, I have recently been appointed dean of a school of world law by a South Indian guru. His name is Nitya Chaitanya Yati and he founded the East-West University of Brahma Vidya in Fernhill in the Nilgiris. Like his guru, Nataraja of Travancore, he possesses both Eastern and Western academic degrees, is the author of numerous books and papers and has lectured at a number of Western universities. So his credentials at least are impeccable.

But the irony of that appointment is that while there are numerous schools of international law, there is no actual school of world law. I reminded the guru of this fact. His reply was typical of the advaitic or non-dualistic method of teaching: "There is one now," he said.

So, according to this sage, you are looking at the School of World Law of the East-West University of South India.

I will endeavor before this prestigious gathering to live up to the trust placed in me by guru Nitya.

Second, perhaps my chief credential or asset in the field of world law as opposed to international law is that the position of statelessness in which I placed myself some 40 years ago - and I will go into this later on in some detail - has forced me to think about world law, not only as a theory but as a personally operative system since no other law has properly applied to me since that May day in 1948 and incidentally to millions also in my legal situation.

So to plunge full force into the subject, I think the overriding question we must ask ourselves is whether exclusive national citizenship, in the interdependent world, a world which Marshall McLuhan called a "global village," is any longer able to protect absolute, natural or inalienable rights such as are described in the U.S. Declaration of Independence, namely, "life, liberty, and the pursuit of happiness," among others.

As you may know, eleven years prior to that proclamation, the great jurist, William Blackstone of England, laid the cornerstone for the legal protection of what he called "absolute rights" in his Commentaries of 1765. He wrote that the principle aim of society

"... is to protect individuals in the enjoyment of those absolute rights, which were vested in them by the immutable laws of nature; but which could not be preserved in peace without that mutual assistance and intercourse, which is gained by the institution of friendly and social communities. Hence it follows, that the first and primary end of human laws is to maintain and regulate these absolute rights of individuals."

When the individual enters into society, Blackstone claims that he

"...gives up a part of his natural liberty, as a price so valuable a purchase; and in consideration of receiving the advantages of mutual commerce, obliges himself to conform to those laws which the community has thought proper to establish."

It has become increasingly apparent since 1914 that not only can exclusive national citizenship not protect absolute, natural or inalienable

rights such as "life, liberty, and the pursuit of happiness," but contrarily is their greatest enemy and the instrument of their inevitable destruction.

First of all, some supporting facts. Since 1900, nations have fought 207 wars. Over 70 millions humans have been killed - a 500% increase over the 19th century - and many more wounded and made homeless. Today's refugee population is 15 million. Forty-four wars, big and small, are raging as I talk involving some 50 nations. Some 10 million humans are in national armies.

Almost a trillion dollars will be spent next year on weapons of destruction. Since 1981 preparations for nuclear war have cost \$427 billion. Preparations for conventional war in Europe have cost \$736 billion. Preparations for conventional war in Asia and the Persian Gulf have cost \$588 billion.

International debt totals over \$2.4 trillion with developing countries owing \$900 billion and industrialized countries, \$1,500 billion.

Yet today, tens of thousands of humans, mostly children, will starve to death, and millions will go to bed hungry.

Nations freely trade armaments with each other. Wars in the Third World are fought with weapons overtly and covertly supplied by the industrialized nations.

Over 50,000 nuclear weapons now exist with a megatonnage of over 16,000, enough to eliminate every vestige of life on earth for thousands of years. The total megatonnage dropped in World War II was 3.

Spy systems play their infantile games in every nation draining vast resources from social purposes.

Armies of men stand on national frontiers controlling entry and exit from these political fictions while other armies issue passports, visas and other so-called official documents designed to control the world citizenry.

The poorest 30% of humanity receive only 3% of the world's total income while the top 20% owns 66%.

Ecological disasters threaten our very life-support system. Radioactive pollution, spearheaded by deadly plutonium, a man-made substance with a half life of 250,000 years, is the 20th century Sword of Damocles. National armies are the biggest polluters of the environment.

I could go on ad nauseam.

The late Emery Reves, in his masterful Anatomy of Peace, published in 1945, three months before the Hiroshima/Nakasaki bombings, minces no words about the anachronism of the nation-state:

"The first step toward ending the present chaos is to overcome the tremendous emotional obstacle which prevents us from realizing and admitting that the ideal of sovereign nation-states, with all its great record of success during the nineteenth century, is today the cause of all the immeasurable suffering and misery of this world. We are living in complete anarchy, because in a small world, interrelated in every other aspect, there are seventy or eighty separate sources of law - seventy or eighty sovereignties...Our present system of national sovereignty is in absolute contradiction to the original conception of sovereignty, which meant - and still means - sovereignty of the community."

Somewhat later, Buckminster Fuller in Operating Manual for Spaceship Earth, explained the nation-state system another way:

"Spaceship Earth now has 150 admirals. The five admirals in the staterooms immediately above the ship's fuel tanks claim that they own the oil. The admirals with staterooms surrounding the ship's kitchen, dining rooms, and food refrigerators claim they own all the food. Those with a stateroom next to the lifeboat claim they own the lifeboat, and so forth. They then have an on board game called balance of trade. Very shortly, the majority of admirals have a deficit balance. All the while the starboard side admirals are secretly planning to list the boat to port far enough to drown the portside admirals, while the portside admirals are secretly trying to list the ship to the starboard far enough to drown the starboard admirals. Nobody is paying attention to operating the

ship or steering it to some port. They run out of food and fuel. They discover that they can no longer reach a port of supply. Finis."

If, in the 18th century, nations were created to protect "life, liberty and the pursuit of happiness," among other inalienable rights, in the 20th century those same nations have become the instrument of their destruction.

We must face the grim fact: national citizenship, in our nuclear-triggered world, has become a collective suicide pact.

What to do?

According to Stafford Beer, president of the World Association of General Systems and Cybernetics

"Man is a prisoner of his own thinking and his own stereotype of himself. His machine for thinking, the brain, has been programmed to deal with a vanished world."

Our political thinking is national, a "vanished world," rendered irrelevant by four major world revolutions: industrial, electronic, nuclear and now spacial. It was an exclusive national citizen. In the second world war, I was flying a B-17 over Europe for the 8th Air Force in order to bomb German cities, towns and even villages. But in 1948 the "enemy" was the Soviet Union. Now the bombs were nuclear which meant, for all practical purposes, total. Wasn't I then colluding in the war game still played by nations? I asked myself, if I had been a part of World War II, didn't I have an obligation to help prevent World War III? In plain fact, did I have a choice?

As you have no doubt studied, the Nazis had been indicted, tried, convicted and punished, some with death, by a new set of rules called the Nuremburg Decisions which defined crimes outside the national framework. Wasn't I also now subject to those new rules?

These questions pounded at me personally in the late 40's especially after Nagasaki and Hiroshima bombings in 1945.

So three years after World War II, I took advantage of a little known United States law first enunciated in 1868 by an Act of Congress.

Permit me a little historical footnote. This period following the Civil War was one of great expansion for the United States. Abraham Lincoln, in part to motivate Europeans to emigrate to this relative new and vast country, introduced the Homestead Act in 1862.

In a largely agricultural world, the promise of proprietorship of 160 acres - after clearing the forest and if need be disposing of the Indians - in the vast region beyond the Mississippi, was a rallying cry to the European serf, still subsisting under feudal lords and kings.

But the question of nationality arose. When becoming naturalized citizens would the immigrants still be Germans, French or British? Or, according to U.S. law, could they renounce those former nationalities? The question was not only theoretical but substantive. It implicitly involved the very subject of sovereignty itself. For if one could willfully choose another nationality, that choice implied invoking a fundamental inalienable right: That of choosing political allegiance.

After all, those millions of immigrants flooding into the United States in the mid 1800's were doing so of their own free will, not under any compulsion of the nations they were abandoning. Nationality for them had to be considered, not an automatic grant by the U.S. government, but the sovereign choice of an individual. It followed that if the individual could choose his or her nationality or government, then reciprocally, he or she could give it up. And so the Law of Expatriation was passed by Congress in 1868.

In the almost poetic words of the Act,

"...the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of life, liberty, and the pursuit of happiness;...any declaration, instruction, opinion, order, or decision of any officers of this government which denies, restrict, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government."

Then at the 1930 Hague Conference for the Codification of International Law, the United States delegation made an even stronger plea for the incorporation of the principal of involuntary expatriation:

"For a century past, it has been the policy of my country that the right of expatriation is an inherent and natural right of all persons. It is true that allegiance is a duty, but it is not a chain that holds a person in bondage and that he carries with him to a new life in a new land..."

This principle is not a small matter. It is not a question of language or of formulae, or of phrases. It is a principle of the rights of man and the LIBERTY OF THE HUMAN RACE."

But that inalienable right raised the giant question of legitimacy.

For if indeed, the renunciation of the nation-state was "indispensable to the enjoyment of life, liberty, and the pursuit of happiness," as the U.S. law claimed, by what government then were these rights to be protected? Certainly the anarchic condition existing between the states was anything but protection. Today's refugee camps are pervasive witness to that fact. The expatriate, therefore, after exercising his right of renunciation of nationality, thus found himself in a legal dilemma...and a legal vacuum.

His act of expatriation was legitimate yet he found his fundamental rights unprotected by any positive law.

He became, therefore, by necessity and by virtue of his own innate sovereignty his own self-government. In other words, his inalienable or human rights could only be protected by a citizenship he himself claimed and activated.

It became clear to me when I left the U.S. Embassy on May 25, 1948, a stateless person - that is, a human not allied politically to any nation-state - that only a worldly citizenship could protect my inalienable rights. The same was true, of course, for any and all of my fellow humans.

And so, we arrive irrevocably at the subject of my talk: "World Citizenship and Human Rights."

I did not realize it at the time, but I came to recognize since that there is a subtle contradiction when adding "citizenship," and "rights" to "world" and "human."

"World" is a unitive word connoting wholeness, whereas "citizen" defines confining social and political rights and duties within a circumscribed human community. It is a word of sovereign earthy power while "world" opens out to the cosmos itself thereby adding a philosophical and even moral content.

By the same reasoning, placing "human" before "rights," betrays the same subtle contradiction, "human" connoting at once spiritual, social and biological levels, whereas "rights" again refers to a constraining political framework.

"Citizen" and "rights," in sum, are inhibiting words, relative and limited to one's neighbors' equal civic rights while "world" and "human" are both universal and unitive.

In spite of this contradiction, after legally expatriating myself in Paris in 1948, I chose world citizenship as my primary political allegiance almost forty years ago.

I was seconded in this choice by over 750,000 fellow citizens between the years 1949 and 1951 who registered as world citizens in the first global electoral machinery I founded on January 1, 1949, called the International Registry of World Citizen.

According to Prigogine, the Nobel Prize winner in chemistry in 1977, any organized system exists in dynamic tension between entropy and negentropy, that is, between chaos and information. But our human world is so information-rich or coherent, he claims, that it is almost certain to collapse into even higher coherence, not into chaos and self-destruction. In other words, he supports McLuhan's intuition that many seeming symptoms of breakdown are actually harbingers of breakthrough.

World citizenship is the legal breakthrough to higher political coherence.

Thus, ironically, in the 20th century, when exclusive nationality had become, as Einstein claimed, the "measles of humanity," when nations, after 1945 with the advent of the Nuclear Age, developed into doomsday machines threatening humanity itself, the right of expatriation took on an entirely different character. Rather than the loss of the right to have rights, as Chief Justice Earl Warren described statelessness in *TROP V. DULLES*,

it was the right to "individual secession into the world community" itself, as described by Rufus King.

Returning to Blackstone's formula, and seconded by the Declaration of Independence, if no government exists to protect one's absolute or inalienable rights, obviously one must be created.

But the question naturally arises: If WORLD government is the sine qua non of WORLD peace and if the sovereign states by definition cannot relinquish any of their sovereignty, then from where does the sovereignty come to start a world government?

As one of your own courses asks: What is the source of legitimacy?

The answer is self-evident. But like so much that is self-evident, it completely escapes most of us.

It comes from "We, the people of the world."

Not to put too fine point on it, "We, the world's people" is simply humanity, the penultimate sovereign.

And humanity, claim the cyberneticists and general system scientists, is already a "governed" system just as is the human body. So, incidentally, do the Gaiaists or those who consider the Earth itself as a living system.

It follows that only human beings can represent humanity.

The mental and emotional leap from national to world government may be too much for most of us. Nonetheless, the idea of world government enjoys much credible support.

For instance, in 1945 Emery Reves had written that

"World government is not an 'ultimate goal' but an immediate necessity. In fact, it has been overdue since 1914."

For those who considered world government a far-away goal, he wrote that *"There is no first step to world government. World government is the first step."*

Einstein had echoed this sentiment. As far back as 1935 he had written that

"We must work toward creating a public sentiment to outlaw war..."

Then in 1946, no doubt tormented by the devastation at Hiroshima and Nagasaki, he wrote

"I believe that the establishment of a supranational government constitutes the deepest hope for mankind...With all my heart I believe that the world's present system of sovereign nations can lead only to barbarism, war, and inhumanity, and that only world law can assure progress towards a civilized peaceful humanity."

In an open letter to the General Assembly of the United Nations in 1947 he made a further plea for world government. The Soviet reaction came a month later in a letter signed by four leading Russian scientists opposing Einstein's advocacy. After praising him, they castigated world government as a "flamboyant signboard for the world supremacy of the capitalists monopolies."

In an ironic twist of history, only last week the New York Times reported that Soviet scientists, after 40 years of opposition to world government, in an article in the Moscow New Times, decided to publish for the first time Einstein's response to the Soviet physicists who ridiculed his call for world government 40 years ago because his ideas (and I quote) "*wonderfully correspond to the needs of the present times.*"

So much for the opposition to world government of reactionary critics in the U.S. who hide behind the now false assumption that the Soviets are opposed to world law.

Even such a conservative as Supreme Court Justice Owens J. Roberts called for world government in 1946. At the annual Associated Press luncheon on April 22 of that year he said that

"...Unless I misread everything that is written the world over, it is the universal opinion that regulation of conduct of men of every race and clime, by just rules justly enforced, namely

government of a sort, is the only answer to the problems of peace. I don't have to tell you that history teaches that while nation states of sovereign and independent will exist in the world, and are recognized, agreements between those nation states, treaties and leagues, will not ensure peace, and I think that history equally teaches that in any society, however large and whatever its units, the road to world order is the road of government and law and the enforcement of law upon the individual."

In my naive, almost simplistic way of reasoning, I decided to take my destiny out of the deadly clutches of the nation-state war system which obviously could no longer represent my natural rights.

On May 25, 1948, as I stood before Vice-Consul Agnes Schneider in the United States Embassy in Paris and took the Oath of Expatriation deriving from that Congressional act of July 27, 1868, in political terms I was exercising my personal sovereignty to choose my own government.

In my own way I was fulfilling the historic promise made by the Founding Fathers in 1787 when they too transcended their exclusive state allegiance by creating a higher government to replace the obsolete treaty arrangement hastily pasted together by the separate states while under British colonial domination: the Articles of Confederation.

And just as Thomas Jefferson, Benjamin Franklin or John Adams could not define "Americans" within the limited confines of the states of Virginia, Pennsylvania or Massachusetts but only as humans exercising their inalienable right of free political choice, so I could not define world citizenship within the exclusive legal confines of nationalism.

But equally important, by legally permitting me to make that choice, the nation-state, the United States, was recognizing the sovereign character of the human person.

From that ultimate political truth comes the real "bottom line" exposure of the illegitimacy of the nation-state system itself. For if it is only by virtue of the anarchic condition existing between nations that their exclusive existence is justified, then, in tacitly condoning a condition of anarchy between them thus sanctioning war, all nations are per se illegal.

This is affirmed by the wars being fought by nations today and being prepared for tomorrow. When we add nuclear to the conventional weaponry, we have the added monstrous crime for omnicide.

It is too often forgotten that governments are only the creatures of constitutions, written or oral. And no national constitution by definition can provide legal protection for humanity itself.

So to return to our brief history, with my own need for legal protection of my natural rights along with the sovereign mandate of the new world citizen constituency, motivated by sheer necessity and absolute morality. I declared in 1953, from the City Hall of Ellsworth, Maine, yet "outside" the nation-state system, a political entity for their legitimate protection called the "World Government of World Citizens."

Alvin Toffler, in *THE THIRD WAVE*, confirmed this obvious solution to a peaceful world:

"As nations are torn apart and restructured, as instabilities and threats of war erupt, we shall be called upon to invent wholly new political forms or 'containers' to bring a semblance of order to the world - a world in which the nation-state has become, for many purposes, a dangerous anachronism."

And that brings me to my candidacy in the 1988 presidential campaign which I announced on January 19, 1987, at Middlebury College, Vermont.

Here in the U.S., the frenzy of our presidential races totally obscures the fact that the system itself is anachronistic, a carry-over from the 18th century superimposed on a 20th century, totally interdependent world.

The historical equivalent of a national presidential election in a world of anarchy would be if George Washington and the other founding fathers, instead of meeting in the Constitutional Convention in 1787 to join the people of the then disunited states in a new legal order, had run for office in their respective state legislatures leaving the anarchy - institutionalized by the Articles of Confederation, akin to the United Nations Charter - intact.

We have only to examine the platforms of the major political parties to realize their total irrelevance to any major problem involving the survival of the individual voter or the total human species. There can be no direct

address to any issue outside the national framework, and especially to the question of war itself which would expose the nation itself as powerless, by a strictly national party or candidate. Small wonder that almost half the electorate failed to show up at the 1984 presidential election. The public seems to know instinctively that while every national leader can provoke world war, no national leader can make world peace.

I do not intend to use this occasion as a political platform, but I will simply say that I am the only presidential candidate with an active peace platform. And that is the absolutely imperative requirement of the next president of the world's greatest modern-day Caesar.

We should elect no one to public office, according to Emery Reves,

"...who has not pledged himself in advance to work wholeheartedly to prevent the next war by the establishment of peace through law and government."

But what about international law? you ask. After all, that's what we're here for. Isn't it relevant to the problem of world peace?

I quite appreciate that here at Fletcher, as at other great international law schools throughout the world, the progression of so-called international law beginning with the great Dutch jurist, Huig von Groot, more commonly known as Hugo Grotius, is a subject of major importance and scrutiny.

We ordinary citizens, however, have the right to wonder why it is that we can place men on the moon, telephone instantaneously around the world, mail a letter worldwide, view the rings of Saturn on the front pages of our local newspapers, and yet remain in an 18th century legalistic morass which condemns us to destruction.

We must ask respectfully if today's international law schools are relevant to human survival.

After all, the growth of international law from Grotius' era to now has dealt mainly with relationships between states rather than with people. For instance, in his famous Three Books on the Laws of War and Peace, written in 1625, he argued that the only way for weak nations to prevail against more powerful ones was for them to unite in creating laws and institutions that could enforce justice. That formula, however, still condoning national

division, unfortunately denied the age-old wisdom that peace and justice are both indivisible and universal.

Then, as you know, a great debate rages among jurists as to whether individuals are subjects of international law. Though the statute of the International Court of Justice at The Hague does not assign individuals any standing before the court, still the Nuremberg Decisions seemed to provide the needed breakthrough for individual accountability for crimes transcending national law. If true, then most nation-state leaders should be indicted and tried as war criminals - as I tried to do in a petition of March, 1985, to the ICJ - since preparing for and threatening war is a war crime according to these principles. That they are not again exposes the inherent contradiction of the so-called international law.

In short, it is revealed as not law at all but merely a system of multi-lateral treaties between equally sovereign states.

Certain revered jurists like Myres Macdougall of Yale, however, categorically deny exclusivity of international law to states alone. In his massive, comprehensive work, Human Rights and World Public Order, co-authored with Lasswell and Chen, he writes:

"The notion that states are the only appropriate 'subjects' of international law is belied by all the contemporary facts...about participation in the global processes of effective power and authoritative decision. This notion, unknown to the founding fathers and deriving from certain parochial misconceptions of the late nineteenth century, lingers on to impede the protection of human rights merely because it sometimes serves the power purposes of the state elites...Historically, the greatest difficulty concerning participation in the world constitutive process has been the exaggeration of the role of the nation-state as the principal subject of international law. Because of the overwhelming emphasis of the 'sovereignty' of nation-states, there has been great reluctance to recognize other participants in world social process as in fact active subjects of international law."

Since humankind itself was threatened by the advent of the nuclear age in 1945, even national jurisprudence was obliged to adopt a more wholesale

character. We read in today's journals, for instance, that Damjanjak is condemned to death by an Israeli court after having been charged with "crimes against humanity," crimes not found in the Israel criminal code but part of the Nuremberg Principles. The Eichmann case preceded this latest nod to "international" law. The French government likewise has indicted, tried and convicted Klaus Barbie under the same global criminal code.

Then the word "genocide" was coined to describe species annihilation. "Omnicide" later defined the crime of genocide. but where was the GLOBAL criminal court to try those individuals threatening humanity with this final crime? Where was the enforcement agency, the GLOBAL police force? Indeed, where was humanity's legislative body? And the world executive?

As Norman Cousins asked, Who speaks for Man?

On December 10, 1948, six months after my declaration of world citizenship, the revolution for legalizing human rights which had begun in the 18th century took on at least a semblance of official global dimension.

The General Assembly of the United Nations then sitting in Paris proclaimed to the world the UNIVERSAL DECLARATION OF HUMAN RIGHTS.

Here at last was a blueprint for the new way of thinking Einstein had called for; the operating manual Bucky Fuller demanded for spaceship earth. Here was the terra firma for a new social contract between passengers on that spaceship; but more than that, it was the pragmatic and unequivocal sanction for immediate personal action from principle on the global level, a world citizen code book to claim inalienable social and political rights in the recognition that "We, the People" meant each one of us and humanity itself.

Here was the legitimate link between world citizenship and human rights.

Article 28 provides that *"Everyone is entitled to a social and political order in which the rights and freedoms set forth in this Declaration can be fully realized."* As to the derivation of government itself, article 21(3) put it succinctly: *"The will of the people shall be the basis of the authority of government..."* And article 15 further defines the right of choice of government itself: *"Everyone has the right to a nationality and everyone has the right to change his nationality. "*

We, as World Citizens, are today claiming these rights from every corner of the world community.

And how do we put them into practice? Let me give you one concrete example. Here is a World Government passport. It represents article 13(2) of the UDHR:

"Everyone has the right to leave any country, including his own, and to return to his country."

It is being issued daily on demand from the World Service Authority, our global government's administrative and executive agency in Washington, D.C., to individuals throughout the world. Many are refugees and stateless persons like me. We who carry it are claiming our unity with our fellow humans and the world itself.

In conclusion, World Government is in operation NOW representing both the human being and sovereign humanity. I enjoin you further inquiry and active support.

Because, in this prophetic age, whether humanity survives or not depends on us, you and me.

Chief Justice Earl Warren, in the famous case, PEREZ v. BROWNELL, wrote:

"Citizenship is man's basic right, for it is nothing less than the right to have rights."

If Justice Earl Warren was right, then world citizenship is the right to have world rights such as the right to live peacefully on and with our home planet, Mother Earth.

Thank you.