

WORLD GOVERNMENT OR WORLD WAR

EDUCATION FOR SURVIVAL

International Association of Educators for World Peace

Georgetown University

25 November 1982

May I express my pleasure at having the opportunity of addressing this important conference. Its theme, **Education for Survival**, bespeaks the total crisis facing our human race on planet earth. Total crisis calls for total solutions no matter how disagreeable these may appear to some. The time for theory about world peace is past. Bombs are ready to fall on our collective heads. Economic collapse is imminent; millions starve daily. Pollution, including radioactive, encroaches on our bio-system; bold and global action is required.

I consider my purpose my purpose here then to address squarely our common crisis as well as to propose a workable solution already in operation.

In sum, I intend to advance four propositions:

1. The cause of war is a state of anarchy between exclusive sovereign social units.
2. The sovereignty of these social units depends in turn on the exclusive allegiance given them by single human beings possessing, whether they know it or not, inalienable rights to choose their own political identity.
3. As one sovereign human being, owing no allegiance to any nation-state, I claim, as now do many others, to be a citizen of a global government as legitimate, if not more so, than any and all nation-states.
4. The evolution of this global government is the *sine qua non* of world peace.

Specifically, given the totality of war between sovereign nation-states, I maintain that exclusive nationality, being the civic condition which

perpetuates anarchy between nations, is not only immoral and irrational but illegitimate; and secondly, both world citizenship and world government are not practical realities but possess their own legitimacy and are the only method to achieve world peace.

To better illustrate the first point, in the nation-state world, no matter how you may regard each other personally or organizationally, every one in this room is designated an "alien" by billions of his or her fellow humans. That is, as exclusive national citizens, every human outside your particular nation is labeled "alien" by your own nation. Furthermore, many of you are also labeled, "enemy" by millions more no matter what other contacts you have or what your religious beliefs are.

Now, like you, I have several legal labels. If you are a United States citizen, for instance, I am for you an "excludable alien." I am also "stateless." These labels are the result of Justice Department and judicial determinations in the civil courts.

If you are a citizen of another nation, I am simply an "alien." If, on the other hand, you are a refugee or a stateless person, I am a fellow human legally outside the civic paradigms of the nation-state.

But there is another legal label for those who are already declared world citizens and registered with our global government. For you, I am legally your fellow world citizen. More of this process later.

Now the nations to which most of you belong claim that war is legitimate and their sovereign right, each an every one. Though half-hearted attempts have been made by national delegates since the Kellogg-Briand Pact of 1928 to outlaw war, none have obviously been successful.

The first question we must then ask is, are delegates of nation-states capable of eliminating war between them? Another way of asking the same question: can sovereign nations in deadly competition with each other give up the one quality which justifies that sovereignty: the right to wage war or in its euphemistic terms, "defend" itself?

Obviously, the essential condition for the elimination of war-making between equally sovereign units would be to deprive those units of that so-called legitimate right. And here is the Catch-22. The answer as to whether they can do it themselves is evidenced by the one hundred and twenty eight

wars since 1900 with today's so-called superpowers deadlocked in a suicidal arms race.

Emery Reves in "Anatomy of Peace" wrote in 1945:

"The real cause of wars has always been the same. They have occurred with a mathematical regularity of a natural law at clearly determined moments as a result of clearly definable conditions. 1. Wars between groups of men forming social units always taken place when these units - tribe, dynasties, churches, cities, nations - exercise unrestricted sovereign power. 2. Wars between social units cease the moment sovereign power is transferred from them to larger or higher unit...In other words, wars always ceased when a higher unit is established its own sovereignty, absorbing the sovereignty of the conflicting smaller units."

Applying that formula to the nation-state system, an outside or higher sovereignty would be required in order to outlaw war between equally sovereign social and political units. In virtual confirmation of this largely unrealized fact, the Secretary-General of the United Nations, Dr. Perez de Cuellar claimed yesterday that though all U.N. members have signed the Charter, they *"have conveniently forgotten that it binds them to settle their disputes through negotiation."*

Reves, writing while the San Francisco Charter was being designed, reminds us that:

"Throughout the entire history of all known civilizations, only one method has ever succeeded in creating a social order within which men had security from murder, larceny, cheating and other crimes, and had freedom to think, to speak and to worship. That method is law."

"In short, peace among men and a civilized society - which are one and the same thing - are imaginable only within a legal order equipped with institutions to give effect to principles and norms in the form of law, with adequate power to apply those laws and to enforce them with equal vigor against all who violate them."

Now thirty eight years , 75 wars later and some four trillion dollars spent on armaments, we know the truth of that statement.

But if nations cannot eliminate war against them and it requires a higher authority, the question remains, from what source can this higher authority derive?

Here is the first mental and emotional barrier to overcome. Does it involve you and me? My friends, if world war involves you and me, then conversely world peace must involve you and me...and intimately.

That is the bullet we must bite if we are serious about world peace. However, If I am to be involved in this process of establishing an outside or higher sovereignty, it is irrelevant that I call myself a monotheist or a human being, a father, a world educator for peace or that you call yourself Christian, Jew, Moslem, Buddhist, Quaker, black or white, male or female, father or mother. Because what alone is relevant in this context is your and my legal participation in war-making or your and my legal participation in peace-making.

To arrive at this realization may not be easy for most of us because it means a reexamination of the loyalties which now bind us. We fear to lose them. Better the devil we know than the devil we don't. However, as I began, total crisis implies total solution. Nothing less will suffice than total commitment to world law.

The obfuscation surrounding the question of peace comes from all directions: moral, social, economic, biological, educational. And while I admit that peripherally moral, ethical, social, economic, educational and biological factors all play their role, still, when it is a question of the sheer survival of the species, the bottom of the line is the legal right either to wage war or to make peace.

If this is true, then, as I indicated, the problem of peace is neither moral, educational or technical but legal. If you doubt this let us examine its premise more closely.

Legally, we are living in a geocentric world of nation-states. We look upon economic, social and political problems as "national" problems. No matter in which country we live, the center of our political universe is our own nation. In our outlook, the immovable point around which all other

nations, all the problems and events outside our nation, the rest of the world, supposed revolve, is - our nation. Unfortunately, our attachment to our particular is not only legal but pervasively emotional.

But when nations deal with other nations, the individual citizen is forgotten. The civic communication is cut between individual and head of state. He speaks for the "nation" not for the individual citizens. You have no input to such decisions supposedly taken in your name.

Yet such is the duality of the nation that even though it claims to be the legitimate representative of its people, a closer examination will reveal that it has relinquished its legitimate right to wage war both by its own laws and by binding international common law.

I will give only three examples of proof though there are a myriad more. Though the first declaration of legitimacy of war-making and even war preparing was the Kellogg-Briand Pact of 1928, it was the Nuremberg Decisions formulated in 1945 to try the Nazi leaders which actually defined an international penal code.

These principles explicitly state that "any person who commits an act which constitutes a crime under international law is responsible therefore and liable to punishment." (Principle I); secondly, that "crimes against peace, war crimes and crimes against humanity are punishable as crimes under international law." (Principle VI); and thirdly, that "complicity in the commission of these crimes is itself a crime under international law." (Principle VII). As to the responsibility of the national citizen acting on orders from his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him."

The United Nations General Assembly accepted the Nuremberg Principles in 1950 as part of international law. We have to conclude therefore - with the International Commission of Jurists - that "the Principles of Nuremberg are today fully accepted as a part of international law."

These Principles constitute the first international penal code which superseded national obligations.

But what are "crimes against peace"? They are defined as:

1. Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;
2. Participation in a common plan or conspiracy for the accomplishment of any acts mentioned under 1.

But, you will ask, aren't these all acts of sovereign nations, especially violating international treaties, agreement or assurances? Isn't that the game of diplomacy totally outside popular control? Then how can the Nuremberg Principles hold the individual citizen responsible? Well there is one citizen who possesses the legitimate right to speak for the state. That is the president or prime minister or secretary-general of the controlling party. If the Nuremberg Principles applies only to state leaders, then with minor exceptions, all are war criminals for all are either "Planning, preparing, initiating, or waging a war of aggression" though such inhuman activities are always couched in the sacred name of "national defense."

None the less, the Nuremberg Principles, in spite of no enforcement process, at least in principle, declare war outlawed.

The second proof of the illegitimacy of war, this time pertaining directly to the nation itself begins with the 1947 Showa Constitution of Japan, Chapter 11, entitled, "Renunciation of War."

Article 9 states "Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes. In order to accomplish the aim of the preceding paragraph, land, sea and air forces, as well as all other war potential, will never be maintained. the right of belligerency of the state will not be recognized."

The extraordinary and precedent-shattering implication of Article 9 is that the concept of state sovereignty no longer has any validity.

After a trial of 30 months beginning on 3 May 1946 in Tokyo, the International Military Tribunal for the Far East gave down the "Tokyo Judgement." It pronounce sentence on twenty five accused war criminals. Part of the Judgement dealt with the alleged right of self defense of a nation. It stated:

"The right of self defense involves the right of the State threatened with impending attack to judge for itself in the first instance whether it is justified in resorting to force. Under the most liberal interpretations of the Kellogg-Briand Pact, the right of self defense does not confer on the State resorting to war the authority to make a final determination upon the justification for its action."

The implications of this judgement have largely been ignored by both the succeeding national leaders and the general public. It confirmed and universalized the concept of Article 9 in two ways. First, it introduced into the concept of command responsibility an arbitrary element of chance which effectively denied the state the right to impose such a risk on any individual. Second, by a radical interpretation of the Kellogg-Briand Pact of 1928 which condemned "recourse to war for solution of international controversies..." and renounced it "as an instrument of national policy..." the judgement removes the sovereign right of self-defense.

The renunciation of the right of belligerency contained within A-9 was therefor given international legal standing by the Tokyo Judgement.

My last example of the illegitimacy of war-making by nations is contained in the Universal Declaration of Human Rights. Certain argue that the Declaration is not law. Yet eighteen nations today have incorporated it into their own constitutions. Many more refer to it in the Preamble. But the crucial fact about human rights is not their universality but their legitimacy. Consider firstly that that war-making is a function of sovereignty. Yet all national constitutions without exception claim to derive from the sovereign people. In other words, the exercise of fundamental human rights in the first place gave rise to all national constitutions. It follows that the legitimacy of human rights themselves is categorical.

Then by elementary reasoning, if the people are sovereign and innately legitimate, as stated in all constitutions and reaffirmed in such documents as the U.S. Bill of Rights, particularly in the 9th and 10th amendments, then we are sovereign and legitimate not as "Americans," "Indians," "Soviets," "French," or "Nigerians," but as humans.

It follows that the world's people, that is, humankind as such, is the ultimate and largest sovereignty on planet earth.

This humankind, of which each of us is a dynamic part, is innately and inalienably legitimate and in contra-distinction to that of the so-called sovereign state. Otherwise human rights themselves are not legitimate.

The United Nations Charter, in Article 56, obliges each Member-State to "observe and respect fundamental human rights" as a very condition for its membership. In so doing, it negates its sovereign character.

The Universal Declaration of Human Rights is explicit concerning our sovereign rights. Article 1 states that:

"Everyone is born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

For the protection of our fundamental rights, Article 28 states:

"Everyone is entitled to a social and international order so that the rights and freedoms set forth in this declaration can be fully realized."

We have at last arrived at the genesis of world government by first exposing that exclusive national sovereignty is no longer legitimate and secondly that human sovereignty in terms of fundamental human rights is legitimate.

Thomas Paine has some illuminating thoughts on how government begins:

"It has been thought a considerable advance towards establishing the principle of freedom to say that government is a compact between those who govern and those who are governed; but this cannot be true, because it is putting the effect before the cause; for as men must have existed before government existed, there once was a time when government did not exist, and consequently there originally exist no governors to form such a compact with. The fact therefore must be that the individuals themselves, each in his own personal and sovereign right, entered into a compact with each other to produce a government..."

This "entering into a compact" is the social actualization of our innate and inalienable legitimacy.

Therefore world peace, as a result of a new global compact with fellow humans which legitimizes each partner in a partnership, a veritable horizontal network of sovereign individuals, in turn the aggregate - the "citizenry" or "people" - which creates the new institution of government, no longer appears either idealistic or utopian but eminently realizable in the here and now since it depends essentially on the sovereign will and **discretionary** decision of each individual concerned.

To conclude, for world government to come into being, humans must first identify themselves legally **beyond** the nations paradigms. This is no feat since simply to recognize oneself as human is already to transcend the nation-state. But human law is evidently not exclusive national law. Therefore, each individual must identify himself or herself as a world citizen. **This becomes the first social communication or compact essential to the evolution of world government.**

But I must warn you, while to sign this Pledge of Allegiance to World Government is a perfectly legal act and the exercise of you inalienable right, it is also a revolutionary act. For it means that you are declaring your own sovereignty as against that of the state. You are taking your destiny into your own hands and declaring your worldly independence and freedom. You are crossing the razor's edge from the theory of world peace to its reality in microcosm.

E. B. White has written:

"World government is an appalling prospect. Many people have not comprehended it or distinguished it from world organization. Many others, who have comprehended it, find it preposterous or unattainable in a turbulent and illiterate world where nations and economics conflict daily in many ways. Certainly the world is not ready for government on planetary scale. In our opinion, it will never be ready. The test is whether the people will chance it anyway like children who hear the familiar cry, 'Coming, ready or not!'"

Educators for world peace, I enjoin you to educate by your world peace-making action...ready or not.

Thank you.
