

# From the UN to a Federal World State: Debunking the Dystopian Nightmare

Manuel Müller

*Posted: 20 June 2017*

Manuel Müller is a research associate and PhD student at Humboldt-Universität zu Berlin and author of the German-language blog "Der (europäische) Föderalist" ([www.foederalist.eu](http://www.foederalist.eu)) which deals with issues of supranational democracy on the EU and the UN level. In this essay he notes the relevance of a reformed UN for the process of establishing a global set of common rules, while recognizing the fears that this idea often engenders.

---

*The world state and the United Nations: It's not whether we want a global regime, but what it should look like*

The world state is not enjoying its best moment. Tracking the use of the term over time, a pattern emerges: intensive discussions about a global regime were most prominent when world wars were devastating the earth and overcoming the sovereign nation-state was seen as the best way to reach a lasting peace. After 1945, however, the idea went into decline (with small upticks at the beginning of the 1960s and the 1980s, when the confrontation between the superpowers temporarily intensified), and since the end of the East-West conflict, the debate has pretty much wound down.

And it is not only that the world state is regarded as unrealistic; there is anything but consensus about whether it is desirable at all. A global central authority, whose laws would apply to the entire globe, appears to many as a nightmare scenario rather than a promise of peace.

*Global interdependencies create a need for regulation*

But perhaps the way in which the question of the world state is being put is itself mistaken. Indeed, there are so many social interdependencies on the global scale today that hardly anyone would seriously question the need for a minimal set of common global rules. The rapid growth of world trade and its impact on national wages and social regulations, the stability of the international financial system, the movement of migrants and refugees, tax fraud and tax avoidance, international terrorism and organized crime, climate change and the accelerated global spread of epidemics are just some of the issues that each nation is necessarily overburdened with. It is not by accident that since the 1990s there has been an enormous spread of the concept of global governance: the idea that there must be some sort of global regulation,

produced by the interaction of different political actors, without the need of a formal “world government”.

The most important site for this “global governance” is the United Nations, which has recently celebrated its 70th anniversary. As a global organization, it has been trying to provide political answers to global questions since the end of the Second World War – just as the early advocates of a world state would have wanted. Thus, the question today is no longer *whether* we want a global regime, but *how* we are going to shape the one we already have. Does it meet the criteria of efficiency, democracy, and rule of law that we also apply to our political systems at the national or European level?

### *The helplessness of the United Nations*

Looking at the United Nations from this point of view, we quickly find problems quite unlike those that we might have suspected from reading classic dystopian novels. The main complaint about the global authority is not its excessive power, but, on the contrary, its striking helplessness in the face of urgent problems. When the United Nations is criticized, it is generally not for what it does, but for what it fails to do: when war and violence rage and the UN Security Council is unable to prevent it; when another UN climate conference ends without an agreement being reached; when an epidemic spreads over the planet and the United Nations cannot find the money to fight it.

The cause of this striking inefficiency of the global political system is, of course, the lack of power and control on the part of the UN agencies. The regular financial resources of the United Nations amount to less than \$15 billion a year – all other costs must be covered by voluntary contributions from member states. And unlike the EU, for example, the UN General Assembly does not have any supranational legislative powers: it can adopt resolutions and draw up international treaties, but these will only become international law if they are ratified by the member states themselves.

### *A weak UN does not make member states more free*

The only decisions to have a direct legal effect are those of the UN Security Council, which has interpreted its mandate on “safeguarding world peace” quite widely over the past years. But even the Security Council is dependent on the cooperation of member states in order to implement its resolutions. And there are, of course, the five veto powers (the US, France, the UK, Russia, and China), which repeatedly block important decisions because of their own national interests, thus leaving the United Nations to play only a marginal role in the biggest armed conflicts of recent years, from Syria to Ukraine.

However, contrary to what an enthusiastic supporter of national sovereignty might think, the consequence of this weakness of the UN is not more freedom for the individual member states.

After all, global problems do not simply disappear just because there is no global authority that can take care of them. Certainly, no state would be pleased if it could be outvoted in global climate negotiations, or if it had to comply with mandatory UN rules on banking regulation. But without a capable UN, there is no actor bound to the common interest of humankind as a whole – and in the conflict between national self-interests, global problems either remain unresolved, or are resolved at the expense of the weakest. At the end of the day, a purely national democracy cannot function given the existence of cross-border interdependencies.

### *The power of the Security Council and the protection of fundamental rights*

But the helplessness of the United Nations against the sovereignty of its member states is only one side of the coin. On the other side, there is also the power of the UN over the individual people under its control, which is often terrifying even now. In recent years, human rights violations by UN personnel and members of UN peacekeeping forces have occurred repeatedly. At least all sides agree that this is an evil that must be combated. In 2007, the United Nations instituted a Conduct and Discipline Unit to investigate such cases and, if necessary, take disciplinary action. Criminal prosecution, on the other hand, is left to the respective national states because the UN lacks a legal competence for this.

From a legal-policy point of view, therefore, another development is likely to be even more serious: namely, the resolutions adopted since 2001 by the UN Security Council to combat international terrorism. These include a list of persons that the Security Council considers to be al-Qaeda members, and an obligation under international law for the member states to freeze all funds from all persons on this list. At least at the UN level, those affected have no way for to proceed legally against their classification as a terrorist – which of course violates fundamental principles of the rule of law.

In the famous “Kadi” case, the Court of Justice of the European Union therefore decided to place decisions of the UN Security Council under a kind of general reservation of fundamental rights. But this, of course, solves the problem only for the citizens of the EU. Meanwhile, the United Nations themselves (and especially the Security Council) still show little sensitivity when it comes to balancing the fight against terrorism and the protection of fundamental rights.

### *World Constitutional Court and World Parliament*

The more supranational power we want to transfer to the United Nations, the more important it becomes to shape it in a democratic way and according to the rule of law. This means, on the one hand, that there must be an effective division of powers and a protection of fundamental rights at the UN level: the Security Council cannot wield legislative, executive and judiciary power at the same time. Instead, we need some sort of a World Constitutional Court that would allow individuals to make legal challenges to UN decisions and would ensure that the agencies of the United Nations do not exceed their mandate.

On the other hand, the citizens themselves need more opportunities to participate in shaping UN law without mediation by national governments. One tool for this could be the existing global parties (or “internationals”), which could serve for a system of global political representation on the basis of ideological convictions rather than nationalities. But in order to become more significant, these global parties need a forum at which they can be politically effective – a UN Parliament, or at least a global Parliamentary Assembly.

Has anyone just said “world state”? We do not need the world state as a value in itself or as an abstract, utopian master concept. What we need is a stronger, more effective and more capable UN that allows us to solve global problems, while at the same time meeting certain legal and democratic minimum standards. But if what then emerges bears certain similarities to what one might call a “federal world state”, we should not let that deter us from our course.

*This article was first published in German on the blog “Der (europäische) Föderalist”.*