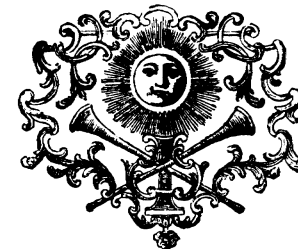


# THE FEDERALIST

a political review

*To look for a continuation of harmony between a number of independent unconnected sovereignties situated in the same neighbourhood, would be to disregard the uniform course of human events and to set at defiance the accumulated experience of ages.*

Hamilton, The Federalist



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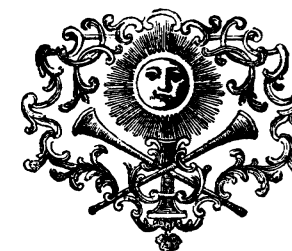
YEAR XXXIV, 1992, NUMBER 3

# THE FEDERALIST

a political review

*Editor:* Mario Albertini

*The Federalist* was founded in 1959 by a group of members of the Movimento federalista europeo and is now published in English and Italian. The review is based on the principles of federalism, on the rejection of any exclusive concept of the nation and on the hypothesis that the supranational era of the history of mankind has begun. The primary value *The Federalist* aims to serve is peace.



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*Index to Volume XXXIV (1992)*

## From Common Rules to a World Environmental Government\*

1. From the 3rd to the 14th of June, over 100 heads of state and government and national leaders sought to deal with ecological problems using the politics of world summitry within the framework of the UN-sponsored Rio Conference on the environment and development (UNCED). About 150 states signed two treaties in Rio: one on climate protection, the other about safeguarding biodiversity (not signed by the United States). A *Declaration of Rio*, which set down the principles states should follow to promote environmental-compatible development, and *Agenda 21*, a plan to make the commitments undertaken in Rio become reality, were both adopted. In *Agenda 21*, which aims ambitiously to set the guiding principles of UN activity in environmental issues into the next century, the states recognised "the need for institutional reform of the United Nations, and for action which is based on the principles of globality, democracy and responsibility." But the sole institutional innovation in the *Agenda* is the proposal to establish a Commission for sustainable development, whose tasks and powers are left undefined.

As regards North-South relations, the absence of binding decisions on the availability of increased financial resources and technological transfers, leaves the World Bank, IMF, GATT and G7 (all institutions in which the poorest countries currently have scant influence) with discretionary control over the modes of financing national environmental policies. Southern countries, with China and the Group of 77 (that now represents more than 100 states) at their head, make up a majority of the human race

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\*In this issue we have published some of the contributions presented at the international Convention held in Turin, 11 April 1992, on the theme "For a world government for the environmental emergency: a world agency for the environment, and a global carbon tax." The Convention was organised by the European Federalist Movement in conjunction with the World Federalist Movement, in view of the then imminent United Nations Conference on Environment and Development in Rio.

both in terms of population and numbers of states. Yet they only managed to obtain a rider to *Agenda 21* that proclaimed the need to democratise the running of certain of the World Bank's intervention structures in the environmental field.

2. The results of the Rio Conference, when compared to federalist demands, leads to a negative judgement. No world authority was created at Rio; nor was any decision taken to introduce an international environmental tax; nor was any reform of the UN initiated. The Rio Conference did not even represent an advance, as far as proposals are concerned, from the Hague international summit on the environment, held on 11 March 1989. On that occasion, 24 heads of state and government, Mitterrand and Kohl among them, signed a declaration calling for the creation of an authority that would have as its purpose the conservation of the earth's atmosphere; to which end it would be responsible for the struggle against global warming by exploiting an effective decision-making structure that would function even in the event that a unanimity agreement were not forthcoming.

In the wake of the Rio summit, world public opinion has undoubtedly acquired a greater appreciation of the need to establish new international common rules in the environmental field. Equally, it has been able to take note of the inefficiency, the lack of democracy and laboriousness of the intergovernmental approach, as enacted by about 180 states.

In fact, the organisers attempted to apply the model of European integration at the world level (albeit in an uncertain and inadequate manner), without taking into account that from the outset this has only in part been based on intergovernmental action. In his memoirs, Jean Monnet recalled that the birth of the ECSC (European Coal and Steel Community) in 1951 was the result of a commitment by a small group of European states (led by France and Germany) to go beyond a simple agreement about common rules in the strategic sectors of coal and steel, due to a common concern about a return to the conflicts of the past. In fact, the ECSC Treaty, thanks to Jean Monnet's foresight, and the agreement of France and Germany, was not a normal international agreement for the regulation of coal exploitation and steel production. Instead, it marked the creation "of the first legal steps towards a larger and deeper community" between peoples that until then had been divided by bloody conflict. In this way, from its very outset, the ECSC was endowed with institutions that anticipated its transformation into a solid federal union. Indeed, as an example, the Treaty provided for the creation of a High Authority under

the control of an Assembly which would, at some future date, have to be directly elected by European citizens (this was achieved in 1979).

There was no evident leadership in Rio to equal that shown by France and Germany in 1950's Europe. The US, USSR and European Community, which at the beginning of preparations for the Rio Conference had seemed destined to take on this role, gradually withdrew from the limelight. The USSR, which had repeatedly proposed UN reforms that reflected the environmental emergency, fell apart. The European Community, which had been called on to sponsor a document about possible institutional solutions and which had launched the proposal of a carbon tax, arrived at the deadline in Rio following the Danish "no" to Maastricht, when it seemed that the conclusion of the process of European union had been put in doubt. The US, which during the preparatory stage had sought to dispute both the new Soviet vision and the European proposals, was happy to sustain that there was no reason to subjugate American environmental policy to new international rules.

3. The Rio meeting greatly raised the hopes of world public opinion and of the hundreds of non-governmental organisations that, with various international initiatives, sought by all means available to influence the outcome of the Conference. Among the most memorable of these initiatives were the collection of millions of citizen's signatures on various appeals, the pressure applied to parliamentarians throughout the world, and a *Global Forum* held alongside the world summit of the heads of state and government in which the representatives of about 2,000 organisations participated. As we have seen, the Conference was unable to give a satisfactory response to these expectations. But it was not able to ignore them. Indeed, two deadlines were set in *Agenda 21* in relation to which many European and American environmental organisations have already started work: the new Commission on sustainable development should meet by the end of 1993; and by the end of 1997 the General Assembly should hold a special session to verify if, and in what way, the decisions taken at Rio have had a result, and to plan further action in the institutional sphere. These dates assume particular significance if another deadline, one proposed by the Secretary General of the UN, Boutros Boutros-Ghali, in his *Agenda for Peace*, is taken into consideration — 1995, by when the first stage of the reform of the United Nations should have been effected.

The 1990's, then, presage a period in which mankind will have the second opportunity this century (the first being lost with the failure of the

League of Nations) to establish the foundations of a solid world community. In this perspective, the Rio Conference should be considered as a step forward only to the extent in which it is exploited to accelerate the democratic strengthening of world institutions. This will be possible if the creation of a world parliamentary assembly is begun, and the proposals of the 1946 Baruch Plan are taken up again. The Baruch Plan provided, in the military sphere, for: a) the abolition of the right of veto with regard to sanctions and punishments against states defaulting on agreements relating to the pacific use of nuclear energy; and b) the attribution of responsibility for atomic energy research and use to a world authority under the direct control of the Security Council. Should the Rio decisions be exploited for maintaining the status quo, however, the Conference will be seen as one in a long series of failures by the states.

In conclusion, it is worth emphasising that the opportunity to reform the UN along democratic lines risks disappearing irretrievably, should the process of world integration (which in the coming years seems destined to proceed more rapidly in the area of defining common rules for military and ecological security) not be securely anchored to a gradual strengthening of international institutions. In this area, federalists can make a contribution to defining an international initiative for democratic reform of the UN — on the basis of their long experience in campaigning for direct elections to the European Parliament in the 1970's, and their current activity which aims to give this Parliament a constituent mandate. In relation to this point, it is worth remembering that at Rio the World Federalist Movement was recognised as playing a leading role in coordinating the activities of the non-governmental organisations. As a result, it is possible to take the unfinished business of the Rio Conference as a starting point, and re-double efforts to prepare the ground for the constitutional evolution of world institutions. It is such action that enables the citizens of the countries of the world to affirm their right to play a role in the preparation of the constituent stage for the creation of a world federation.

*The Federalist*

## Federalism and Ecology in the New Stage of the Historical Process

FRANCO SPOLTORE

### *Introduction*

I. The risk of a nuclear holocaust is no longer the only danger at the centre of concern over the difficult ecological situation in our planet. Other ecological threats now hang over the destiny of mankind,<sup>1</sup> and raise the problem of organising a system of global security capable of guaranteeing development for all peoples through peaceful uses of science and technology. According to Einstein (one of the first to have seen in the explosion of the atomic bomb at Hiroshima also "the explosion of outdated and anachronistic political ideas") such a system should be based "on the institution of a world government, in order that the safety of nations is based on law."<sup>2</sup>

The difficulty of achieving this project is testified to by the failure, barely a year after Einstein had expressed this idea, of the attempt to create a World Authority for the control of nuclear energy — an attempt which could also have, for a time, laid the foundations for a world environmental government. This is something which mankind, faced with a choice between union and self-destruction, must once more consider.

Following this failure, the nations tried to find a substitute for world government in international cooperation. The objective difficulty of resorting to traditional instruments of power politics to resolve conflicts in fact forced them, despite the Cold War, to pursue common policies in a growing number of areas. However, this did not stop the proliferation of nuclear weapons, nor did it avert the ecological threat. Cooperation, though necessary to establish a climate of greater trust between nations, thus revealed itself, on the one hand, to be inadequate for coordinating the policies of more than a hundred and seventy sovereign members of the UN and, on the other, incapable of affirming the values of equality, freedom and justice. The fragmentation of mankind into a myriad of states which wish to maintain an anachronistic sovereignty, is the real

obstacle on the road to sustainable development on a global scale.<sup>3</sup>

II. The problem of promoting development which satisfies the needs of current societies without compromising the possibility of future generations to satisfy their requirements, has always been, to take up the definition given in the Brundtland Report, in a certain sense at the centre of national policies. In an attempt to pursue the objective of national security, all countries have in fact always sought to take account not only of *actual* shortages, but also of *potential* shortages of resources that have at one time or another been considered strategic — in order to be able to compete commercially, economically and militarily with other countries. It is in this sense that we may say that countries have already set themselves the objective of sustainable development, but only on a national scale. Following the Second World War, however, the national context has become too narrow to promote development. The great continental states (the USA and USSR) and the areas in which the processes of regional integration have been consolidated (primarily the European Community) have become the new driving centres of development. But in this connection it should be observed how, while Western Europe and the USA have reduced their rates of pollution and resource wastage, the development of the ex-USSR and of the countries which were once its satellites has only taken place thanks to a frightening increase in pollution and resource wastage. The Western ecological success story and the Eastern ecological disaster can not be explained simply as a further confirmation of the superiority of the market system of economics as opposed to one based on a planned economy.<sup>4</sup> The invisible hand of the market has in fact encouraged more ecological production and consumption mainly in places where the market itself has to a large extent been subject to internationally-agreed regulations.

Because the pursuit of sustainable development now affects the whole of mankind, it is therefore necessary to create a state framework adequate to the new dimensions of progress, by completing regional unification processes and consolidating international institutions; these are indispensable preliminaries for the realisation of “a solid international state.”

III. Although greater development has not implied, as we have already seen, a generally greater waste of resources, global pollution has reached a high enough level to put in danger the ecological balance on which mankind's survival on earth has until now been based.<sup>5</sup>

Even the first oil crisis in the 1970's, by reminding us of the potential scarcity of this raw material, produced adjustments in national energy

policies in most of the industrialised countries. Towards the end of the decade, in these countries, it was predicted that fossil fuels would gradually be replaced with other sources of energy in the course of about a century. However, at the end of the 1980's these forecasts were judged incompatible with the ecological security of the planet, to the point that international environmental diplomacy began to consider the idea of agreeing upon the introduction of a global tax on carbon dioxide emissions (carbon tax) in order to speed up the transition from fossil fuel usage — which is responsible for the greenhouse effect — to alternative energy sources. Thus, the *potential scarcity* of natural resources began to be considered not only from the viewpoint of production needs, but also from the perspective of preserving the living conditions of the planet. Hence, an awareness developed that it was the vital qualities of the atmosphere, the climate, the oceans and the space which the earth occupies, that had become scarce. But this awareness has not yet been translated into effective management of the transition towards a world increasingly controlled by man.

IV. What scenario is compatible with this transition? How can it be organised? What investments are necessary to improve (and by how much?) the quality of the atmosphere and oceans? What price can be put on resources consumed and not renewed?

To answer these questions it is necessary, as mentioned above, to take into consideration the new global responsibilities which nations and the market should accept in the current stage of history; for the traditional rule of good government, according to which “*Salus populi suprema lex*” (the well-being of the people is the supreme law), only has a meaning today if it relates to all the peoples of the world.

It is sufficient to consider one of the fundamental indicators of scarcity, namely price, to realise the inadequacy of the economic instruments and policies which currently regulate our existence. In many respects people have not yet emerged completely from the primordial state of economic relations described by Locke, who, referring to the impossibility for the peoples of the Americas to set a price on land, observed that this was due to the fact that they had not yet “joined the rest of mankind in a consensus about the use of a common currency.”<sup>6</sup> Well, today we have to observe that mankind has not yet reached a consensus on the use of a world currency.

If, furthermore, the need for international taxation is admitted, then the application of the principle “no taxation without representation” cannot be confined to the national level: here too we have to observe that

today there are as yet no democratic global institutions in existence.

Finally, since it is no longer possible to direct development simply towards an indefinite growth in individual consumption, there is a need for a world economic government: a government capable of replacing the aim of continual growth in consumption with a more equitable division of consumption on a world scale.<sup>7</sup>

In what context is it conceivable to have a revolution in politics and economics capable of directing the action of the state, of the market and of each individual towards a development which takes account of the new relations that are being established between man and nature, and of the new relations which should be established between states?

### 1. *The root of the global ecological threat: the end of nature and the growth of the world city.*

“The extension of the borders of the *Human Empire* until they include all things”<sup>8</sup> coincided with the process of man’s colonisation of the world. It is an ephemeral *empire*, in which the possibility of altering the chemical, biological and climatic cycles on a local and global scale has not yet been matched with a corresponding capacity to govern relations between man and nature effectively. It is this incapacity which is undermining the possibility of pursuing the ultimate goal which mankind shares with other species: that of self-preservation. In the past the safety of other living species did not in itself represent a goal for mankind, except for the utilitarian goals of food and production. But mankind has now acquired the capacity, particularly through biological science and technology, not only for self-destruction, but also for preserving life and creating it in new forms for future generations. This means that on an ethical level, our duty towards nature now coincides with our duty towards ourselves.<sup>9</sup>

It was industrial and agricultural development that transformed the natural environment into a humanised world ecosystem.<sup>10</sup> In the last century, Marx himself was able to observe that nature as such no longer existed anywhere, except perhaps in some recently formed coral island. Certainly, in the 19th century man’s intervention had not yet endangered the existence of the entire ecosystem, and the development of science and technology had not yet crossed the threshold of the domination of nature.

Only without the intervention of man could the evolution of the world ecosystem have continued naturally, starting from the conditions that had

come about c. 180-200 million years ago, with that disintegration of the single great landmass which geologists call Pangea, the effects of which are still visible today in the phenomenon of continental drift. But the continual integration of mankind at the world level, eliminating distance and interrupting the genetic and cultural drift of continents, has reconstituted Pangea artificially.

However, agricultural and industrial innovation would not have been sufficient to upset the natural balance without the success of another phenomenon closely tied to the process of civilisation: the explosion of the city.

Man has in fact colonised nature, materially taking space from it and exploiting it for his own purposes, by means of the expansion and diffusion of the city. It is enough to recall that until the 17th century, the city was the only real artificial presence of any importance in the natural environment. Its development and diffusion has accompanied the process of humanising the world ecosystem to the point of constituting nowadays (alongside the industrial and agricultural world systems) a system which has an autonomous global environmental impact: the world urban system. Thus pollution, which has always been present in individual cities, has become global and ungovernable with the transformation of the world into a single city.<sup>11</sup> Despite this, mankind has not yet provided itself with effective institutions to promote ecological reorganisation of the economy and planning: a reorganisation which, setting itself the objective of saving the cities, is not in contradiction with the objective of saving the urbanised world ecosystem and of guaranteeing the quality of life at an urban level.<sup>12</sup>

In this connection it should be observed that experience, including recent experience, in the field of intervention in the larger urban areas, has shown the need to coordinate the treatment of urban ills at local and national levels, with continental and global policies in the fields of energy and transport. Transport and production systems, and energy-distribution networks cannot in fact be revolutionised at a local level without there being an overall global plan for their change. And, conversely, it is unthinkable that international agreements, endorsed to reduce the consumption of certain fuels or substances, can have any success without being coordinated with urban planning decisions.

The impossibility of protecting nature without a change of direction in urban development is increasingly linked to the contradictory policies which individual countries continue to follow. One example is sufficient to illustrate this point: Great Britain was the first country in this century

to start grand projects altering the urban balance (in the London region), placing itself in the vanguard of experimental policies of urban decentralisation; now, by agreeing to put an end to its geographical isolation by linking itself to continental Europe with the Channel Tunnel, the British government has imposed a strategic change on town and country planning in southern England. The prospect of the creation of an Anglo-Continental urban region has already begun to raise the problem of reforming the administration of Greater London and of creating new institutions suited to this new reality — which exceeds national control but is not yet subject to adequate international control.

The nation states, which for some time now have no longer constituted an adequate power structure within which to control scientific and technological development, are responsible for the policies of *laissez-faire* which are at the origin of the decay in the quality of life at the urban level and, linked to this, of the ecological threat at the global level.

This is not the place to analyse in depth how national short term policies have favoured the “derailment” of technology, and hence the “derailment of the cities,”<sup>13</sup> which occurred particularly in the last few decades in the industrialised countries; and, which is taking place today most notably in Third World countries. It is however opportune to emphasise how, from the point of view of scientific and technological innovation, mankind currently has at its disposal the capacity and knowledge necessary to contribute to recovering those aspects which, with the birth and flowering of cities, marked the birth and flowering of civilisation: the greater personal security and quality of life in the city as foreseen by Aristotle.

The question is whether mankind will be able to provide in time the necessary institutions to start down this road. In this connection, it is worth bearing in mind that the great works of the past, which still testify to the greatness of many cities, were achieved not only through the effectiveness of the labour and technologies employed, but above all thanks to the suitability of municipal institutions. These were capable of guaranteeing the realisation of undertakings which were protracted over decades, such as the construction of navigable canals, fortifications, and cathedrals. Leontief, reflecting on these works of the past, emphasises how, “although some researchers maintain that the civil economy obtains benefits from military training and from infrastructures in the less developed countries, and from research and development in industrialised countries, and that such benefits compensate for the negative effects of the military burden, it could also be said that a well-financed pro-

gramme of space exploration, or the construction or reconstruction of a railway network on a large scale — or the construction of ... modern pyramids — could serve the same object. Few could deny that the direct application of these resources for specific civil objectives would augment the potentiality of the civil economy.”<sup>14</sup> But what institutions could carry out these tasks today? What institution could, for example, effectively and democratically administer a world fund for the reorganisation and development of the greater urban areas?

The Brundtland Report forecasts an increase of up to 65% in the urban population of developing countries over the next few years; yet it is clear that no advanced economy could sustain similar urban growth while at the same time guaranteeing dignified living conditions for new citizens.<sup>15</sup> It is therefore impossible for developing countries to face the growth of their cities alone, while at the same time pursuing ecologically sustainable objectives.

In the face of these dangers, environmentalists and national policies have shown themselves still to be prisoners of the myths of *protecting unspoilt nature* and of the effectiveness of *laws in the national market*.

Environmental protectionism, effective as it may be in promoting a culture of respect for nature, has however revealed its limitations, because it is no longer enough to protect nature at the regional and national levels. One century after the beginning of the most important experiments made in the USA in this field, only a very small part of the earth's surface (little more than 1%, excluding Antarctica and Greenland) is protected by nature conservation areas. At this rate, by the end of the next century, we would end up protecting 2-3% of dry land.

The most extensive natural parks have been created in North America and Africa. But this has protected neither the former from cross-border pollution, nor the latter from the intensive exploitation of its immense natural resources. And even if the areas of greatest biological and scientific interest were identified for conservation — as in effect some world organisations have tried to do — the existence of national borders would constitute an insurmountable obstacle to deciding on effective international legislation.<sup>16</sup>

The case of Europe is a prime example. The Rhine basin, the region of the Alps, and the basin of the Danube, despite being areas of geographical and biological interest, are not subject to any effective legal protection (which in any case would have to take account of extensive urbanisation by now) because they are also the border areas of various countries. As the accident at Chernobyl dramatically confirmed, the existence of



national borders, far from hindering the spread of pollution, represents the most serious obstacle to the spread and application of policies protecting the health, safety and well-being of citizens.

A further obstacle to the extension of environmental protection over vast areas as yet unexploited by man for agriculture or industry, is represented by the problem of underdevelopment and debt. In this connection it should not be forgotten that the phenomena of deforestation and land reclamation have accompanied much of the development of European countries in the last few centuries. The first energy crisis was a deforestation crisis in Great Britain, and it dates back to the sixteenth century. Some developing countries are doing no more than following the same road, seeking to exploit the immense natural resources at their disposal in order to alleviate the burden of debt and underdevelopment. It is only through the concrete manifestation of global solidarity with regard to these latter countries that it will be possible to guarantee them prospects for development without forcing them also to put at risk, besides their own future, the future of all mankind.

Where the policies of nature protection have failed, attempts have been made to achieve the same goal through market mechanisms. The objective of reorganising the economy along ecological lines, and the debate over whether state intervention or the market should play a larger role in tackling ecological problems, has set off an often inconclusive battle between those who seek to bury the economy (i.e. who wish to ignore the realities of the industrialised economy), those who emphasise the need to determine values and prices for the environment, and those who claim to be able to control a problem which has always accompanied the development of civilisation (that of pollution) without taking its global dimensions into account.

In order to achieve the ecological reorganisation of the economy, it is necessary to use the market to re-direct consumption (by ecological taxes) and production (by incentives for ecologically useful technological innovations). But this implies first and foremost the existence of, and secondly the effectiveness of, institutions capable of stimulating and controlling the market at the level which is necessary nowadays. The US is trying to create a national market in poisonous emissions rights, in order to subject the producers of this type of pollution to the laws of supply and demand, within the framework of common minimum standards. But if this US policy is not integrated with that of Canada and Mexico, it cannot be successful. Similarly, the introduction of a European carbon tax, which would represent an important example for the rest of the world,

would not on its own be enough to stabilise carbon dioxide emissions at 1990 levels without analogous commitments on the part of the US and the ex-Soviet Union. All this brings us back to the fact that, as the market is becoming more internationalised, state organisations must adapt to this new dimension.

The only response so far to these requirements has been of a diplomatic nature.

Alongside the pillar of global military security and that of a fairer world economic order, ecological security now represents the third pillar on which attempts are being made to strengthen international co-operation.

The UN and the European Community, despite their inadequacies, represent by far the two most significant international frameworks within which countries have tried to tackle the ecological problem — always within the confines of intergovernmental agreements. But, as was foreseeable, while new institutions and agencies at national or sub-national levels become, sooner or later, an integral part of the national institutional system, the same cannot happen at the level of the European Community and the United Nations. With regard to ecological security, nobody has gone beyond the borrowed terminology launched by Gorbachev and adopted by the Warsaw Pact, before its dissolution, with the solemn “Declaration on the consequences of the arms race for the environment and other aspects of ecological security” (July 1988).

Thus equal ecological security is spoken of (in the military field the term is reciprocal security), which should consist of a mutual recognition by all countries that respective ecological security cannot be guaranteed without the cooperation of all nations. An appeal is made to the need to forbid ecological aggression, with all countries being assigned the responsibility of preserving the natural wealth that is considered the common property of mankind. The transparency of information and the establishment of special agencies is called for, in order to prevent cross-border pollution.

This terminology relegates the two principal problems which diplomacy cannot solve alone to second place: that of the sanctions to be imposed on defaulting countries; and that of the nature of the Authority which should decide on such sanctions.

When one considers one of the most alarming phenomena of the ecological emergency, i.e. the increase in greenhouse gas emissions, the majority of scientific forecasts agree that these emissions are destined to:

- 1) continue to grow at highly accelerated rates until 2010 or 2020 if

present technological efficiency standards and patterns of demographic growth and urbanisation are maintained (this is called the invariable efficiency hypothesis); 2) continue at a slower rate if a generalised consensus is established on the introduction of regulations capable of promoting greater energy efficiency and energy reconversion (the international consensus hypothesis); 3) be reduced if a world ecological tax is introduced and if the rational management of resources is achieved at an international level (the precautionary hypothesis).

Only in the event that the precautionary hypothesis is pursued at a global level will it be possible to reverse the tendency towards global pollution within twenty to thirty years, and to make pollution recede to 1970 levels within a further twenty to thirty years.

If this does not happen, it is impossible to foresee any future for the earth.

If this be the nature of the problem, then the creation of an ecological security system must be set within the perspective of the progressive commitment to policies that favour a strategy of common global security. This strategy cannot but coincide with the strategy for the creation of a democratic world government. It is in this perspective that the creation of a World Authority linked to the UN would be established.

The fact that the realisation of such a government will probably require much longer than the period predicted nowadays simply for producing a reversal of the trend to increase global pollution, does not mean that fighting for this objective will be ineffective in contributing to resolve the ecological problem. As the case of Europe shows, although European Union has not yet been fully achieved, the fact that the process of unification has progressed, slowly and laboriously but so far irreversibly, has represented a decisive factor in directing national policies *de facto* in a continental direction. This has happened in all those sectors, such as agriculture, industry, energy policy, transport policy and so on, which only until some ten or twenty years ago were considered of exclusively national competence.

In this sense, the pursuit of the ultimate objective of world federation, and the intermediate objective of regional federation, would have a significant ecological effect — in that these goals would define a framework of power at the regional and world levels that would be adequate for dealing with the ecological threat.

However, these objectives cannot be realistically advanced beyond the gradual overcoming of war economics, on which the world order has until now been based.

## 2. *The challenge of ecological reorganisation.*

A. *From a war economy to a peace economy.* The rapprochement of the USA and USSR was due among other things to the dramatic prospect of continual ecological impoverishment towards which the two super-powers, and particularly the USSR, were moving in their attempt to use all available means in their bipolar confrontation. Now it is becoming increasingly clear how many resources the start of disarmament could make available. As was shown in a study carried out by Leontief and Duchin,<sup>17</sup> among others, the decision to set aside resources for military ends, which is a political and not an economic decision, absorbs not only considerable financial resources, but also considerable energies in terms of human labour, raw materials and goods. On average, military demand requires more labour than is necessary to satisfy an equivalent level of civilian demand. But mankind, not having ever had the means until now to enjoy to the full the advantages of a peace economy (the only economy compatible with the sustainable development of the entire planet), has not yet become fully aware of the nature and quantity of resources potentially available for the realisation of common global security.

The transition from a war economy to a peace economy, therefore, is the first real revolution to be achieved in order to promote sustainable development. A revolution which until now nation states, in order to survive, have always put off or, as in the case of the USA, actually operated counter to. Thanks to the far-sightedness of its founding fathers, and of Hamilton in particular, the US was able to delay for more than a century the militarisation of its society. The Civil War itself, despite the heavy loss of life and increased military production, did not put the Government of the Union in the dramatic situation of having to re-direct the entire production, and even consumption, of its citizens. Thus the US, in contrast to European countries, has only recently had to face reorganising its peace economy into a war economy — in practice from 1917 onwards. It is paradoxical to observe how today many of the economic difficulties of the USA derive precisely from the necessity of dismantling what has only been established from the time of the First World War onwards (see Appendix I). And it is equally paradoxical to observe how, while the end of the Cold War put at the disposal of the United States and the ex-USSR peace-dividends that were unimaginable until only a few years ago, a dangerous tendency is now emerging towards the creation of new national armies and to the proliferation of arsenals of weapons of mass destruction.

In Western Europe, the primacy of the need for military security over all other considerations was beyond question until the end of the Second World War. Following the reduction of the military role played by European countries — corresponding to the increased role of the USA — and in the wake of European integration, the war economy has played an increasingly minor role in European development.<sup>18</sup>

Until only a few decades ago, dedicating large proportions of GDP (40-50% and even more), to military expenditure, even for long periods of time, was not the exception but rather the rule of survival for European countries. In the Eighties, this set of priorities passed to many of the developing countries.

The war economy, and the power politics connected to it, is, moreover, at the origin of a further very serious obstacle to the promotion of sustainable development: technological protectionism. This weapon of power politics, which in the past was camouflaged under the form of customs barriers or restrictive national standards, served to maintain the industrial predomination of the European powers over their colonies and, more recently, has been used in the Cold War by the West to stop the USSR, at least in military applications, from making up the technological deficit it has accumulated over the last twenty years. With the end of colonialism and of the confrontation between the US and the USSR, many impediments to the transfer of technology no longer have any reason to exist. But the race to constitute new countries which claim military and monetary sovereignty (both in the ex-USSR and Africa), and the race towards nuclear and missile proliferation, make it a question of urgency to stop any country from exploiting technological innovation to try and subjugate other countries in a particular region or even on a world scale.

Now that the nuclear sector is not the only strategic sector for security (but also biotechnology, space technologies and technologies for the exploitation of marine resources), and since many of these new technological developments also have an important ecological impact, the serious consequences of the failure of the 1946 Baruch Plan (see Appendix II) can be better understood.

Countries are today forced to face two opposing phenomena. On the one hand, *raison d'état* pushes them to try and conserve vast areas of technological innovation, above all in the nuclear, spatial and biotechnological fields; on the other, the international agreements which countries are obliged to sign in order not to be excluded from international trade, push them to fight technological protectionism.

For example, it was sufficient that in 1980 the Supreme Court of the United States recognised the patenting of a man-made micro-organism, thus setting the legal foundations for the commercial exploitation of biotechnology, to make competition break out, in the course of a few years, between hundreds of small companies engaged in inventing and commercialising new genetic products. In an attempt to forestall the risks of conflict between countries for the control over access to genetic material and its treatment, the US Congress in 1987 had to start an enquiry to establish up to what point US legislation is compatible with the international requirements of maintaining and promoting the survival of genetic diversity.

To conclude regarding these problems, as long as countries are faced with a choice between investing in their own military security (in order to assert their right to existence) or becoming the pawns of other countries, the logic of the war economy will continue to prevail over any prospects for sustainable development. For this reason, when considering the issue of resources which must be liberated in order to start truly sustainable development, it is necessary first of all to consider the problem of the definitive abolition of the danger of war between all peoples. Hence, effective control of the ecological problem cannot be detached from the prospect of establishing a peaceful world order.

B. *From war reparations to ecological reparations.* The industrialised countries cannot count on the financial onus of global ecological renewal being equitably distributed between all countries. The ecological reorganisation of economies would in this case have unacceptable costs for developing countries. A mechanical and generalised application at an international level of the principle “the polluter pays”, already widely introduced in most industrialised countries, would be unjust. As indeed it would be equally unjust to maintain *sine die* the power of veto which the major industrialised countries have begun to exercise within the World Bank (particularly the USA) and the Lomé Convention (the European Community) so as to block the financing of Third World projects judged ecologically incompatible or dangerous. This state of affairs, which is unavoidable in a world lacking democratic institutions, cannot be maintained for long without creating new reasons for conflict between North and South. The developed countries must therefore be ready (in their own interests) not only to sustain internally the greater burden of the global restoration of the ecological balance, but also to finance this change on an international level; accepting, for example, to

pay *ecological reparations* which are proportionate, not only to the quantity of poisonous substances still being released, but also to those already emitted into the atmosphere at least from the last century onwards. After all, it is thanks to this pollution that the industrialised countries have reached the levels of financial well-being which they enjoy today, and it is above all because of this past pollution that the risk of global climatic change has been created.

From this point of view, the principle of absolute national sovereignty over natural resources should be progressively replaced by the principle of common sovereignty, exercised jointly by the national and supranational levels (on a regional and global scale).

At the end of the Second World War, when the question of creating a World Authority to control the use of nuclear energy was raised, there was some discussion as to whether this Authority should have competence over the control of other resources, particularly that of oil. Today, just as fifty years ago, energy policy is of strategic importance for the ecological and military security of the planet. Precisely for this reason the fundamental objective of the Baruch plan (that of subjecting strategic energy sources to world control) should be relaunched with the proposal of establishing a World Authority (articulated on a continental level) for controlling the use and development of all energy resources. The principal financial resources for the activities of this Authority could come from a *carbon tax* and from global *ecological reparations* payments.

Recently the Gulf War brought dramatically to the fore the problem of a fairer distribution of the wealth derived from the exploitation of oilfields. The exploitation of oil in the Gulf area could thus represent an initial area for the application of common sovereignty and the payment of royalties. These would be paid in part to the World Energy Authority, within the framework of the UN, and in part to a regional Authority, within the framework of new institutions in which the Gulf states would be represented.

Moreover, such an Authority could have regional tiers, such as the pan-European and Mediterranean energy grid. The seeds of this are provided for in the European Charter for energy, which was proposed by the European Commission during the drawing-up of the CSCE (Conference for Security and Cooperation in Europe) Charter adopted in Paris last November — and the North American version, from the Arctic to Acapulco, as currently under negotiation in the context of the North American Free Trade Agreement (NAFTA).

Finally, this Authority could control the exploitation of the sea bed.

The Convention on maritime legislation has adopted the principle that maritime resources must be considered the common heritage of mankind; and indeed, for this Convention the institution of a World Authority constitutes a fundamental premise for not excluding most of the developing countries from exploiting the riches of the seas.

For countries with a large foreign debt, royalties could be transformed into quotas for debt repayments; the liability to pay royalties, far from penalising those Third World countries whose principal source of income is still the extraction of energy resources, would increasingly cause problems for those rich countries which still try to impede the ratification of the Law of the Sea Convention, and the commitment to sign analogous agreements for the exploitation of space. When the UN Security Council examined the problem of paying war damages caused by Iraq's invasion of Kuwait, it was already moving in this direction. It is worth recalling that on that occasion, the UN in fact imposed strong limitations on Iraq's absolute sovereignty with regard to oil, by establishing that Iraq should pay, for the next few years, "a contribution based on a percentage of the oil extracted and exported, which takes account however of the needs of the people and of the Iraqi economy" (Resolution 687, 3 April 1991).

Mankind thus finds itself obliged to decide whether the ecological emergency can still continue to be administered for much longer by the Security Council in a way that is ever more clearly undemocratic; or in an uncoordinated (and largely ineffective) way by the existing agencies at the regional and world levels (the Environmental Protection Agency in the USA; the future Environmental Agency in Europe; the United Nations Environmental Programme at the world level, etc). Alternatively, mankind must decide whether these problems should not rather be set within a new phase of the battle for the construction of international democracy (see Appendix III). A quick glance at past experience is enough to clear away any doubts.

The conviction emerged from the 1972 Stockholm conference, that no global action for environmental protection would be possible without the creation of a powerful international agency. However, such an agency, although necessary, was politically impossible within the UN, and the creation of an international environmental agency was therefore proposed. This agency was to be led for the most part by those countries that were most advanced in the subject of environmental legislation, and it was to have the task of establishing international ecological standards. Developing countries were however not prepared to recognise such leadership on the part of the industrialised world. Countries from the

North and South, with the crucial commitment of the USA to provide the necessary finance for its functioning, ultimately agreed to the start of a programme, UNEP (United Nations Environment Programme), for international coordination in the ecological field.

The second world conference on ecology (Brasil, June 1992) includes on its agenda the theme of reinforcing UNEP.<sup>19</sup> But the objective of reinforcing UNEP is not a political objective capable of mobilising world public opinion. It must not be forgotten that one of the factors at the heart of the failure of the first attempt to constitute a World Authority for the control of nuclear energy was the lack of involvement of public opinion in the countries which emerged victorious from the Second World War (and in particular the USSR), and the lack of prospects for democratising international relations. However, now that even in the ex-USSR strong central control of the circulation of information has ceased, and now that the consciousness of the necessity of creating forms of democratic world government is spreading even among Third World countries, the conditions exist for linking the ecological problem to the battle for democracy.

### 3. *The challenge for the federalists in Europe and the world.*

Although the current reality continually shows the necessity for new supranational democratic institutions to tackle the ecological problem, until now only in two areas of the world has an attempt been begun to manage environmental policy at least at a sub-continental level: North America, with the USA; and Europe, with the Community. But both these attempts reveal limitations. Only recently the USSR, with the new Union Treaty (before the failed coup d'état of August 1991), was also moving towards new forms of ecological control, based on common government of principal natural resources by the Union and the Republics.

While in the USA the ecological problem is giving the American federal system a hard test, the institutional incompleteness of the European Community model has produced a complicated system of harmonisation in the ecological sphere.

In the United States, ecological policy was not pursued by means of harmonising the policies of the federal States. The incentives and sanctions of the federal government, together with action carried out by the federal courts, have constituted the most important instruments of American environmental policy. These instruments have given a privileged role on the one hand to federal government in subsidising the

environmental policies of the federal States; and, on the other, the judiciary has been given power with respect to coordinating the various levels of government. However, with the passing of time, thousands of unsolved legal conflicts over ecological questions have been produced, and this has allowed important bodies to escape federal legislation for a long time. A good example is the case of the Tennessee Valley Authority, which for years did not observe the law on atmospheric pollution produced by its coal-fired power stations. Still on the internal front, New Jersey, for example, increasingly placed its trust in federal subsidies in order to realise its ambitious national environmental plans, without succeeding however in resolving the conflicts which for decades saw it in opposition to New York City (which only in 1987 agreed to improve its system of refuse disposal in accordance with a 1934 judgement); nor was it able to sort out its conflicts with Connecticut, which was dissatisfied with the regulations New Jersey applied with regard to atmospheric industrial pollution. Thus, to sum up, despite its legislative rigour in environmental matters, New Jersey must trust in the coordinating capacity (minimal in reality) of the EPA (Environmental Protection Agency), and export its waste and pollution to bordering states.<sup>20</sup> On the international agreements front, on the other hand, since such agreements can only be ratified with the consensus of at least a two-thirds majority in the Senate, the US administration has preferred in the past to promote specific ecological agreements, such as for example those between certain individual federal states and Canadian provinces, for fear of being defeated in the Senate.

Until now, the biggest spur in Europe towards the adoption of ecological policies has come from the converging interest of all the member-states of the Community in preventing the aggravation of intra-community trade conflicts — as was likely to occur with the adoption of diverse national ecological regulations. The Treaties of Rome, while not making any provisions on environmental matters, have played an important role in ensuring that, at least in the medium term, common ecological standards have been established which are more, rather than less, advantageous for citizens. But these regulations and standards, likewise the procedures for drawing them up and putting them into practice, have been shown to be insufficient both as regards directing the market more rapidly, and for meeting the ecological needs of the regional levels, which claim the power to differentiate between qualitative objectives to be pursued at the local level.

Thus, in Europe, besides the problem of creating a supranational leg-

islative framework and a real single market, the ecological emergency also poses the problem of realising a federal framework which must go further than the US federal model.

In particular it should guarantee both effective coordination between several levels of independent government (from district to pan-continental) and enough flexibility to tackle the ecological problems that exist in surrounding areas as soon as possible.<sup>21</sup>

This may be done in a broader context, such as that of the Conference for Security and Cooperation in Europe (CSCE) and the Conference for Security and Cooperation in the Mediterranean (CSCM). The European Federation will be unable to close in on itself: on the contrary, it is already being obliged to open up to other countries, starting with Eastern Europe, in the course of its creation. Not only this, but it will also be unable to base its activities on the traditional tools of foreign policy: military instruments and the economic blackmail of weaker countries. Thus, in order to achieve the ecological reorganisation of the European economy, Europeans will be forced to experiment with forms of ecological cooperation that involve both the East and South of the world. In other words, these policies must, in the interests of Europeans themselves, tend to support — and not to sabotage — the common policies of the world ecological community that is presently coming into existence.

As the Secretary General of UNCED (United Nations Conference on Environment and Development), Maurice Strong, remarked, the present inadequacy of the UN and its lack of capacity and means are a function of the severe restrictions imposed both on its mandate and its budget by the member-states. However, Strong continues, the world needs the UN, today more than ever. If it did not exist it would have to be invented. But the same difficulties which make governments reluctant to grant it more powers and resources today would make its refoundation dubitable. All this will require a serious examination of the necessity to extend to the international level the rule of law and the principle of taxation to finance actions decided on in order to make the national level itself governable. But this will not come about easily. Resistance to such changes is deeply rooted. These changes, according to Strong, will not happen because the ideologies and theories of world government are embraced, but as a pragmatic response to stringent imperatives and to the inadequacy of the alternatives. The concept of sovereignty has been an immutable, indeed sacred, principle of international relations. It is a principle which will surrender only slowly and reluctantly to the new imperatives of global ecological co-operation. There is no need for a renunciation or an

indiscriminate withdrawal of this principle. It is enough, Strong concludes, to recognise the fact that in many fields, and particularly on ecological questions, it simply is no longer possible to exercise sovereignty unilaterally on the part of individual nation states, however powerful these may be.<sup>22</sup>

World government will not drop out of the sky. Yet precisely because the construction of the European Federation is a necessary but not sufficient condition to resolve the problems posed by global ecological security, federalists must begin to set themselves the objective of contributing to the definition of a strategy at the world level. This must, above all, be capable of keeping alive the prospect of creating a democratic world government.

For this reason, the moment has come to relaunch at the world level the original aim which the EFM was founded during the Second World War in order to fulfil: the objective defined in the *Ventotene Manifesto* of the creation of a “solid international state.” The beginnings of world political life must be brought into existence around this objective.

The starting point, as regards strategy, could be demands for the institutional minimum necessary to start international democracy. In his address to the Commission for the creation of a World Authority on nuclear energy, Baruch had to admit that only “in a certain sense” did he and the other members of the Commission represent the peoples of the world. In reality Baruch, like the others, had to serve the old *raison d'état*, given that the reality at that time was such that President Truman, in the course of the Commission's deliberations, could remind him that “in no circumstances must we throw away our cannons, until we are sure that the rest of the world will not be able to arm itself against us.” For this reason, whatever Authority is proposed at the world level, and whatever new convention is discussed, federalists must fight first and foremost for the creation of a second assembly of the UN, to be elected by universal suffrage. Only in this perspective, in fact, can there be legitimate representation of both the interests of the peoples of the world, and the interests of those countries already represented in the present General Assembly and Security Council (albeit in a way that takes no account of the current glaring inequalities between, for example, states like China and Lithuania; nor of the impact which populous states like India, or economic centres like Japan and the European Community, have on the destiny of the world).

Far from limiting themselves to working out an ideal model of world government, the federalists must fight — basing their case on the

widespread need to resolve the problems posed by the process of history (and the ecological problem is one of these). The objective is that the foundations should be laid for the creation and development of a democratic government of the world. After all, the prospects of democratising the European Community are still based on two elements which made the EEC different from any previous association of states: the first was introduced in 1952 in the Treaty of the Coal and Steel Community, by which provision was made for the governing role of a High Authority, with the task of common administration of these resources to be entrusted to a directly-elected Assembly; the second, for which the European federalists fought strenuously, was the direct election of the members of the European Parliament, which was achieved in 1979.

Moreover, the fact of creating such a World Assembly would constitute a strong spur to strengthen democracy at the national level as well.

Until now the enlargement of the UN has been based essentially on the recognition of dozens of new sovereignties since the Second World War. With the creation of a directly-elected world assembly, the strengthening of the UN should also begin to be based on the principle of extending the sphere of democracy. In this perspective, the peoples of the world will also start to develop genuine loyalty to world institutions which are capable of exercising democratic control over the government of the world's problems.

## NOTES

<sup>1</sup> See Jonathan Schell, *The Fate of the Earth*, Alfred A. Knopf, 1982, and Bill McKibben, *The End of Nature*, Random House, 1989.

<sup>2</sup> *New York Times* of 15th September 1945, and 10th October 1945.

<sup>3</sup> The World Commission on the Environment and Development, *Our Common Future*, chaired by Gro Harlem Brundtland, states that sustainable development "contains within it two key concepts: the concept of 'needs', in particular the essential needs of the world's poor, to which overriding priority should be given; and the idea of limitations imposed by the state of technology and social organisation on the environment's ability to meet present and future needs."

<sup>4</sup> Mikhail S. Bernstam, *The Wealth of Nations and the Environment*, 1991, IEA, London.

<sup>5</sup> "The working man is not only a squanderer of present fixed solar heat, but even more so of that of the past. You know better than I how far we go in wasting resources of energy, coal, minerals, forests etc." Thus Engels wrote to Marx towards the end of the last century (Marx-Engels, Letters, 19th December 1882).

<sup>6</sup> John Locke, *Two Treatises of Government*, 1690.

<sup>7</sup> The problem of the start of a policy of austerity, as opposed to the restoration of a new era of consumption, was present in Altiero Spinelli's book, *PCI, che fare?*, Einaudi, 1978.

<sup>8</sup> This view, first made explicit by Francis Bacon at the beginning of the 17th century, implied the creation on earth of an artificial paradise modelled according to the requirements of man, because "the world is made for man, and not vice versa."

<sup>9</sup> As Kant had intuited.

<sup>10</sup> The term ecosystem was introduced in the 1930's by the British scholar George Tausley, in order to define scientifically the unity between living organisms and the environment in which they live; as indeed exists between man and nature. Before then this link had been considered almost exclusively from a religious and philosophical point of view.

<sup>11</sup> For a more in-depth discussion of this concept see Lewis Mumford, *The City in History*, Harcourt Brace and World, New York, 1961.

<sup>12</sup> Mario Albertini, Discorso ai giovani federalisti, in *Il Federalista*, XX (1978) p. 51.

<sup>13</sup> Willy Hellpach, *Mensch und Volk der Großstadt*, Ferdinand Enke, Stuttgart, 1939.

<sup>14</sup> Wassily Leontief and Faye Duchin, *Military Spending*, Oxford University Press, 1983.

<sup>15</sup> In the past, Europe was able to manage the urban explosion in a situation of moderate demographic growth (compared to the current situation), and in practice without any constraints on emigration to other continents. On the financial plane, precisely because of the high costs of urban infrastructures, although the Europeans had a lower per capita income in the last century than countries like Australia, the USA, Canada and Argentina, they were net lenders of capital compared to these latter, whose annual rate of urban growth was double or triple that of France, Great Britain and Germany (W. Arthur Lewis, *The Evolution of the International Economic Order*, Princeton University Press, 1977).

<sup>16</sup> The Antarctic seems to be an exception following the agreement reached on a fifty year moratorium on its exploitation. But it must not be forgotten that the Antarctic, while not having been completely colonised, suffers the effects of global pollution like the rest of the planet — to the point that its observation continues to provide the most important data regarding the seriousness of the ecological threat. Moreover the Antarctic, more than an example of international government, offers an example of international non-government about which nations have agreed — in order to prevent any claims to sovereignty or exclusive administration. But even on this form of negative administration, the US has recently expressed reservations, in order to leave open the possibility of exploiting the Antarctic at the end of the fifty year moratorium (*New York Times*, 30th June 1991).

<sup>17</sup> *Op. cit.*

<sup>18</sup> In 1951, defence spending in Great Britain, France and Italy was less than a fifth of the USA's, and less than a third of the USSR's. In 1985, in the USA 28% of research spending was for military purposes, as against 27% in Great Britain, 22% in France, 4% in the Federal Republic of Germany, and 0.35% in Japan (*Financial Times*, 3/12/1985). In 1990, even though military expenditure as a whole had been reduced by 5% (6% in the USA and 10% in the USSR), it was still 30% more in the USA and 38% more in the USSR than in these same countries in 1980. The Gulf War cost the equivalent of the annual aid Third World countries receive from developed countries (*Financial Times*, 24th May 1991).

<sup>19</sup> The conditions exist for the next United Nations Conference on the Environment and Development (UNCED), to be held in Brasil in 1992, to become the most important world summit on the future of the earth and of the institutions that must be created to govern our planet. In fact, the following points are already on the agenda of this summit: a) the

ratification of the international Conventions regarding which negotiations are already under way (conventions on emissions of greenhouse gases and climatic changes) — in other words, UNCED will not be a *forum* for further international negotiations on these themes, but will confine itself to taking account of the results (or failures) achieved by ecological diplomacy; b) the adoption of an *Earth Charter*, or *Declaration of the Rights of the Earth*, which should define the principles of ecological respect between nations within the perspective of common sustainable development; c) the adoption of the first measures to *control the transfer of technological resources* to ensure access on fairer conditions, above all for the developing countries, to the most suitable technologies in relation to respect for the environment; d) the start of a programme of action for the next century (*Agenda 21*). *Agenda 21* is presented as the start of a permanent world conference on the institutional reforms and financial resources necessary to unify government of the environment and development; e) the institutionalisation of a permanent dialogue between non-governmental organisations (NGOs) and international institutions.

<sup>20</sup> Environmental Regulation in New Jersey: Innovations and Limitations in *Publius: the Journal of Federalism*, 21 (Winter 1991).

<sup>21</sup> See Francesco Rossolillo, the chapter on the Institutional Model in *Città territorio istituzioni*, Guida editori, 1983. Every attempt to solve this problem outside a system of government which is articulated into different territorial tiers (in which planning by means of coordinating the different levels of government becomes the fundamental objective to pursue) is destined to become simply a theoretical exercise.

<sup>22</sup> *Notes for UNEP-UK Lecture* given by the Secretary General of UNCED, Maurice F. Strong, London, 15th April 1991.

## APPENDIX I

Only after the end of the Cold War did mankind begin to become aware of the huge resources which peace could release. But resurgent nationalism and the risk of mankind breaking up into a myriad of statelets gave fresh life to the logic of rearmament and military confrontation, relegating the ecological emergency to second place. If this logic should prevail, then for a period which might prove fatal, mankind would be deprived of the financial and material resources necessary to reconcile, on a world scale, development and ecology. And any declarations of peace and goodwill made by any country or countries would quickly be overshadowed by the need to give priority to the military aspects of national security. An example that holds true for all is that of the USA, which, created in order to prevent war among ex-British colonies, was obliged by international disorder and anarchy at the beginning of this century to bend to the law of *raison d'état* and, despite the opposition of a majority of public opinion and of the industrial establishment, was forced to equip itself for war. The USA's involvement in the First World War represents a dramatic example of how, in the course of a few months, a state can be obliged to convert a peace economy into

a war economy. In our times a return to this state of affairs, apart from the risk of catastrophic conflicts, would probably mark the end of the prospect of controlling the ecological emergency, and hence of guaranteeing a future to mankind.

Here, briefly, is a report by one of the leading figures of American politics, Bernard Baruch, of the choice which the United States faced. On 2nd April 1917, President Wilson announced the entry of the US into the war. A few months prior to this, the Advisory Commission of the National Defence Council had been set up with the intention of rapidly preparing the American economy for war. In a few months the Americans realised that they were not able to sustain the war effort with peace-time economic instruments. Thus, on 4th March 1918, President Wilson nominated Bernard B. Baruch as President of the War Industries Board, with the task of procuring everything that the armed forces of his country and the Allies needed to win the war. "The final decision on all questions," the President wrote to him, "except for the determination of prices will always have to depend on you."

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(\*) It would take a volume to tell the full story of the *War Industries Board*, how it went about the gigantic and unprecedented task of converting industrial America from peace to war, and how, in the process, it came to exercise such great control over the nation's industry that in the view of many I became a virtual dictator.

In peace time the free working of the market-place can be trusted to keep the economy in balance. The law of supply and demand has *time* in which to operate. But in war that equilibrium must be achieved by conscious direction for war, with its ravenous demands, destroys the normal balance and denies us time. And time means lives.

The understanding of the fundamental difference between the economics of war and peace still eludes many people. It is one of the most tragic, single failures of economic understanding in our time. Nothing — *nothing* — has cost this country and the rest of the world more, except the losses and maimings of war itself, than the failure to grasp the enormous difference in the workings of supply and demand under conditions of war and under conditions of peace.

In 1917, the principle that a sound mobilization programme must adapt the law of supply and demand to the needs of war was considered revolutionary. Because we ignored this principle, we floundered during the first year of the war while shortages developed, production lagged, prices rose, and profits soared.

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\* A testimonial account by Bernard M. Baruch (from *The Public Years*, Odham Press Limited, London 1961).



How did we in the WIB go about controlling the industrial output of the United States? Actually, our specific powers were few and, considering the scope of the task confronting us, rudimentary. However, during the first year of groping towards an effective organization, we devised and perfected methods of operation and instruments of control which, judiciously and sometimes boldly used, proved adequate to the task.

The most important instrument of control was the power to determine priority — the power to determine who gets what and when.

WIB had no authority over the armed forces. They were our clients and we existed to serve them. My rule as Chairman was always to provide the armed forces with whatever they needed, when they needed it, with as little dislocation as possible of the civilian population.

When priorities and persuasion failed, we had one instrument of last resort to enforce our will, the power of commandeering the power to seize property.

The problem of converting industry from peace-time to war-time production was always a thorny one. Contrary to widely held views, manufacturers are not always eager for war work, especially when it requires them to abandon a profitable line of production. This was the case with the motor manufacturers.

WIB moved early to curtail the production of pleasure cars. We had no intention of countenancing their production while we scrounged for steel for tanks. At first we tried to rely upon voluntary agreements under which the automobile producers pledged to cut production by two thirds. But we soon found that these agreements were not self-enforcing. In the summer of 1918, in the face of Detroit's attitude and the increasingly critical military situation in France, we called representatives of the automobile industry to Washington. They listened with ill-concealed impatience as we explained WIB's plans to curtail immediately the production of automobiles by seventy-five per cent, and employ the facilities thus freed for war production. This reasonable speech made no impression. They informed us that they had stocked all the steel and coal they needed and could proceed in spite of us. I picked up the phone and put in a call to the Railroad Administration. With the auto people listening to me, I said "I want you to take down the names of the following factories, and I want you to stop every wheel going in and coming out." I read the off the names of Dodge, General Motors, Ford and other plants. Then I ordered to commandeer all their steel and I called the Fuel Administrator and asked him to seize the manufacturers' coal supplies. The head of General Motors quitted. The others capitulated soon after, but not before some had tried to bring political pressure to bear.

When it came to setting a reasonable price on Indian jute, the British Ambassador informed us that so far as jute was concerned, it was a matter affecting the Indian government, over which the English suddenly had no control. I asked not to provide the silver which the English required for the support of the Indian currency. The British replied in alarm that such action would cause a panic in India that would close up the Calcutta and Bombay stock exchanges. I

answered: "Close them up, then." The British quickly discovered the means of influencing Indian jute prices.

The full war-making potential of American industry under the direction of WIB was just reaching its peak as the war reached its end. There is no doubt that knowledge of this fact contributed materially to Germany's sudden realization of the hopelessness of her position. We had mobilized more than three hundred and fifty industries. No steel, copper, cement, rubber, or other basic materials could be used without our approval. No building costing more than \$2,500 could be started without WIB consent. We were moving, as the war came to a close, toward controlling the whole range of consumer goods. The shoe industry was the first to be tackled.

Although at first our Allies did not expect — indeed did not want — us to send troops, we undertook to raise a great army. And in response to the desperate appeal from France, we sent more than two million men, three-quarters of them in the space of five months.

The lessons to be learned from WIB were not confined to questions of war. Our experience taught that government direction of the economy need not be inefficient or undemocratic, and suggested that in time of danger it was imperative. This lesson was applied fifteen years later when the New Deal drew upon the experience of the WIB to mobilize the economic resources of the nation to meet the emergency of the great depression.

## APPENDIX II

In January 1946, President Truman nominated Bernard M. Baruch to represent the USA on the United Nations Commission for Atomic Energy. On 14th June, Baruch presented the USA's position to the Commission. There follows an extract from this address as Baruch recalls it in his autobiography. The plan anticipated, after a system of controls had been instituted, the cessation of the production of atomic bombs on the part of the USA and the placing of their arsenal at the disposal of the International Authority. The plan was criticised by the right-wing in the USA because it conceded too much to the USSR in allowing the abolition of the right of veto; and by the left-wing because it did not sufficiently take into consideration the needs of Soviet development. The USSR, through Gromyko, responded to these proposals by proposing the following: the signing of an international convention for banning the production and use of atomic weapons; the destruction of existing arsenals; the maintenance of the right of veto. After six months of debate within the Commission, and after having also taken into consideration the idea of appealing directly to Stalin, Baruch agreed to submit his plan to a vote by the members of the Commission. The representatives

of Russia and Poland abstained, while the other ten, after a British attempt to stop the vote on the American plan, voted in favour.

The conclusions of the Commission were transmitted, on the proposal of the United Nations General Assembly, to the Security Council, where the plan was definitively buried.

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(\*) We are here to make a choice between the quick and the dead.  
That is our business.

Behind the black portent of the new atomic age lies a hope which, seized upon with faith, can work our salvation. If we fail, then we have damned every man to be slave of fear. Let us not deceive ourselves: We must elect world peace or world destruction.

In this crisis, we represent not only our governments but, in a larger way, we represent the peoples of the world. We must remember that the peoples do not belong to the governments but that the governments belong to the peoples. We must answer their demands; we must answer the world's longing for peace and security.

The peoples of these democracies gathered here have a particular concern with our answer, for their peoples hate war. They are not afraid of an internationalism that protects; they are unwilling to be fobbed off by mouthings about narrow sovereignty, which is today's phrase for yesterday's isolation.

The basis of a sound foreign policy, in this new age, for all the nations here gathered, is that anything that happens, no matter where or how, which menaces the peace of the world, or the economic stability, concerns each and all of us.

This is the reason why an International Atomic Development Authority should be created, to which should be entrusted all phases of the development and use of atomic energy starting with raw materials and including:

- 1) Managerial control or ownership of all atomic energy activities potentially dangerous to world security;
- 2) Power to control, inspect, and license all other atomic activities;
- 3) The duty of fostering the beneficial uses of atomic energy;
- 4) Research and development responsibilities of an affirmative character intended to put the Authority in the forefront of atomic knowledge and thus enable it to comprehend, and therefore to detect, misuse of atomic energy.

The Authority must have the right of free access at all times for inspection. The matter of punishment lies at the very heart of our present security system.

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\* A testimonial account by Bernard M. Baruch (from *The Public Years*, Odham Press Limited, London, 1961).

Penalization is essential. There must be no veto to protect those who violate their solemn agreements not to develop or use atomic energy for destructive purposes.

If we succeed in finding a suitable way to control atomic weapons, it is reasonable to hope that we may also preclude the use of other weapons adaptable to mass destruction. When a man learns to say "A" he can, if he chooses, learn the rest of the alphabet too.

Let this be anchored in our minds:

Peace is never long preserved by weight of metal or by an armament race. Peace can be made tranquil and secure only by understanding and agreement fortified by sanctions. We must embrace international co-operation or international disintegration.

Science has taught us how to put the atom to work. But to make it work for good instead of for evil lies in the domain dealing with the principles of human duty. We are now facing a problem more of ethics than of physics.

The solution will require apparent sacrifice in pride and in position, but better pain as the price of peace than death as the price of war.

### APPENDIX III \*

Given our millennial habits of separate decision-making and the recent tremendous explosion of *national* power, how can any perception of the biosphere's essential unity and interdependence be combined with the acutely self-conscious separate sovereignty of more than 130 national governments?

In fact, for at least a century, some habits of co-operation have been accepted by states simply through recognition of their own self-interests. Ever since the world economy began to increase in extent and interdependence in the eighteenth and nineteenth centuries, sovereign states have shared some of their authority either by binding themselves to certain forms of cooperative behaviour or by delegating limited power to other bodies. Despite rhetorical insistence on absolute sovereignty, governments have recognized in practice that this is impossible in some cases and inordinately foolish in many more. In brief, when governments are faced with such realities, they have exercised their inherent sovereign right to share voluntarily their sovereignty with others in limited and

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\* From *Only One Earth*, edited by Barbara Ward and René Dubos, an informal report prepared with the assistance of 152 experts from 58 countries. This report was commissioned by the United Nations Secretary General in the occasion of the Conference on the Human Environment, held at Stockholm in 1972. The Conference's Secretary General, Maurice Strong, was also appointed to supervise the organisation on the conference in Brasil in 1992.

agreed areas of activity.

In the twentieth century, as a consequence of an ever greater overlap between supposedly sovereign national interests, the number of international treaties, conventions, organizations, consultative forums and cooperative programmes has multiplied rapidly. The growth of an intergovernmental community finds its most concrete expression in the United Nations.

It is onto this scene of ultimate national sovereignty and proliferating intermediate institutions that the new environmental imperatives have broken in the last few years. The first effect has undoubtedly been to complicate still further a very complicated situation. Quite suddenly, for a whole variety of reasons, a very wide range of institutions have added an environmental concern to their other interests. In some cases, traditional programmes and activities have been re-named to qualify them under the environmental rubric. In others a number of agencies have taken up the same environmental topic, though mainly from differing points of view.

This picture of somewhat uncoordinated and hence not fully focused activity, largely reflects the recentness of the environmental awareness. National governments, too, are trying to find means of adding an environmental angle of vision to institutions which have hitherto followed the traditional one-track approach to specialized problems through separate and usually uncoordinated administration. The various experiments are mostly not yet two years old, and it is too soon to say how well they may succeed in introducing an integrative view of man-environment relations into the national decision-making process. Certainly it will not be easy.

And certainly it will be still more difficult at the international than at national levels of decision-making. So locked are we within our tribal units, so possessive over national rights, so suspicious of any extension of international authority that we may fail to sense the need for dedicated and committed action over the whole field of planetary necessities. Nonetheless there are jobs to be done which perhaps require at this stage no more than a limited, special and basically self-interested application of the global point of view. For instance, it is only by forthright cooperation and action at the global level that nations can protect mankind from inadvertent and potentially disastrous modification in the planetary weather system over which no nation can assert sovereignty.

Where pretensions to national sovereignty have no relevance to perceived problems, nations have no choice but to follow the course of common policy and coordinated action.

Governments have already paid lip-service to such a view of the world by setting up the whole variety of United Nations agencies whose duty it is to elaborate world-wide strategies. But the idea of authority and energy and resources to support their policies seems strange, visionary and Utopian at present, simply because world institutions are not backed by any sense of planetary community and commitment. Indeed, the whole idea of operating

effectively at the world level still seems in some way peculiar and unlikely. The planet is not yet a centre of rational loyalty for all mankind.

But possibly it is precisely this shift of loyalty that a profound and deepening sense of our shared and inter-dependent biosphere can stir to life in us. That men can experience such transformations is not in doubt. From family to clan, from clan to nation, from nation to federation — such enlargements of allegiance have occurred without wiping out the earlier loves. Today, in human society, we can perhaps hope to survive in all our prized diversity provided we can achieve an ultimate loyalty to our single Planet Earth.

## From Discord to Accord \*

HILARY F. FRENCH

As preparations for the United Nations Conference on Environment and Development (Unced) enter their final stages and negotiators from around the world work to overcome remaining hurdles, it is becoming clear that resolving today's pressing environmental priorities will require wide departures from diplomacy as usual. The atmosphere, oceans, forests, biodiversity, Antarctica — all are part of the global commons, all are under assault. Stronger international governance can save them, but only if governments forge new patterns of co-operation.

This process of joining forces to combat shared threats is in fact already well under way. To date, more than 170 environmental treaties have been signed, two-thirds or more of these since the UN's last environmental conference was held in Stockholm in 1972. If all goes as planned in Rio, the more than 100 world leaders expected to be in attendance will add to this list with some of the most sweeping agreements ever put together, including treaties on global warming, the loss of biodiversity, an action plan — Agenda 21 — that targets virtually every other ecological threat on the international horizon, and an "Earth Charter" that will lay out basic environmental principles.

Although this progress offers some reason for hope, there remain serious shortcomings in the current system of global environmental governance. If not addressed at the Unced meeting, these could undermine the effectiveness of any treaties or action plans signed either in Rio or elsewhere. The problems include speed (treaties and other types of agreements can take far too long to negotiate, ratify, and implement), enforcement (virtually non-existent at the international level), and money (there is scant provision of the financial and technological assistance that would make it possible for poorer countries to participate in international

environmental efforts).

Buried in the avalanche of proposals under consideration at the Earth Summit are a number that would begin to address these shortcomings through far-reaching reform of the treaty system and the UN structure. Nobody expects the conference to resolve the matter once and for all, but it is noteworthy that the process has begun. Legal and institutional reform may not be the most glamorous part of the Unced agenda, but it could prove to be one of the conference's most enduring legacies.

### *Forging Stronger Treaties.*

The art of negotiating an international environmental treaty takes patience, determination, and more patience. Getting all parties to the negotiating table takes time. Resolving conflicts, identifying common ground, and handling sometimes petty squabbles takes time. Drafting a mutually agreeable document takes time. The whole process can take years and years — time the world can ill afford as environmental problems worsen.

Even after an agreement is signed, achieving ratification by enough national governments for the treaty to have legal force can take years longer. The Law of the Sea Treaty, completed in 1982, *still* has not received enough ratifications. The 1989 Basel Accord, on the export of hazardous waste, is also languishing as it awaits a quorum of signatures.

One way to speed the treaty-making process along would be to rely more heavily on a voting system based on some form of majority rather than unanimity. For instance, a two-thirds majority could be required, or some share of votes weighted by a combination of GNP and population. To understand the importance of this, imagine how little would be accomplished if every member of the U.S. Senate had to agree on a bill before it could become law. "Qualified" majority voting would also help overcome a propensity for international treaties to get watered down to the level amenable to the most reluctant party to the talks — the least-common-denominator effect.

There is already some precedent for this reform in the environmental arena, albeit on a limited scale. Individual treaties sometimes can be updated by a form of majority vote. The majority voting procedures in the International Whaling Commission, for example, made it possible to move from mere regulation of the whaling trade to an absolute ban on harvest, in spite of the vociferous opposition of the key whaling states of

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\*This article has been recently published in the magazine *La Nuova Ecologia*.

Japan, Iceland, and Norway. Also, the European Community (EC) uses such a system to usher through environmental legislation.

It would also be helpful to create a standing international body that negotiates environmental treaties, sometimes using a "qualified" majority voting system. Under existing practice, a new international committee — such as the International Negotiating Committee on Climate Change — needs to be created nearly every time a major treaty is up for discussion. A unified forum could greatly improve the efficiency and dispatch with which global problems are addressed.

Other fields of international relations already have institutions that serve this function. For instance, the General Agreement on Tariffs and Trade (GATT) serves as a forum through which governments continually update the rules of international trade. The International Labour Organisation (ILO) constantly modifies and strengthens the hundreds of international labour standards it has issued on concerns such as workplace safety and child labour. Some agencies set voluntary standards, as the World Health Organisation (WHO) does with air pollution. Though WHO's standards are not-binding, they are looked to as the international norm. If, for instance, sulphur dioxide levels in London exceeded WHO air quality standards, a group like Friend of the Earth can use this fact to embarrass the government into action.

When countries are reluctant to sign a treaty, the international community can use incentives to encourage participation. For example, in the original deliberations over the 1987 Montreal Protocol on ozone depletion and its subsequent tightening, negotiators granted deferrals to developing countries to get them to commit to reducing their use of the offending chlorofluorocarbons (CFCs). The phase-down was also made less economically onerous for these nations by the creation in 1990 of a \$240-million fund to help them make the transition to CFC substitutes. Had the treaty not provided for this, key developing countries would not have supported it, meaning that growing CFC use in the Third World likely would have overwhelmed reductions by treaty signers.

In addition to inducements such as the ozone fund, supporters of a treaty sometimes resort to the prod offered by trade sanctions. For instance, the United States threatened an embargo against Japan if it refused to participate in the 1982 commercial whaling ban. The Montreal Protocol uses a similar tool, though internationally rather than unilaterally imposed. Parties to the protocol are simply forbidden to purchase CFCs (or products made from them) from non-signatories. This rule negates any incentive to not sign the protocol to make windfall profits.

### *Improving Compliance.*

Even the relatively weak treaties now in force rarely include effective means of ensuring that nations stand by their commitments. Unlike national governments, international agencies do not have police powers to call upon to aid enforcement. In fact, most treaties do not even stipulate sanctions. And partly because there is little enforcement, there is little data on compliance. What little information does exist suggests that while most countries do take their treaty commitments seriously, there is vast room for improvement. For instance, the Norwegian environmental group Bellona has found that Norway, which is widely regarded as a world leader on international environmental issues, is likely to fall short of meeting its commitments in 12 of the 27 major international agreements it has signed, including an agreement to reduce discharges of pollution into the North Sea and an international convention on the preservation of wetlands.

One of the few ways to encourage compliance under the current system is to use peer pressure. To facilitate this, treaties often require nations to report pertinent data, such as sulphur dioxide emissions in the case of acid rain, and on actions they have taken to come into compliance. If this information is made public, environmental groups and others can shine a spotlight on those countries that have not followed through on commitments. For instance, University of Massachusetts political scientist Peter Haas finds that the data-gathering efforts mandated by the treaties for the Baltic and North seas enabled environmental groups, such as Greenpeace, to call public attention to nations that were in violation. Once exposed, these countries improved their records.

Unfortunately, governments often resist making pertinent data readily available. One of the sticking points in the ozone treaty negotiations was over a proposal to require governments to collect and report on their CFC releases. In the ongoing global warming talks, it is not yet clear if governments will heed the lessons of the past by providing for an open exchange and review of emissions data and other critical information.

If the U.N. bodies that administer treaties, known as secretariats, were properly funded and staffed, they could keep tabs on signatories' compliance and bring breaches to the attention of other governments. The reality is that these offices operate on shoestring budgets and limited authority. Often governments do not submit required information to secretariats. Even when they do, the secretariats generally lack the wherewithal or authority to verify its veracity, much less to independently monitor for

compliance.

A notable exception is the secretariat for the Convention on International Trade in Endangered Species (CITES), which has considerable powers and uses them with widely acknowledged effectiveness. It has, for example, the power to request information from countries about alleged lapses and to demand explanations for failure to meet treaty obligations. The CITES secretariat likely owes its strength to an international consensus on the urgency of the problem and a long history of monitoring the wildlife trade by concerned citizens' groups.

International institutions that have successfully administered agreements in non-environmental fields also serve as useful models for the environmental sphere. Both the United Nations and Council of Europe commissions on human rights have power to monitor compliance and to demand explanations from signatories for reported lapses. The International Labour Organisation also keeps tabs on whether members are complying with its standards. The agency can often generate enough pressure in a first, investigatory stage to bring an errant country into line, making its second stage — a public hearing to explain delinquency — unnecessary.

Representatives from both management and labour actually form part of the governing body of the ILO, through a unique tripartite system in which these groups share equal standing with governments. The human rights commissions and the ILO both rely on citizens' groups for help in identifying violators.

One missing piece of the international institutional puzzle is a judiciary that could hear charges by a secretariat or an individual that a country is violating its environmental treaty obligations. The International Court of Justice, or World Court, is supposed to play this role; however its involvement has been minimized by the design of most environmental treaties and the practices of many governments. Rather than requiring that countries resort to the World Court whenever there is an unresolvable dispute, most treaties leave it up to the parties involved to decide if they will take that route. Most countries refuse.

Granting the Court more automatic jurisdiction, and giving international organisations and nongovernmental organisations (NGOs) the right to initiate suits, would markedly improve its usefulness. Under these circumstances, enough cases might even be brought to warrant creating a special environmental chamber, as has been proposed to UNCED by the Pentagolote countries — Austria, the Czech and Slovak Federal Republic, Hungary, Italy, and Yugoslavia — and Poland. Though such a course

of action might seem a distant possibility, the European Community has already demonstrated the utility of this approach. Countries accused of violating EC laws environmental and otherwise are brought before the European Court of Justice. Although the European Court does not yet have the power to impose sanctions, the negative publicity caused by an international ruling is often sufficient to prompt change.

Occasionally, sanctions will be needed to bring violators into line. The most practical option is trade sanctions, which are prescribed by a growing number of treaties. For example, parties to CITES imposed an international ban on the purchase of wildlife products from Thailand in April 1991 on the grounds that illegal traders were shipping goods such as ivory from Africa, caiman skins from Latin America, and orang-utans and palm cockatoos from Indonesia through that country. The Thai government responded by imposing tougher penalties on wildlife traders and taking other steps to stem the traffic.

A report from the U. S. International Trade Commission in 1991 identifies 19 international environmental agreements that use some form of trade sanction to improve compliance. However, environmentalists are growing concerned that sanctions might be severely limited, if not outright prohibited, by the GATT on the grounds that they unduly restrict free international commerce. The Earth Summit is expected to address this and other conflicts between trade and environmental goals.

### *Mobilising Aid.*

Even if they have the best of intentions, poor nations can find it financially or technically impossible to comply with treaties and other agreements. Effective environmental governance thus depends in large measure on providing financial assistance to poorer nations and seeing that the funds are well spent.

The current negotiations toward treaties on global warming and biodiversity loss and on UNCED's Agenda 21 all hinge in large measure on whether or not the richer governments are ready to make a serious commitment to provide the funds that Third World nations need to meet their obligations. The UNCED secretariat estimates that developing countries will need \$125 billion in aid per year if they are to follow through on Agenda 21. Implementing carbon limitation goals, biodiversity preservation, and forest protection plans could cost still more. Though nobody expects UNCED to generate this kind of money, some

new financing is likely. The question, then: Through what institution should the money flow?

One candidate for this role is the Global Environment Facility (GEF), based in Washington, D.C. The GEF was set up in late 1990 under the joint management of the World Bank, U.N. Environment Program (UNEP), and U.N. Development Program to provide \$ 1.3 billion over three years for projects in developing countries designed to address global ecological ills, including climate change, the loss of biological diversity, ozone depletion, and the pollution of international waterways.

Industrial countries look to GEF as the logical institution to manage funds created under any new treaties, as well as the funds needed to implement UNCED's Agenda 21. Developing countries, however, would prefer any "green funds" to be independent of the World Bank, which they perceive to be controlled by powerful donor nations. Through the early rounds of pre-UNCED negotiations there seemed little room for compromise between the two positions. But now the donors are beginning to acknowledge the need to develop more democratic decision-making procedures for future green funds. Recipient countries, they are coming to see, ought to have more control over the types of projects chosen and other matters concerning the fund's administration. Rich nations still would like GEF to house these funds — just do so more democratically.

There is a precedent for alternative voting systems in the procedures now in place for the ozone fund, in which industrialised and developing countries have equal weight. Another possibility would be to factor in the size of a country's ecological assets along with the size of its monetary contribution in determining voting weight. This would recognise that countries like Brazil — rich in biological diversity and tropical forests — deserve considerable say in a fund's management, since they presumably will be at the receiving end of much of these ecologically tied funds.

Besides changing its governance mechanism, the GEF — if it is vested with additional funding authority and if it is to succeed — will also need to distance itself from the World Bank, which has been criticised by NGOs, particularly from the Third World, for working in secret and funding large development projects that do not involve local people in their design or implementation.

### *Stronger Institutions.*

International environmental governance today is a diffuse process

scattered throughout many different arms of the United Nations. If treaty-making is to be speeded, compliance improved, and funding delivered, the U.N. system itself will need renovating. When the United Nations was created in 1945, environmental matters were not yet on national agendas, let alone the international one. Far-reaching reforms are needed if it is to tackle today's pressing environmental priorities.

Toward this end, governments and private groups have issued a number of proposed reforms of the U.N. machinery in preparation for the Earth Summit. Governments are nearly unanimous in voicing support for strengthening the one U.N. agency currently charged with environmental affairs — UNEP. It was created with the goal of spurring all the other U.N. agencies to action and has been praised widely for doing a good job with minimal financial resources and power.

Until a budget reauthorization for 1992, UNEP's annual allocation was smaller than that of some U.S. environmental groups — a pitiful sum given the size of its mission. UNEP's marginal standing within the U.N. structure poses still more problems. Unlike the specialised agencies such as the ILO and the U.N. Food and Agriculture Organisation that have programs of their own, it lacks regulatory clout and has only a handful of programs to administer, which adds up to little influence over other agencies' efforts. Instead, UNEP must rely on quiet persuasion to push its agenda — an uphill battle.

While lip service is being paid in pre-UNCED rounds to the idea of strengthening UNEP, few governments seem to have a clear idea of what this would mean. Some favour narrowing UNEP's priorities and focusing its efforts on what they think it does best, such as gathering data and facilitating treaty negotiation. Others favour upgrading it to specialised agency status. At the very least, its budget is likely to increase moderately. Some NGOs, including a coalition of six leading American environmental groups and the Amsterdam-based World Federalists Movement, favour creating a full-fledged international environmental agency, though they have not found much support for this idea from the official delegates.

One key objective of many of the proposals before UNCED is to merge the U.N.'s environment and development capacities so that the system takes account of the linkages between them, and promotes sustainable development, which is the offspring of such a pairing. Discussion is also centring on which is the appropriate body to monitor follow-up to UNCED to see that effective programs — not just rhetoric — emerge from commitments made in June.

Among other ideas, Bangladesh, France, Norway, and several NGOs

have voiced support for creating a sustainable development commission that could monitor compliance with environmental treaties and audit the environmental and development activities of other U.N. agencies. Such a body, which might be modelled on the U.N. Commission on Human Rights, could be open to both official and non-governmental participation. The United States has proposed to UNCED that a U.N. Committee on Environment and Development open to all member states be created to regularly review the follow-up to the Earth Summit.

With all of these proposals, it remains to be seen if governments would be prepared to delegate to any new bodies the muscle required to do the job. A new board is not worth much if it has no clear mandate and no real power.

### *Beyond Rio.*

In the environmental arena, the progress nations have made offers some reason for optimism that co-operative management of shared problems will become the rule rather than the exception as the world heads into what many environmentalists hope will be the "turnaround decade." One need only look at the world community's united effort to combat ozone depletion for proof that co-operation can work to head off global environmental problems. Also, while progress on reaching a climate change treaty may appear slow given the urgency of the problem, it has been rapid by historic standards of international diplomacy — particularly considering that a mere five years ago, most people around the world had never even heard of global warming.

Creating new forms of global environmental governance is an ambitious undertaking that will certainly not take place overnight — or by June. However, the Earth Summit offers a unique opportunity for the international community to begin facing up to the challenges ahead and implement the institutional reforms required to address them. If UNCED succeeds in creating movement toward these new forms of global environmental governance, it will rightly be viewed as a milestone in the battle to save the planet.

## **The European Community's Proposal for a Carbon Tax**

ALBERTO MAJOCCHI

1. In recent years, one major change has come about in the field of environmental policy. While the "first generation" environmental protection measures were overwhelmingly addressed to domestic environmental problems, thus benefiting mainly people living within the borders of a particular country, the world has now assumed a fresh attitude towards the urgency of global problems, in which all mankind, as well as future generations, are involved. It is easy to understand that a further difficulty exists in the case of global problems, since domestic environmental measures are by themselves inadequate.

An efficient policy to tackle global environmental problems can actually be defined according to two very general principles, that seem widely accepted:

— no country is able to cope with global problems by unilateral action, since global problems imply multilateral solutions. In this context we can add that no country has the right to set down the optimal environmental policy for the whole world. This principle sets a limit to unilateral decisions with extra-jurisdictional effects;

— yet, at the same time, in the case of global commons, it must be acknowledged that these do not belong to any particular country or to the present generation, but rather to the world as a whole and to future generations as well.

The solution to this dilemma is rather straightforward. With a world government it would be the task of this institutional body to assume the necessary decisions; and no lower-tier government could claim the power to take unilateral measures, or hinder policy decided at the upper level. But, within a democratic framework, the peoples and governments at the lower level will have the right to take part in the decision-making process.

Since a world government entitled to take decisions in the environmental field for the preservation of global commons does not actually



exist, the only practical and reasonable solution is to establish rules for the sustainable management of these common resources through multilateral agreements established within the framework of the United Nations. No country can decide by itself on behalf of all the world, but at the same time no country can hamper the implementation of decisions taken on the basis of a multilateral consensus. Environmental imperialism must be dismissed in both cases.

2. The problem of global warming currently represents one of the main areas of concern for all mankind. CO<sub>2</sub> emissions are considered as being the main contributory factor to the greenhouse effect (its share of total GHGs amounts to 61% according to IPCC estimates), while the atmospheric concentration of carbon dioxide is largely of anthropogenic origin, primarily caused by the burning of fossil fuels. The depletion of tropical rain forests has also become a major reason for the atmospheric concentration of carbon dioxide in the last thirty years, and it is now estimated to be responsible for one third of the emissions caused by the combustion of fossil fuels.

While global warming is a world-wide problem, the main responsibility lies with the industrialised countries. World per capita carbon emissions are 1.13 tons, while this figure is 5.76 for the United States, 2.24 for Japan and 2.28 for the EC. The average for the rest of the world is only 0.40 tons of carbon. In the near future the policy measures needed for limiting carbon dioxide emissions should be implemented especially in the Northern industrialised countries. But it needs to be realised that China's present total emissions (616 tons) are already more than three times larger than those of Germany (190 tons); while in India they are 1.5 times higher than in Italy. With the expected economic growth of the developing countries, their CO<sub>2</sub> emissions could increase dramatically, since their energy use is significantly inefficient.

An effective policy for addressing the global warming problem should therefore provide the right economic incentives to the industrialised countries for increasing energy efficiency and limiting carbon dioxide emissions, but at the same time make provision for adequate incentives to raise energy efficiency in less developed countries as well. The proposal discussed in this paper consequently includes the implementation of a combined energy/carbon tax in the industrialised world and the setting up of a fund for financing technology-transfers towards poor countries, so that energy efficiency can also be raised in the less developed part of the world.

3. Within the European Community, as a first step to limiting greenhouse gases, the joint Energy-Environment Council decided on 29.10.1990 to stabilise Community CO<sub>2</sub> emissions by the year 2000 at their 1990 level. While emissions almost stabilised during the period 1970-1985, due to increasing energy prices, in the years 1986-1990 this positive tendency was reversed and emissions grew by 4%. And in a "business as usual" scenario EC CO<sub>2</sub> emissions for the period 1990-2000 are likely to grow by 11%. Consequently, a package of measures is needed to reduce the use of fossil fuels and to achieve the stabilisation target.

The Community contribution to global CO<sub>2</sub> emissions is only 13%, compared to 23% for the US, 5% for Japan and 25% for Eastern Europe and the former USSR. Unilateral action by the EC would not solve the greenhouse problem, whose nature is global. But in 1993, with the completion of the internal market, the EC will become the biggest economic and commercial entity in the world. As such, the Community seems obliged to take the lead in protecting the environment and the sustainable use of natural resources, in line with the political commitment contained in the declaration "The Environmental Imperative" adopted by the Heads of State and Government at the European Council in Dublin in June 1990. In this way the EC would also play a decisive role of catalyst for the adoption of a Convention on Climate Change at the UNCED Earth Summit in Rio in June 1992.

4. In the case of climate change there is no clear-cut trade-off between regulations and taxation. A comprehensive strategy must give room both to command-and-control and to economic instruments, relying on a mutually reinforcing set of regulatory, voluntary and fiscal measures. Energy efficiency could be promoted through higher energy prices and the imposition of technical standards, while fuel-switching towards the use of less-polluting energy sources could be favoured by energy price increases according to carbon content. In the industrial sector there is a lot of room for voluntary agreements targeted at a reduction of CO<sub>2</sub> emissions.

The strategy proposed by the Commission seems capable of reaching the target of stabilising CO<sub>2</sub> emissions and to balance the competitive needs of the European economy with environmental requirements. The suggestions for policy involve a variety of measures.

First, possibilities to improve energy efficiency appear to exist in all sectors and for all energy sources. This "no-regret policy" will increase

energy security, improve transport systems, limit energy-related air emissions other than CO<sub>2</sub> and strengthen the industrial framework. But fuel switching also has a major role to play, especially in the medium and long term, with a much more substantial share of natural gas being used, to the detriment of coal and possibly oil. Finally, an increased use of renewable energy sources must be promoted in order to contribute to reaching the stabilisation target; technical obstacles need to be overcome with R&D programs and the competitiveness of these energy sources needs to be improved.

Regulatory measures are needed to exploit the possible gains in energy efficiency (15-25% with existing techniques), while R&D programs should be developed to promote minimum-emissions power production from fossil sources (including the development of carbon abatement technologies), renewable energy sources and efficient energy use and conservation, including energy-efficient transport systems. Many of the regulatory measures for the power generation industry, transport and household-commercial sectors are already covered by Commission proposals such as the SAVE program, but will need to be strengthened. On the basis of current estimates it appears that these measures will achieve about half the stabilisation target.

5. The proposed set of regulatory measures must be supplemented by fiscal measures. Existing fiscal proposals on the internalisation of the environmental costs into the circulation tax on lorries or on enlarging the use of tax differentiation must be extended to private cars and reinforced. But they are still inadequate to achieve the stabilisation target. A new tax must be introduced on the use of all non-renewable energy sources (including large scale hydro-electric ones). This will provide a signal to the market that the trend of energy prices is upward, and thus influence the behaviour of firms and individuals.

The tax will be consistent with the "polluter pays" principle and has been advocated in many resolutions by the European Parliament. Since CO<sub>2</sub> emissions are related to very different fossil fuel uses by a very large number of consumers and businesses, the use of policy instruments based on market mechanisms to provide incentives for the reduction of CO<sub>2</sub> emissions will certainly be more cost-effective than relying solely on regulatory measures.

The tax will have an energy component — to be applied to all energy sources — and a component based on the carbon content of each fossil fuel. An energy tax would be more effective in promoting energy

efficiency. A carbon tax would provide more specific incentives to reduce CO<sub>2</sub> emissions, but would put a relatively higher burden on coal, which is the most secure energy supply. Moreover, it would favour nuclear energy, which has advantages in terms of CO<sub>2</sub> reduction, but which leads to its own particular problems (security, waste disposal). Furthermore, the impact of the carbon tax on the industrial competitiveness of member states would differ according to their energy structure.

The Commission proposal is thus in favour of a balanced solution: 50% of the tax being modulated according to energy content; and 50% according to the carbon content of each type of fossil fuel.

6. This energy/carbon tax should be introduced through a Community Directive in order to avoid possible distortions within the internal market; but it ought to be implemented at the national level according to the principle of subsidiarity.

A key characteristic of the tax will be its revenue neutrality. This means that it should not result in any increase in the total tax burden. The tax revenue needs to be offset by fiscal incentives and by tax reductions. This shift of the burden of taxation away from distortionary taxes on companies and individuals and towards taxes on exhaustible resources (that in addition heavily damage the environment when used for combustion), will represent a first step towards shaping a more efficient taxation system (with less deadweight loss) and will prove at the same time to be more compatible with the environment and sustainable development.

Commission and independent estimates show that a tax rate equivalent to \$10 per barrel of oil — together with the regulatory measures provided in the package and with complementary national programs — could be sufficient to achieve the stabilisation target. But this tax rate will be gradually reached by the year 2000, starting with a rate of \$3 on 1.1.1993 and increasing each year by \$1. This provision will be needed in order to promote a gradual adaptation of the European economy to the new conditions of the energy market.

The tax will be implemented by the Community only when measures with an analogous financial impact are introduced by other OECD countries. This conditionality clause could be justified as a way to put pressure on the Community's main trading partners, and especially on the US and Japan, so that similar policies for limiting carbon dioxide emissions are carried out at least at the level of the industrialised world.

But it is also essential to avoid any deterioration of the competitive position in relation to — and the resultant de-location of European firms

towards — countries outside the OECD area that implement less stringent environmental standards, in particular for those industrial sectors employing energy-intensive production processes that are heavily traded internationally (steel, chemicals, non-ferrous goods, cement, glass, pulp and paper).

Special fiscal treatment could be provided for, but the affected industries would be obliged to assume a commitment to reduce CO<sub>2</sub> emissions voluntarily.

7. The macroeconomic impact of the tax would be negligible, especially due to its revenue neutrality, as well as to its progressive introduction. In the Community as a whole there might be a small reduction in the annual growth rate during the period to the year 2000 (between 0.05 and 0.1) and a temporary increase in the rate of inflation (0.3 to 0.5 per annum). But some member states, where the level of economic growth is actually lagging behind the Community average, must face the difficult task of reducing the growth rate of CO<sub>2</sub> emissions during the catching-up process.

The Community has already endorsed a further commitment to relieve the costs of such adjustments through the provision included in the Maastricht Treaty that a Cohesion Fund will be created before December 31st, 1993. According to the Protocol on Economic and Social Cohesion annexed to the Treaty, this Fund will finance projects in the fields of environmental protection and trans-European networks in member states whose per capita income is lower than 90% of the Community average.

8. The revenue from an energy/carbon tax of this type will be significant, amounting to about 20 bn Ecu in 1993 (0.35% of European GDP), at a rate of \$3 per barrel of oil. This figure could be employed in three different ways: a) to finance fiscal reductions in the member states in order to balance the negative economic effects that could derive from the implementation of the tax; b) as a new own resource to finance the Community budget (the fifth resource) in order to fill the gap highlighted by the Delors-II package between existing resources and financial needs following the Maastricht agreement; c) to contribute to a world-wide fund for financing technology transfers to the Third-World countries which aim at increasing their energy efficiency.

The first option should be considered within the framework of an environment-friendly type of fiscal reform. Such a reform was implemented in Sweden in 1990-1991, and it involved about 6% of GDP

without significantly changing the global size of the budget (equal to 56% of Swedish GDP). About 80% of taxpayers are now charged at a marginal income tax rate of 30% — while at the beginning of the eighties the marginal rate had reached 85% —, which also represents the rate levied on capital income. The following decrease in revenue has been 40% financed through an enlargement of the capital income tax base and an increase in the property tax, and 30% by widening the VAT tax basis and an increase in energy and environmental taxation.

In Sweden, VAT is now also levied on energy products, while a new carbon tax and a sulphur tax have been introduced. As far as the carbon tax is concerned, the tax rate is 250 Kr (34 ECU) per ton of CO<sub>2</sub>. This tax is actually an excise tax on coal, mineral oils and natural gas, but electricity generation is exempted and the burden is largely reduced on energy-intensive industrial sectors for competitiveness reasons. The sulphur tax is levied on coal and peat when used as fuels, and on mineral oils.

Even if there remain significant limitations to the Swedish fiscal reform, linked to the difficulty of encompassing all energy uses pending an international agreement on the taxation of CO<sub>2</sub> emissions, it should be recognised that this reform represents a good example of domestic fiscal reform targeted at enhancing the burden of taxation on the consumption of goods and the use of energy resources, while diminishing the weight of distortionary taxes on income.

Following the Swedish model, the introduction of an energy/carbon tax within the EC could be the first step in the direction of implementing a system of energy taxation at the supranational level. If the EC succeeds in its attempt to reach an agreement on an energy/CO<sub>2</sub> tax, this result would be very important for demonstrating that in the field of environmental taxation, transfers of sovereignty from the national to the supranational or world level can be achieved, especially when global commons are at stake and there is strong world-wide pressure from public opinion to address the problem of adequate protection of environmental goods with fiscal instruments.

9. The second possible use of the revenue coming from the energy/carbon tax is to finance the Community budget. The Delors-II package has tried to quantify the financial needs of the Community for the five-year period 1993-1997. An overall increase of expenditure amounting to about 20 bn Ecu is estimated for the end of the period. The political reaction of many member states has been rather negative, since they are already constrained by the need to fulfil financial requirements in order

to join the Economic and Monetary Union.

As a way out of this dilemma the revenue of the energy/carbon tax could be used, at least partially, to finance the increase in the size of the Community budget. This will represent effectively a real own resource for the Community, fairly distributed between member states (since the revenue of the tax is very much linked with economic prosperity), and with good automatic stabilisation properties (since energy consumption varies with changes in economic activity without any significant time-lag).

This change could be very important from a political point of view. Its implementation would obviously strengthen the need to promote further institutional reform of the EC, increasing the powers of democratic control by the European Parliament; since it is unthinkable to give the power to manage large tax resources to the Commission without simultaneously recognising the power of a democratically elected body to check (together with the Council, where the member states are represented) the behaviour of the Executive.

The creation of a fifth resource for the EC budget has been suggested by a group of experts convened by the Commission to revise the MacDougall Report on the problems of public finance within the Community ahead of Economic and Monetary Union.

The recognition of the power of autonomous taxation by the EC would also comply with one basic rule of fiscal federalism, which requires that the institutions that share the power to decide expenditure — the two branches of the budgetary authority within the EC, the Parliament and the Council, on the basis of a formal proposal by the Commission — should also be responsible for providing the financial means needed to cover such expenditure.

10. A third possible use of the revenue from the energy/carbon tax is to finance a world fund, created in Rio within the framework of the Convention on Climate Change, to finance transfers of resources and especially transfers of technology to enhance energy efficiency in less-developed countries. This is a decisive pre-requisite for the successful implementation of a world-wide policy for controlling global warming.

A proposal along these lines has been put forward recently by the Italian Minister for the Environment, suggesting the implementation within the EC of an energy/carbon tax of \$3 per barrel of oil, whose revenue could be distributed in the following way: 60% to member states' Exchequers, earmarked for subsidies to investments promoting energy

efficiency; 20% to the Community budget; and 20% to Eastern European and Third-World countries.

An International Fund for Atmospheric Stabilisation has been proposed, with redistributive purposes, by Hirofumi Uzawa of the Japan Academy and Niigata University. A certain portion of the net receipts that each national government will collect through the implementation of a carbon tax would be allocated, through the Fund, to developing countries according to their per capita GDP levels.

Another interesting proposal has been put forward by two Canadians, B. Yang and A. Rosenfeld, during an OECD workshop on tradeable emissions permits. They propose to create a technology-transfer fund to improve energy efficiency in developing countries. The annual funding responsibilities — called tradeable warming credits (TWCs) — could be distributed initially among OECD members according to the carbon content of the fossil fuels used by each country in a baseline year. These TWCs would be tradeable between OECD governments only. A higher excess charge will be set for any OECD country exceeding the TWCs it can acquire under its allocation and any trading purchases from other OECD countries.

The TWC strategy leaves the choice of policies within each country entirely open for that country's government. If the excess charge is sufficiently high, there will be a strong incentive for each OECD country to enact policies to reduce energy-related CO<sub>2</sub> emissions below its annual TWC allocation. Gradually the tradeable warming credits system could be extended to the rest of the world.

The Commission has recently supported the proposal put forward by the Argentinian and Brazilian governments for a global carbon tax equivalent to \$1 per barrel of oil, the proceeds of which would go to developing countries to help them install energy-efficient and environmentally friendly technology. With such a tax, revenue amounting to between \$21.5 and \$25.5 bn could be raised. If such a proposal could be accepted in Rio, it would be a very important step forward towards an effective global environmental policy and would represent at the same time the first achievement in the field of world-wide taxation.

11. The problem of global warming can be successfully tackled only through policy measures carried out at the world level. There is now a widespread consensus that the most cost-effective way to address this problem is to implement a world-wide energy/carbon tax with a uniform rate since, in this case, the reduction of CO<sub>2</sub> emissions will take place to

a larger extent where the abatement costs are lower. Part of the revenue coming from this tax should be redistributed towards less developed countries to promote energy efficiency improvements and to avoid this policy having any negative impact on their possibilities for growth.

The world still seems to be far away from this first-best solution, since some countries in the industrialised world — and chiefly the United States — do not presently support the proposal of a tax on the use of energy. But it would be politically crucial if the EC were to go to Rio having decided on the implementation of an energy/carbon tax so as to use world public opinion to challenge the countries that are unwilling to follow this path. The EC should also spell out its firm commitment to giving up part of the revenue coming from the energy/carbon tax to a world fund entrusted with the task of providing financial and technology transfers towards less developed countries.

This solution would certainly be a second-best, but could still represent a powerful step forward towards the definition of an effective policy for tackling the problem of global warming.

From the above remarks it is possible to draw the conclusion that at the world level an institution is needed to manage the resources necessary for funding the financial and technology transfers to less developed countries. Since this is a pre-requisite for a successful world-wide policy for curbing the emissions of greenhouse gases, and since there is strong political pressure to control global warming, the environmental tax proposals seem to represent the right approach to induce states to give up a part of their sovereignty in favour of a world institution. In other words, it seems that the fiscal question, linked to the solution of urgent global environmental problems, may play a leading role at the world level in providing a first step towards the political unification of mankind.

## The Democratic Basis of Global Housekeeping

CHARLOTTE WATERLOW

My theme is that a directly elected world parliamentary assembly, with executive organs and judicial systems responsible to it, is essential to the solution of the global environmental and developmental crisis called by the Club of Rome the “problématique.” Voltaire said: “Those who believe in absurdities will commit atrocities.” We can turn this round and say that those who believe in the right principles will create the right systems and institutions.

First, to note very briefly the main dimensions of the “problématique”, the world’s population of 5.4 billion is expected to double by the year 2050. At present 77 per cent live in the Less Developing Countries (LDCs); by 2050 the figure is projected to be 90 per cent. The world’s wealth is very unevenly distributed. The 77 per cent in the LDCs create only 15 per cent of the world’s GNP and have a net outflow of 50 billion dollars in repayment of a debt amounting to 1.3 trillion. One billion people live in abject poverty — a figure which has doubled in the last ten years. The two billion people in India and China have an average income of \$300 a year, while the average income of the Americans and the Japanese is \$20,000 a year. The world’s resources are being rapidly depleted and polluted. Oil reserves, according to British Petroleum, will be exhausted in 40 years; the tropical forests are vanishing, and with them their gene bank. A third of the world’s arable land will be lost by the year 2000. The fresh water situation is dangerous. Pollution is threatening the climate in ways well known to this audience. In a joint statement the British Royal Society and the United States’ National Academy of Sciences recently declared that: “The future of our planet is in the balance. The next 30 years may be crucial.” Some experts, such as the British environmentalist Norman Myers, place the time factor at ten years.

What must be done? I shall try to answer this question from the point of view of a World Federalist and a woman. In their new book, “The First

Global Revolution,” the members of the Club of Rome have tried to solve “the problématique” by what they call “the résolutive.” I shall suggest a model based on a more homely term: Global Housekeeping.

Let us imagine that the men have called in a group of housewives to get the Global Housekeeping organised. The first thing they will do is to assess the human family’s basic needs — both immediate needs, then the projected longer term needs of their grandchildren’s time. Before 1945 statistics for most parts of the world did not exist. The housewives will be surprised to find that since 1961 the U.N. and its Specialised Agencies have been working on “social indicators” for all parts of the world. In 1976 the International Labour Organisation, representing governments, employers and workers of 121 countries, produced the “Basic Needs First” strategy, assessing basic needs and calling on all governments to adopt policies which would ensure that the basic needs of all were met; and arguing that this was not being fulfilled by the “trickle-down” theory of capitalist investment. They were thus demanding the implementation of Article 25 of the Universal Declaration of Human Rights, which affirms the right of everyone to an adequate standard of life. Similar work on social indicators, emphasising the factor of the quality of life as well as the quantity of material goods, is being done by NGOs, such as the New Economics Foundation in Britain founded in tribute to Fritz Schumacher, author of the famous book “Small is Beautiful” which President Carter kept on his desk. This book has the significant sub-title: “Economics as if people mattered.” What is now needed is to remould the U.N. and its Agencies into an integrated body which can co-ordinate all this work into a global, unified approach, which takes account of industrialised and developing countries alike.

Having assessed the basic needs of all, our housewives assess the resources available to meet these needs: land, water, minerals, fossil fuels, and skilled scientific manpower. Knowing that only 6-7 per cent of the world’s active scientists and engineers are working in the LDCs, they arrange for the half million scientists who are working on military matters to be assigned to projects, such as genetic engineering and solar fusion and hydrogen energy, which could help to solve the Problématique.

Then comes the first crucial task: drawing up the Global Housekeeping Plan. It may be necessary to include some drastic measures, such as restricting meat-eating, since one cow consumes enough grain to feed ten people, and restricting the use of arable land for luxury crops such as tea, coffee, tobacco and possibly wine. For the global management of the world’s minerals, whose deposits are concentrated in four main regions

— North America, Russia, Southern Africa and Australia — the housewives can evoke the crucial principle of “the common heritage of mankind,” which has been applied by the Law of the Sea Treaty of 1982 to the minerals in the deep oceans (alas, the Treaty is not yet in force), and the Treaty of 1991 which safeguards the minerals of Antarctica from exploitation for 50 years. They may note that in 1969 the United States’ National Academy of Sciences called for international action to explore, conserve and manage the world’s mineral resources in the common interest.

As for energy, the need for world planning is urgent. The world stands on the threshold of a completely new energy era, when wood and fossil fuels must be abandoned and nuclear power presents huge uncertainties — just when three quarters of the world’s people are struggling to industrialise. Yet no U.N. Agency exists for promoting and co-ordinating national energy policies. France derives 70 per cent of its energy from nuclear power, while neighbouring Italy has renounced the nuclear option. The present world energy situation is an alarming absurdity.

The key concept for dealing with these resources — agriculture, minerals, energy — will therefore be management and sharing on the principle of basic needs first. The phrase which today rings so often in British ears — “profitability is the bottom line” — has become an absurdity in relation to these resources. But there would be no need to dismantle many existing bodies; managers could be companies with NGOs, U.N. guidelines and supervision, elected regional bodies, etc.

Now we come to the crucial question. What international body should authorise, supervise, legislate for and enforce the Global Housekeeping Plan? The United Nations’ General Assembly in its present form? The answer must be NO! For the Assembly is based on a fundamental contradiction. It claims in its Charter to represent the implementation of human rights, which include the right to democracy (see Article 21 of the Universal Declaration of Human Rights) and the right to have an education directed towards “the full development of the human personality” (Article 26). But in fact it represents sovereign states of enormously varied population and size, each given one vote. This is its first absurdity. There has been much discussion about dealing with the U.N.’s “democratic deficit” by setting up a Second Chamber, by instituting weighted voting (including perhaps a property qualification), based partly on national GNP (the so-called Binding Triad), by making it representative of national parliaments — as in the Parliament of the Council of Europe, and as was the Parliament of the European Community before direct

elections were held in 1979. But in my opinion the absurdity of giving the General Assembly a structure based on national sovereignty and the function to promote the human right of individual persons can only be resolved by basing the election of the Assembly itself on the democratic principle of one person one vote. CAMDUN has calculated that a system of organising this would be to give each country a quota of seats related to the square root of the number of millions of population. This would produce an Assembly of about 550 seats — a standard size. This reform would be the only way to secure democratic acceptance of the Global Housekeeping Plan.

The second absurdity of the General Assembly is that it has no effective powers: to control the absurd Executive, the Security Council; to make and enforce international laws, as distinct from passing non-binding resolutions; or to levy taxes — a world income tax system was proposed in the Brandt Report of 1980 and in Pope Paul VI's Encyclical *Populorum Progressio* of 1967. I think that it is only through turning the General Assembly into a real parliamentary body that it will be possible to implement the Global Housekeeping Plan.

But there is one enormous snag, which has been well expressed by an American advocate of a U.N. Parliamentary Assembly. He points out that if votes were allocated on the basis of regional population, Asia would have 60 per cent, Europe 13 per cent, Africa 12.5 per cent, North America 8 per cent, South America 5.5 per cent, and Oceania 0.5 per cent. "This," he says, "raises the question for many Americans of whether they really want democracy on the world level."

The huge LDC majority in the World Parliamentary Assembly is perhaps the only means which could peacefully ensure the redistribution of wealth and the reversal of the growth ethic of the industrialised countries from "big is marvellous" to "small is beautiful."

The gravity of the problématique, the urgency to implement the resolute, the Global Housekeeping Plan, may therefore be the goad which will bring about the transformation of the General Assembly from absurdity to rightness, and thus save the world of man and nature from disastrous atrocities.

## Mobilising the Public at the World Level

ROBERTO PALEA

1. On the occasion of the 20th anniversary of the Stockholm Conference the much anticipated Earth Summit on environment and development will shortly take place in Rio de Janeiro. This summit has been called by the UN, and various heads of state and government, as well as representatives of environmental organisations throughout the world, will take part.

World public opinion expects that such an important event will deliver binding commitments on the part of states, such as to be able to modify the course of world economic development and render it more compatible with the need to defend the environment.

Whatever the concrete results that may be achieved at the Rio Conference, the preparatory work and the exceedingly high interest that this has provoked, in conjunction with the world's expectations for this event, make it clear, even at this stage, that a result of Rio will be an increased awareness of the risks of ecological catastrophe and the need for world institutions that are related to the global size of the problems and capable of taking the necessary measures.

The federalist thesis that a world government is necessary will make headway; a world government is needed above all to restructure the world economy along ecological lines and to establish sustainable development throughout the world.

2. Although even very recently the idea of creating any form of democratic world government seemed utopian, today, in the wake of Gorbachev and the collapse of communism in the Soviet Union and Eastern Europe, this goal has become a concrete and achievable political aim.

Mankind faces a choice between uniting or perishing.

An appreciation of the severity of the situation has already produced,

and is increasingly doing so, a slow but progressive convergence of the *raison d'état* of the world's principal powers. This coming together is the basis for progress towards the goal of world government.

The nuclear disarmament currently underway between the two opposing blocs; the establishment and work of the Conference for Security and Cooperation in Europe (CSCE); the increased role for the UN, demonstrated by its interference in the internal politics of national states in order to safeguard human rights (as in Ecuador, the Gulf War, the Yugoslav conflict, etc.), are situations that have made this convergence apparent, just as are the evident limits to the absolute sovereignty of states (until now unthinkable) that such situations imply.

3. As regards democratic world government, the hands-on experience of European federalists in the European unification process during the last four decades, suggests some points to consider:

a) First, and most obvious, is that democratic world government will probably not be realised for a long time to come. But that need not be a source of discouragement. In fact, the conclusion of the world unification process is not a necessity, because international co-operation can nevertheless be increased and the foundations of a common global security system can be rapidly put in place with immediate effect.

The European unification process has demonstrated that the mere fact that Europe, in the post-war period, has started to integrate has led to immediate results of decisive historical importance for the future of Europeans (although the process is still in progress and not complete). Following centuries of fratricidal conflict, the idea of war between European states suddenly seems a leftover from the past; the integration of markets has provided the basis for unprecedented economic development; national politics are inclined, *de facto*, towards a continental outlook in all those sectors (agriculture, industry, energy and transport policy, and so on) which, up to a few decades before, were considered as exclusive national competences.

Should the world prove capable of choosing the path of unity in a decisive and coherent manner, the realisation of further significant achievements of no less import for the future of mankind (relating to the twin goals of world peace and the transformation of current forms of destructive economic development into "sustainable development") can be immediately foreseen.

b) The second point, equally obvious, is that the struggle for democratic world government will not simply be a long one, but also very

difficult and of uncertain outcome. The process will not develop in a linear fashion: setbacks, hold-ups, and defeats will prove unavoidable and are already visible in the wake of the optimism sparked by the Gorbachev era (it is enough to consider the fragmentation of the Soviet Union, resurgent nationalism, the current US stance with regard to the global ecological emergency, and so on).

The significant criterion, however, is that the world wholly demonstrate the profound desire to proceed towards unity by means of intermediate goals (the completion of a European Federation, the deepening of regional integration, and so on) and the attainment of small-scale objectives that are consistent with, and lead towards, the final objective.

c) The third point regards our own actions.

A movement of ideas and individuals, whose criteria for assessing situations and taking decisions to act are the interests of mankind as a whole, needs to be established on a world level.

The Federalist movement, non-governmental environmental bodies and pro-peace organisations are capable of realising such a movement by joining forces and operating in mankind's interests. In this way it will prove possible to mobilise world public opinion in favour of common, rational and forward-looking concerns that relate to the ultimate goal of world democratic government.

This movement ought to adopt immediately a common political goal of the most simple nature possible — the organisation of a world-wide popular petition aimed at the heads of state and governments, and the UN. This petition should propose limited, but strategic, objectives, among which: a world environmental agency with real power and independent funding; a global carbon tax; democratic reform of the UN.

d) The fourth point also deals with action.

It is not enough to generate a movement of individuals and ideas as outlined above; it is equally necessary that the transition process towards the goal of democratic world government be clearly identified, and followed through with determination.

Likewise, in this context, the experience of the European unification process seems to have been characterised by three decisive periods:

— the creation of the ECSC (European Coal and Steel Community), which was the first European supra-national institution, and which introduced an institutional formula and a mode of integration that developed later on with the European Economic Community. The result has led us to the brink of a European Federation;

— the direct election of the European parliament, which lay the



foundation for democracy in European institutions, and which enables us now to struggle for the parliament's transformation into a constituent assembly;

— the process currently under way for the creation of economic and monetary Union, which reduces the competences and power of the states and (after Maastricht) will make the process of European unification irreversible.

At the world level, the role of the CSCE could be carried out by the creation of a world agency for the environment which, in similar fashion, exercised supra-national power, was not impeded by the vetoes of participating countries, operated by majority decision-making, and was adequately resourced.

Among this agency's responsibilities would be included the extremely important task of transferring information and technological know-how to developing countries, and of financing the environmental conversion of economies, particularly in developing countries.

In order to carry out its functions, the agency should possess real autonomy, and hence a secure source of independent financing.

Such independent financing should be primarily based on the introduction of a carbon tax, to be collected in industrialised countries and in those countries on the so-called "industrial periphery," which foresee rapid development (Brasil, China, India, Indonesia, South Korea). The carbon tax would yield a very significant sum, and would also function as a disincentive to the use of fossil fuels, while encouraging interest in energy-saving technologies, sensible energy use, and alternative sources of energy. However, independent financing should also be provided from "automatic payments" to be generated by royalties on the use of common international goods, such as fish in the ocean, minerals under the sea bed, and the use of satellites, as well as royalties on mining the earth's natural resources (such as petrol, minerals, etc.)

Finally, the states themselves should contribute to this independent financing; their share to be directed towards programmes of environmental balancing.

For reasons of indisputable logic such contributions should be divided up on the principle of "ecological compensation;" hence, with regard to the extent to which an individual state is responsible for pollution. This should be in proportion both to the quantity of polluting substances that each state currently emits into the atmosphere or deposits in the oceans, and to the emissions of the last century which have triggered off the process of environmental deterioration from which not

only the industrialised countries suffer, but also those that have not been in a position to profit in equal measure from economic development and the sacking of the planet's resources.

The seed of democracy in world institutions can be introduced by means of democratic reform of the UN. Such reform will need to deal with the composition of the Security Council and the direct election of a second chamber, to be elected by universal suffrage of the peoples of the world in order to work alongside the general assembly, initially in a consultative role.

The Security Council must contain a broader representation of the world community than is currently the case. It is necessary to aim at a representation criteria that is not based on the criterion of states who were victorious in the last world war, but rather on the principle of representing the different regions of the world: the EEC in place of its member states; India; Japan; a united body to represent the African people. All these must be included among the permanent members. The rule of unanimous decision-making and the right of veto by permanent members needs to be re-examined.

The second chamber, to be elected by universal suffrage on the model of the European Parliament, is needed for the following reasons: to exercise a minimum of democratic control over world institutions; to respect one of the fundamental principles of democracy by which there can be "no taxation without representation;" to enable a second and more advanced phase in the struggle for democratic world government based on the claim for a more democratic equilibrium in the balance of power in world institutions, by means of gradually and continuously strengthening the competences and functions of the elected chamber.

In conclusion, a global carbon tax and world environmental agency would represent the start of a slow, but definite, process of transformation from the economic sovereignty of states in favour of institutions on a global scale similar to those that have been created within the European Community. Moreover, the international community would possess the necessary instruments (including financial ones) in order to take the first, urgent steps towards establishing sustainable development and common global security in the world.

These, then, are the challenges which we must meet if we really consider our duty to be the good of the whole world, since there exists no higher activity than working to bring closer the achievement of the common good of mankind.

## A World Authority for the Environment

JERRY BOURGEOIS

Nowadays the world environment is all too often easy prey to an exponential growth in unsupportable pollution.

World-wide, oceans and rivers are being polluted, forests are deteriorating and, as a consequence, the ozone layer is being damaged, without considering the many other attacks perpetrated against the environment.

The time has therefore come to intervene quickly! The phenomenon of uncontrolled and anarchic economic and industrial development cannot last any longer. However, control is itself a problem. It remains a fact that the countries in the southern hemisphere need to develop in order to improve their standards of living. Such development automatically implies an excess of pollution throughout the world.

We must therefore recognise that this problem exists, given that all the citizens of our planet have the right to live in an environment worthy of human intelligence.

As a result, developing countries must not repeat the mistakes made by wealthy countries during their development.

A sense of an awareness of the need to save the environment is now detectable, but it is mostly felt at a national level, and much less so at the international one. In some countries committed interest groups have already managed to master the dangerous progression of pollution. World-wide, however, many problems still await an answer.

We hope that all mankind will come to terms with this reality at a deeper level: the environment has no boundaries and, alas, neither does pollution.

Hence it is an urgent necessity that people are made aware of the destructive results of our planet's pollution, and come to understand how vital it really is to combat and overcome behind-the-scenes economic and commercial manoeuvres.

Is it irresponsibility, selfishness or malevolence that gives rise to pollution? As it seems at present, all these three together.

The present political reality of neighbouring and sovereign states does not help us to fight the dangerous and rampant pollution now occurring throughout the world.

In order to illustrate the current state of affairs, an example can be made of the pollution of the seas and oceans, that are sullied by tankers which clean out their tanks by pouring crude oil into the sea with impunity. Such actions are far too frequent, and are mostly carried out outside nationally-controlled waters, where it is difficult to put a stop to them. We can assess the situation by the damage this causes to sea life and the pollution which is visible on the beaches of many coastal countries. Many other examples of pollution could be cited.

When we helplessly behold the deterioration of our environment we feel dismay, yet at the same time we are fired by a strong feeling of rebellion that incites us to take immediate action. But what is to be done?

It was on 11th March 1989 at the Hague, that Holland, Sweden and France sent an "appeal" for the creation of a World Authority for the Environment. The so-called "Hague Appeal" was originally signed by 27 countries: at present there are 43 signatories, and Italy is among them.

This World Authority could be set up within the UN in the same fashion as the FAO (Food and Agriculture Organization) and UNESCO (United Nations Educational, Scientific, and Cultural Organization). The UN already operates a programme, the United Nations Environment Programme (UNEP), whose main aim is to create programmes for submission to the governments of the countries of the world. But are these programmes really respected and applied?

In fact, this body has no power to apply sanctions if countries do not accept its programmes.

A pool of experts could be created within the UN Secretariat to examine how this Authority for the Environment could be set up under the UN. Many other possibilities parallel to the UN can be envisaged.

This universal authority, which would be born by means of pooling a part of state sovereignty, will have to be democratic, just, efficient and serve all the peoples of the world. It will have to be endowed with some limited but real powers with which to check and coerce, as circumstances require.

Some of the world's most notable figures are backing this authority, something which reassures us in our commitment to the success of the initiative. I wish to cite three of the most meaningful declarations: that of

Mr. Josè Lutzenberger, Brazilian Minister of the Environment, "If we really come to create this Universal Authority it will be a very positive thing. Personally, I have always thought in global terms, and I am now convinced that some pressure should be exerted to make this happen;" Professor Alexandre Kiss, President of the European Council for Environmental Law, Strasbourg, "At present, there are no coercive codes imposing the general obligation to respect the environment on every country and to see that it is respected everywhere on their territory, on the open seas, in the Antarctic and in outer space;" and President François Mitterrand, "In 1992, we are going to work to make sure that this Authority really will be created. We will bring this project up on all occasions, including the Rio conference: we hope that this World Authority will establish its legitimacy through experience and independence, and that it will serve as a signal to political leaders all over the world."

We sincerely hope that in Rio, next June, on the occasion of the big world summit for the environment and development, the foundations of this universal authority will be laid, so that this world gathering will not be a failure and result in a mere declaration of intent.

We shall do as much as we can to present and defend this initiative in Rio.

## Towards the Overcoming of Absolute National Sovereignty

*GUY MARCHAND*

In less than 10 years' time, according to the experts, world pollution will have reached its point of no return.

To avoid this, the only enemy that needs to be fought is absolute national sovereignty, which, in the final analysis, was invented by the French Revolution.

I read the Italian Federalists' report of July 6, 1991 with great interest. It analyses this problem perfectly. It will be difficult for me to add new ideas to it, but I will try all the same.

On the programme, next to my name, I see written "Permanent Committee for World Unity" of which, in fact, I am one of the general secretaries. This committee assembles some 20 associations whose aim is to diffuse the theory of world unity, which consists of advocating the transfer of certain powers appertaining to each state's sovereignty to an international federal government. I insist on this adjective "federal", because world unity aims at a federal organisation of the world, which implies the possibility of taking decisions even at the lowest levels. Thus the ordinary citizen will become responsible. World unity means that the relationships between peoples, hitherto regulated by international law (which is a law of co-ordination between sovereign states), should be subjected to a world law which will instead rule over these very same states. This framework would endow such law with the powers necessary for its effective enforcement.

After 1899, the date of the first world peace conference, and right through the first half of this century, ideas advocating world unity, in order that law might prevail against brute force, were proposed by Bertha Von Suttner, David Lubin and by Nobel prizes winners such as La Fontaine, Léon Bourgeois and Albert Einstein. Since World War II the supporters of world unity have taken their place: in 1947 the World Fed-

eralists were founded, and in 1949 the Citizens of the World were established.

Both of these associations have brought together hundreds of thousands of people. Today, despite counting less members, their ideas have become all the more useful for the survival of mankind itself. As a matter of fact without a World Authority for the Environment, which Jerry Bourgeois has spoken to you about, the human species will disappear as a result of the complete pollution of the biosphere. Through some transfer of sovereignty, something which should be carried out as soon as possible, a legal structure above the sovereign states can be created. Such a structure is vital for the establishment of those coercive powers which are needed to combat the harmful actions perpetrated against the biosphere. But, for the moment, let us go back to the origins of the concept of world unity, which was created to avoid a third World War by laying the foundations for on-the-spot supranational control of disarmament. In fact, Reagan and Gorbachev, by signing the Washington Treaty in October 1987, did no more than apply these ideas.

Before long, however, in 1950, supporters of world unity became aware of the fact that the problem of developing Third World countries was also a world problem. Lord Byron Orr, who won a Nobel prize for peace, and Abbé Pierre, declared that in the future the real problem would be the North-South relationship, and not the East-West one. They were right. But because the theory of world unity has not been applied, world poverty is increasing, in spite of the 5 or 6,000 associations which are at present fighting it. The third problem needing a solution at an international level was the environment. Since 1955, supporters of world unity have started to become interested in this issue, which is naturally of a global scale, and they have launched the Neptuno project, which was introduced by the British parliamentary group for world unity that counted 107 members. At the moment, we can say that problems of international finance, overpopulation and scarce energy resources also require a universal, supranational solution.

While the two associations of the World Federalists and the Citizens of the World had adopted for some time different methods of approach towards the same goal, we can say today that their initiatives are identical. They both advocate an amendment to the UN Charter by adding a second chamber, the World Peoples Chamber, in order to endow the UN with real universal executive power. Moreover, citing Montesquieu, the supporters of world unity want a true world executive, that has world-wide powers of coercion together with a world judicial authority. This latter

institution would be independent of the other two powers just as it should be of the sovereign states.

Many strategies are being employed to achieve this organisation of world democracy, including the project of a second chamber within the UN. In this connection, I would like to tell you that I have been working on the People's Congress project for 20 years now; its purpose is to have 80,000 electors in 110 countries vote in 8 postal ballots to name the delegates to the Congress mentioned above. It is clear that if the vote is real, and if it is organised exactly as in democratic countries, this People's chamber will become a symbolic reference point for everybody. If we accept that the electoral bodies of about 20 countries which are members of the UN count for less than 80,000 voters, we can see why the UN must recognise that the procedure adopted by the People's Congress is a valid one, and could be useful as a basis for the organisation of universal elections based on the principle of one man, one vote.

I know very well that setting up a real universal legislative body will take a lot of time, and that time is running out for the creation of a World Authority for the Environment. But it is possible to suggest a variety of different procedures with more immediate effects, such as: 1) replacing existing institutions, for example the UN Programme for the Environment (UNEP); 2) creating a special Agency identical to the Universal Postal Union; 3) creating a special Agency like the Vienna Atomic Agency; 4) creating an arbitration tribunal, a true litigation chamber as allowed by Article 29, paragraph 2 of the Statute of the International Court of Justice; 5) creating a world supranational institution; 6) using articles 22, 29, 109, etc. of the UN Charter. Furthermore I would like to suggest a personal solution. Why not ask the 180 UN countries to insert the following sentence into their German, Italian and French constitutions: with reservations for reciprocity, some limitations on sovereignty are admissible. Thus, one day the leaders of these 180 countries will come together and will simultaneously adopt this principle of reciprocity in order to create, by transferring some of their sovereign powers, the World Authority for the Environment.

I am sure that if political leaders are ready to deal with this matter, jurists will not only find these 5 solutions, but scores of others. All they need to do is to choose one of them, apply it and in this way save the biosphere of our planet, and in the process the whole of humanity.

And now, Rio. Is this political will of supranationality going to exist at the Rio conference? I do not think so, and this is the reason why. First, because the Rio summit is based on the sovereignty of each state, which

is not only an immutable principle, but a sacred one, according to Mr Maurice Strong, the organiser of Rio — the same person who organised the Stockholm conference 20 years ago. Yet, Mr Strong knows that Stockholm was a failure because pollution has continued to grow, and he knows why: because of absolute national sovereignty. Experience has been of no use to Maurice Strong, and I regret that he is not present today, since I would make him account for his actions.

In preparation for the Rio conference then, environment and development have been placed together. I know very well that these two problems are linked but they are also connected to the problems of disarmament, overpopulation, a world currency and energy provision. We can study these five or six world issues either together or separately. That is what was done at Stockholm and that is what should have been done at Rio.

Now, by dealing with both these topics together, we can always find an issue which we do not agree on, all the more so considering that besides the issue of development we should face the questions of disarmament, the stabilisation of the use of raw materials, the control of multinational companies, and the issues of debt and currency, overpopulation, regional federalism, and self-sufficiency in food.

This was how the project of a World Authority for the Environment, proposed by François Mitterrand in Paris in front of 852 non-governmental organisations, was rejected.

This was how we could read in *Le Monde*: "Failure of the preparatory conference for the Earth Summit." This includes the failure of the "last chance" conference held in New York, where the final texts of the Rio summit should have been elaborated.

I am not a diviner but in a letter of last February, I wrote that, like Stockholm, Rio was going to be a failure. The Hague appeal of November 3, 1989, signed by 43 countries in favour of the transfer of national sovereignty to a World Authority for the Environment, aroused great hopes. A few months later, I was able to approach François Mitterrand to give him some additional information on this subject. But the G7 summit of July 14, 1989 was a failure. The Paris conference of December 17, 1991 was a failure. The New York conference, which has just taken place, was a failure.

What else can we hope for? To ensure people accept world federalist theory, that is our only hope.

## International Economy, Poverty and Desertification

*PAPE AMADOU SOW*

1. In the South, priorities mean having to make hard choices. Every day terrible internal and external constraints must be faced.

Amongst other things, the South needs immediately to find a way to feed hundreds of millions of undernourished people while available land is already saturated. On the other hand, it must repay its debts. But, while the products of the forest bring in money, its governments do not make necessary investments. Finally, the South needs energy, and fossil fuels, oil, carbon and gas must be paid for in hard cash for prices that all of us are familiar with. The energy needs of the developing countries, especially for firewood, will keep on increasing in absolute terms. More than 1 bn people live between the Tropic of Cancer and the Tropic of Capricorn, with a rate of population growth sometimes reaching over 3%. The tropical forest for them is the only place to satisfy their hunger, a new frontier stretching over a new El Dorado, a virgin, wonderful, vast stretch of land that is open to every conqueror. Poverty is perhaps the worst enemy of the natural environment.

2. The relationship between man and the environment has not always been based on man's negligence. When agriculture was the fundamental support of the economy, traditional societies understood the need to keep a constant balance between land productivity and soil regeneration.

In this context, in ancient times, a tried and tested system for the exploitation of land was developed, which involved letting the land rest for some time after a few years' cultivation in order to restore its fertility.

This technique, called leaving fallow, has been adopted ever since the beginning of time. However, it implies a reduction of cultivatable land, because some land must be left vacant for a period of two to three years. In the Sahel, for instance, 2.5 hectares of rural land is needed on average

in order to feed a man under these conditions.

But if population density grows, which has constantly been the case throughout this century, mainly due to the progress of medicine, it will become increasingly difficult to respect this ratio of ecological equilibrium - that currently amounts to 2.5 hectares per person. Two solutions, then, are possible: a) to adopt more effective techniques in order to increase the productivity of exploitable land (this solution assumes that rural communities have the financial means needed to introduce technological progress through new investments); b) to cultivate new land in order to increase agricultural production, to the detriment of a strategy for the preservation of forests. The second solution is generally the more popular, mainly because peasants earn poor incomes and therefore have a limited capacity to invest in the modern equipment which is the keynote of technological progress.

Under such conditions, demographic growth directly affects the environmental balance. In the Sahel's case, the population has passed from 1.4 m people in 1920 to 3 m in 1980. By the year 2000 it is expected that there will be about 44 m inhabitants. It is on average 85% rural, the land is its main resource, from which comes firewood (between 700 g to 1 kg a day, per person) and staple foodstuffs (agriculture and livestock). The Sahel also earns part of its foreign exchange from the monoculture of peanuts and cotton, which unfortunately gives the land very little chance to recover its fertility.

Low living standards mean that the inhabitants of the Sahel are no longer satisfied with the part of the land they now live on, while the lack of resources prevents them from reaching a high level of productivity. At the same time, the impossibility of buying modern equipment in the Sahel, means that modern sources of energy such as electricity, oil-products and coal cannot be used, and its people are confined to using firewood as their sole energy source.

In other words, there is a structural imbalance. On the one hand, in these societies the population increases rapidly owing to the introduction of ever more advanced public health systems, while on the other these societies still use rudimentary techniques for the exploitation of the environment, in this case the land. Such an imbalance, whose consequences are visible on the environment, is a considerable agent of desertification. This means that, beyond the problem of desertification itself, a real developmental crisis is clearly at hand.

### 3. Industrialised countries, representing 30% of the world's popula-

tion, own about 80% of the planet's wealth. They consume more than 70% of the energy used in the whole world, which represents an increase of carbon dioxide in the air equivalent to deforesting 80 m hectares every year.

The UNCTAD countries (United Nations Conference for Trade and Development) have classified the less advanced countries (LAC) in a group, whose membership has gone from 31 in 1981 to 42 in 1990. They have a total population of 400 m people and an average income of \$200 per capita, p. a. The Sahel is among the poorest countries in this group. According to an EEC study, out of 343 companies in the less developed African countries, only 20 operate efficiently.

Their poor condition is logically part of an old process. In 1960, their share of world exports was in the order of 1%. This gradually decreased to 0.3% in 1989. LAC population growth, which today averages 2.7%, must be reconciled with a growth in agricultural output of only 1.7% in the period 1981-1989. This has certainly entailed the allotment of an increasing part of national resources to nutritional needs.

But we cannot ignore the burden of the increasing deterioration of the exchange rate situation which worsened by 15% between 1980 and 1988 for all the less advanced countries. Their debt situation is particularly grave. At the beginning of 1989 it went beyond \$69 bn, that is three quarters of the LAC's GDP.

Clearly, under these conditions, the inhabitants of these countries cannot do anything but cling to the resources of their immediate environment, and the need to respect the conditions for recovery of their natural environment becomes irrelevant compared with the need to survive. Energy, a resource which is a key factor in the economic and social conduct of every social organisation has, therefore, been increasingly taken from the forests. Due to ever increasing needs, there is continued pressure on the natural environment, and the consequences for the future are disregarded.

## Protection for Every Person and Nature under World Law

PAUL CLARK

The Mandate for Life on Earth is a world-wide grass roots campaign intended to reinforce the rights of the individual against environmental abuse and to enable ordinary people to make their voices heard on the environment at a global level. It is raising 100 million signatures on a document authorising the creation of new global institutional structures to be responsible for the conduct of the environment — including a World Court of Justice for the Environment. The campaign operates through over 200 organisations in over 60 countries.

Participating organisations represent a broad swath of society. They include the Young Men Christian Association (YMCA) of Canada and Young Women Christian Association (YWCA) International, the Spiritual Community of the Bahais of Great Britain, the Junior Chamber of Commerce in Japan, the World Wildlife Fund (WWF) in Australia and India, the Association of Young Environmental Workers in China, the Lions Clubs in Russia, the National Resources Board in Zimbabwe and the United Nations Association in Mongolia. The Secretary-General of the Earth Summit has endorsed The Mandate and has written his encouragement for its genuine grassroots participation in the Rio Conference.

A World Court of Justice for the Environment implies a new kind of jurisprudence for the environment. Existing international law for some of the most powerful countries, for example, regards the “global commons” — that is, the sea beds, the oceans, the atmosphere — as belonging to no-one. What can be expected beyond competition, conflict and chaos as a consequence? So a saner environmental jurisprudence might start by enshrining in law the concept that the valuable “global commons” belong to everyone. That is just one example of how we need to rethink the way the environment can be protected by new legal concepts.

Another example concerns the role of cause and effect evidence. In

organic systems and eco-systems, called by engineers non-linear systems, there is little hope in producing persuasive cause and effect evidence before irreversible damage may be perpetrated. The dolorous history of victims of tobacco use and their suppliers in courts of law, where few if any findings of liability have been established, is illustrative of the difficulty of establishing cause and effect in non-linear systems to the satisfaction of judges. It is in such cases that precaution should be exercised and a “precautionary principle” be established within global environmental law. Experience confirms that by the time cause and effect may be established damage has become irreparable.

The Mandate campaign also calls for a new institutional framework that offers global environmental protection. It is an open concept that allows the possibility of national/regional and public/private co-operation in new forms. It is worth considering the possibility of private participation at the global level. We observe that safe transport, safe homes and work places have evolved primarily as a result of that important eighteenth century social invention, insurance coverage. Such coverage was developed in a response to commercial demands apart from government.

Governmental regulation adds a necessary dimension in realising the full benefits of this social invention. The Combination of insurance premiums and prosecutions for liability in a court of law have been fundamentally instrumental in securing accountability and safety in most domains of our lives. One might adopt a working rule, “If you cannot insure it, do not install it.”

We are working toward the recognition that common problems require common management. It is clear that we have common problems. It is also clear that we have no common management at the global level. We have national and international talk shops, study groups, scientific commissions and a surfeit of meetings: but no management structure. And if it is clear that we need effective, common management then such management means, in the parlance of the street, an institution with “jaws and claws.”

If we are really serious about management, that is doing instead of talking, then we know that international agreements, treaties, protocols and declarations that rest solely on consent and goodwill are problematic, especially in the face of serious environmental challenges that have the power to divide and divert us.

One of the tasks of such an institutional framework is to develop global standards about environmental factors. Take for example the issue

of clean water. What does "clean" mean? It must have at least some 160 different meanings, one for each country. But if we can see the value of setting a world standard for television sets, for tetanus jabs, for automobile tyres, even for nuts and bolts, then how much more important it is that we should have a world standard for the meaning of clean water. This standard should be published and the performance of our governments in achieving those standards should also be openly published. There can be no accountability except under the rule of law.

Thus much of the message of the Mandate is accountability of institutions, public and private, under the rule of law. During this past year I have travelled five times around the world. Everywhere I sensed a growing feeling of profound injustice and inequity in relation to the opportunities that exist for development, environmental quality and personal well-being between the privileged peoples of the world and the two-thirds world. (I prefer to talk about the so-called "third world" as the "two-thirds world" —that keeps it in perspective. It also avoids the implied sense of hierarchy and keeps the focus on the objective fact that we are addressing those parts of the world where more than two-thirds of the human family dwells.)

To solve the common environmental problems that confront us will take a collective and co-operative effort on a scale that is almost unimaginable. It is a journey into completely new territory. It is like going to the moon. The old vehicles simply will not get us there. We can take an aircraft from any point on earth to any other, from pole to pole, right around the equator and all point in between, but no airplane will ever get us to the moon. For that a new vehicle is required.

We do have some ideas about the operating characteristics of such a new vehicle. We have learnt much that is useful in our individual development as nation-states. No mere rearrangement of existing systems will however solve our problems, any more than a mere rearrangement of the parts of an airplane will get us to the moon. Our challenge is just as daunting as that which faced the early scientists who were charged with the task of building a vehicle capable of flying to the moon.

Much of what we have learnt from our existing political and social institutions will also apply to a truly global institution. It surely must be accountable to individuals, open to the rule of law, and provide the means of obtaining justice to all. These are the basic themes of The Mandate.

The importance of accountability to ordinary people is best illustrated by the effects of environmental disasters. Be they in the form of nuclear accident or red tides or acid rain or deliberate military targeting (euphem-

istically called "resource denial"), they destroy the livelihoods of individuals, not governments — always individual fishermen, farmers, shepherds, foresters and industrial workers. Such incidents also destroy living things and their habitats for which there is no voice in a court of law.

People who live on the front line of environmental destruction, mainly those in the two-thirds world, whose natural bounty supplies the needs and appetites of the developed world, appreciate the situation with poignant intensity. They intuitively recognise the need for structural modifications in the global system of *governance*.

Protection of the "global commons" is the foundation for universal agreement. It is the ground on which we can begin to erect such global structures that will allow us, the whole human family, to protect ourselves in the face of vast environmental change while keeping to the principles of equity and justice inherent in our common humanity.

I was giving an interview for *The Statesman* newspaper in India December last when the reporter suddenly brightened. He exclaimed: "My God, what you are doing is *Gandhian*. Did you read him?" "Yes," I replied, "there is a Gandhian inspiration to the Mandate as we are expressing our collective support for a positive direction to the future that transcends all our individual, cultural and political boundaries." We are saying, "You have our support if you go in this direction."

It means taking responsibility for the direction we want to go rather than screaming at our leaders that we do not like the direction they are taking us. One hundred million people, saying to the leaders and the governments of the world: "We want you to take this route. You have our authority to do so and we will support you."

This is a bottom-up approach to our common life. Politics is often a top-down approach where a few impose their programme on the many. To distinguish further The Mandate's approach from the political, we might call it a social movement that empowers ordinary people to set the direction on the future.

There is good news about the availability of a working model of a World Court of Justice for the Environment. It is our own European Court of Justice. Individual nations empower it with shared sovereignty, decisions are binding on governments, individuals possess standing and it is accessible by all.

There is further good news that there exists a concrete outline for such a Court, thanks to the visionary and pioneering initiative of the Italian Supreme Court.<sup>1</sup> It is a document that can form the basis of serious treaty making efforts. We have concrete models and proposals to work from in



building global structures that can respond to our most pressing needs. Mobilisation of popular support to those leaders and those countries who move in this preferred direction is also well underway. Reliable funding by universal taxation will ensure its independence from the influence of special interests.

We have enough in the way of models and proposals that are concrete enough to commence concrete work. Support for The Mandate and for the labours of Judge Amedeo Postiglione of the Italian Supreme Court is a worthwhile goal in advancing our collective objectives in securing our common future on the principles of democracy and the equal protection of law.

#### NOTA

<sup>1</sup> Postiglione's initiative, which is quoted below, aims to create an International Court of the Environment, with compulsory jurisdiction over all environmental controversies. [Ed.]

## A Global System of Environmental Protection

ROY BREIVIK

### *Introduction.*

The ecological issues confronting us are indeed complex. Many of them are escalating and threaten health and life on earth (if not properly acted upon). I shall not bore you with facts and figures about these threats. The evidence is considerable and no doubt well-known to this audience. Over recent decades people and governments have gradually become more and more aware of these threats and challenges. The reaction has, however, been slow and piecemeal, without a proper overall strategy and plan. The 1987 Brundtland report on Environment and Development was in many ways an eye-opener and demonstrated the need for closer international coordination, cooperation and a stronger response. The 1989 Hague Declaration by 24 Heads of State and Government called for "a new approach... including new and more effective decision-making and enforcement mechanisms."

### *Expert Commission and WFM.*

I would now like to introduce you to a proposal elaborated by a Commission of 42 experts in Norway for a more effective world-wide method for adoption and execution of environmental regulations than our present sectorial conventions. The expert group, which I had the honour and pleasure of leading, consisted of individuals (all acting in a personal capacity) of high standing and broad experience from the fields of environment, science, industry, business, finance, armed forces, politics and, most important of all, international law. The Commission's proposal was adopted last summer by the World Federalist Movement's Congress and is now a substantive part of WFM's environmental policy. The Congress, however, added that the proposed system should be monitored

by a UN (Environmental) Parliamentary Assembly and this point is particularly emphasised in the covering letter by the WFM's Executive Committee chairperson Keith Best.

#### *Research.*

The Commission started its work with extensive research which produced a comprehensive register of 15 international resolutions, 10 intergovernmental declarations and 164 multilateral conventions for the protection of various aspects of the environment. The conventions are categorized, analysed and systematically surveyed regarding methods employed for enactment of international regulations, including monitoring, controlling and sanctioning. Time does not permit a detailed description of this work. I will therefore only highlight the main conclusions drawn.

First, there has been slow progress from simple declarations and treaties between sovereign states to an increasing recognition of the need for international legislation.

Second, several environmental conventions and problems are inter-related and partially overlapping, i.e. the climate conventions clearly relate to the ozone layer and tropical forest conventions, and so on.

Third, there is a lack of coordination and cooperation between the different international institutions and procedures established.

In other words the research work clearly demonstrates that present methods and systems are inadequate, inefficient, costly and do not meet the global environmental challenges confronting mankind today and in the future. In addition many of the conventions need to be supplemented by provisions for surveillance and verification, and for sanctions against violators. On the other hand the research work served a useful purpose in describing both developments and trends so far, and the present situation, and thus gave the Commission a firmer platform as a point of departure for its own deliberations.

Many aspects of environmental threats are international. They affect neighbouring countries and the world at large and cannot be adequately met by national action alone. This is accepted by most countries. Environmental restrictions however may involve serious economic and other sacrifices for the states concerned, or a deterioration of their competitive position in the international market. States may therefore not be willing to act unless others do likewise. And many states are unable to

initiate the necessary measures without financial assistance. The system we propose foresees financial assistance to developing countries and others who will be disproportionately burdened by environmental restrictions, through a system of taxation, funds and economic aid.

#### *A General UN System for Protection of the Environment.*

In response to the present global situation and the many calls for new approaches, we propose a new general convention which would in the first place progressively serve as an "umbrella convention" for existing and new environmental conventions. It would also provide institutional arrangements and procedures for legislation, monitoring and sanctions where these are lacking today. The ultimate aim is to establish a consolidated system covering the major aspects of environmental protection with common institutions and harmonized principles for enactment and enforcement, as well as a common system for research, monitoring and verification.

#### *Structure.*

The basic structure of this new UN system is as follows:

a) a Plenary Assembly (such as the UN General Assembly or a special environmental assembly consisting of representatives of all states who have acceded to the general convention) for the adoption of binding international regulations by qualified majority vote.

b) a smaller Executive Council, consisting of representatives of a limited number of member states, including a number of permanent members and an additional number of members to be elected for limited periods on a rotating basis. No individual state would enjoy the right of veto.

c) a Secretariat which in addition to serving the Executive Council and Assembly and performing other normal secretarial functions could also organize and carry out monitoring and enforcement either as a distinct unit of the Secretariat or as an additional separate organ.

d) an International Environmental Court to settle disputes relating to all relevant conventions. (This Court would not be necessary if the statute of the International Court of Justice could be amended to admit international organizations as parties to disputes.)

### *Principles of Governance and Parliamentary Assembly.*

Democratic representation, accountability, and decision-making at the appropriate level of society are basic principles of governance. To meet the threats to life on this planet which are world-wide in scope, new trans-boundary international laws, rights and obligations are necessary. However, the new institutions proposed by the Commission should therefore be directly accountable to the citizens of the world through democratic participation. The World Federalist Movement consequently suggests that a Parliamentary Assembly with consultative status be elected from the parliaments of participating governments, to monitor the decisions taken by the Executive Council and hence serve as a democratic body representing the peoples of the world.

### *Execution and Verification.*

In order to promote effective implementation of, and compliance with, the decisions of the new institutional authority, we propose an international Monitoring and Inspection Service. But this should as far as possible rely on the existing services of states, IGOs and NGOs, including the proposed International Satellite Monitoring Agency.

### *Sanctions.*

The system we propose includes eight types of sanction against violators, varying from very mild to effective punishment. The latter could of course only be imposed for violations of legal obligations, and there would exist the right to appeal to the Court (ICJ). Examples of such sanctions are: publication of the violation and the violator; import duties on goods produced in violation of the regulations; fines; punishment of individuals (Saddam Hussein).

### *Weighted voting.*

Super- and major powers may not accept being outvoted by a majority of smaller powers. We therefore suggest that weighted voting may be necessary. But there should be no single state that can prevent adoption

by veto; there should possibly exist the right to opt out within, for example, 3 months. It is worth noting that weighted voting already exists in some organizations: for example in the European Community and the international telecommunications satellite organizations (INTELSAT, INMARSAT, etc.).

### *Concluding remarks.*

The citizens of the world need a shared global vision so that we can gather together our fragmented efforts into a focused attempt to save our common future. It is difficult to see how decision-making in international institutions can become effective unless we introduce new elements of supranational rule and legislation. Countries have sovereignty over their national resources, but decisions on emissions as well as the use of toxic and hazardous substances which affect us all will be illusory if we can only move forwards at a snail's pace decided by the slowest ship in the convoy (those most reluctant to take action). In the long run, a comprehensive UN system, as proposed by us, would streamline the administration of a wide range of environmental treaties and conventions while at the same time making the job of monitoring environmental legislation more practical.

### *The Earth Summit in Rio.*

Our short term goal is that the Earth Summit in Rio in June should agree to include in Agenda 21 (follow-up tasks) to start work on a general UN convention for Protection of the Environment along the lines proposed by us, by establishing a committee of experts which will, of course, also take into account other similar proposals that have been made by others. We are lobbying hard to achieve this and welcome all the support you can give us in this respect.

At the same time, and in parallel, we are striving to get the proposal onto the agenda of the 6th Committee of the UN General Assembly as well as onto the agenda of the UN Decade of International Law.

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