The Federalist Debate

Papers on Federalism
in Europe and the World

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The Terrorist Attack of Hamas on Israel

Lucio Levi

The unbounded ferocity of the Hamas attack on Israel, which took place on October 7, 2023, was the deadliest terrorist attack undergone by Israel. More than 1200 people have been killed, more than 5600 have been wounded and at least 230 hostages have been deported to Gaza. The attacks against civilian population and the capture of hostages are war crimes which show a total contempt for any moral principle, are contrary to the principles of international law, should be qualified as crimes against humanity and cannot be justified in any circumstance. The black Saturday reawakened the nightmare of the Shoah. And yet there was a time when the dream of the peaceful coexistence of the Israeli and Palestinian peoples seemed at hand, the time of the Oslo Accords, signed in 1993 and 1995. A more recent attempt were the Abraham Accords, which the attack of Hamas aimed, in all likelihood, to shelve. Of course, it would be a mistake to place on the same level the aggressor (Hamas) and the victim (Israel). The appalling slaughter accomplished by Hamas has been qualified by Jürgen Habermas as a crime of an "insurmountable cruelty". The reaction of Israel aims to an opposite and equal goal: the destruction of Hamas. Both plans are clearly impracticable. Hitler killed more than six million Jews, but he could not attain the goal of destroying the Jewish people. Likewise, for Israel it is impossible to cancel the Palestinian people. We should not forget that Israel was founded by stateless and homeless "people like me", said Primo Levi, people who survived the horrors of WWII, and had their concentration-camp ID numbers tattooed on their arms.

In Jewish tradition is rooted the idea of building a new type of society where the exploitation of labour would not exist any longer, a society based on equality and justice, aiming to create a cradle of social and political innovation, symbolised by the Jewish people of diaspora, the wandering people deaf to the allurement of nationalism, by the University, the vehicle of dissemination of the universality of knowledge, by the collective farms (the *kibbutzim)* intended to fertilise the desert. I always have looked with suspicion at the Zionist ideology conceived by Theodor Herzl aiming to transform the Jewish people, a stateless nation, into a nation-state like the others, doomed to an inevitable endless war against its Arab neighbours.

The current phase of the Israeli-Palestinian conflict is different from the previous ones. Israel's occupation of the West Bank, East Jerusalem and the Gaza Strip is a heinous crime, that has produced systematic human rights violations against the Palestinians living there. But to attack hospitals, to shoot hundreds of innocent victims, to behead children, to rape women, to desecrate corpses, to expel one million people from their homes are most atrocious crimes. Also in atrocities it is possible (and necessary) to identify a hierarchy. Now the risk is that Israel can go well beyond the borderline which separates self-defence from aggression, so that a wide popular movement is taking shape, assuming the nature of revenge, of iniquitous retaliation and, as a last resort, of a war crime should Gaza become permanently uninhabitable. And in fact protests against the Netanyahu's government are growing to such an extent that it is charged with genocide. As is known, the Israeli government has been accused of genocide in Gaza by South Africa before the International Court of Justice, being the number of civilian

casualties approximately at 24,000 in the first 100 days after the Hamas attack.

According to the data provided by Amnesty International, 600,000 Jewish Israeli settlers are living on occupied Palestinian land, 100,000 hectares of land have been appropriated by Israel from Palestinians since 1967, 50,000 homes and structures have been demolished over the past fifty years, 4.9 million Palestinians are facing daily restrictions in their movement. As asserted by Shimri Zameret, a courageous civil rights activist and an opposer of the Israeli regime, in an article published in this issue of *The Federalist Debate*, "the Israeli occupation of the Palestinian territories is the root cause of the conflict".

Of course, it should be recognised to Israel the right to operate for defeating the terrorist threat of Hamas, since it represents a threat for the whole international community. What is unacceptable is that Israel's reaction violates the rules of international law and takes inhuman measures, e.g. blocking the supply of basic commodities and utility services to Gaza such as food, water, drugs, heating, electric lighting, etc. The solution to the Israeli-Palestinian question does not lie in the impossible attempt of one people to prevail over the other. Decades of conflicts have shown that that is a dead-end road. The only positive solution is to explore the way leading to a peaceful coexistence between the two peoples under a common law. As long as the Israeli and Palestinian peoples do not recognize the mutual right to share the same land, not only there will not be peace in the Middle-East, but the political stability of the whole world will be exposed to the danger of the interruption of the vital flow of oil and gas and other commodities from the Red Sea to the Mediterranean.

The example of the European Union shows the way to follow if peoples want to get out of the practice of violence and regulate their relations through a common law. The peoples of Europe have learnt from the experience of the massacres of WWII that only federal institutions can ensure peace. The first step to take, if we want to pursue the largely agreed solution of two states for two peoples, is the creation of a Palestinian state, that, for the time being, does not exist and is rejected by both Hamas and Netanyahu. As the European experience shows, the initial federal core must remain open to the neighbouring middle eastern states, making the Israeli-Palestinian federation the starting point of a federative process destined to involve the Middle Eastern region. It is worth recollecting that Jacques Delors, inspired by the example of the European Coal and Steel Community, stated that a first federal core could be created in the Middle East around an energy and water Community. Lastly, it is appropriate to point out that Israel and Hamas are supported by powerful international alliances of states, being Hamas backed by a coalition of Arab states led by Iran, which pursue the goal of destroying Israel, and Israel is supported by a large coalition of countries of the Western World led by the United States and the European Union.

A security community – like the Organisation for Security and Cooperation in Europe (OSCE) created in the large geo-strategic space occupied by Europe, Russia, some republics of the former Soviet Union, the US and Canada – should also be created in the Mediterranean, to pursue the reduction of weapons, the creation of a nuclear-free space in the Middle East, the formation of a Palestinian state which develops federative relations with Israel within the framework of the Arab League, the rebuilding of failed states, and the dismantling of the criminal bands that hold the monopoly of the transportation of migrants to Europe. Most of these objectives have been on the political agenda for decades, with no significant progress. The starting point can only be the creation of a climate of trust between all parties involved, as happened when the Helsinki process started.

For a New Planetary Humanism

Edgar Morin

As I have often had the opportunity to say and write, Mauro Ceruti is one of the rare thinkers of our time to have understood and taken up the challenge that the complexity of our beings and our world poses to us. Through his ideas and also his generous organizational activity, he was the tireless weaver of an extraordinary and creative international and trans-disciplinary community of thought. Among other things, he was the promoter and inspirer, with Gianluca Bocchi, of the splendid symposium "The challenge of complexity", held in Milan in 1984, as well as of the historic symposium "Physis: inhabiting the Earth" held in Florence in 1986, seminal and decisive moments for the development of complex thought. His thought always contains and intertwines, nourished by it, three passions: the philosophical passion for the theory of knowledge, the political and civil passion for Europe, the ethical and pedagogical passion for the destiny of humanity.

Commenting, in 1986, on his book *Constraints and Possibilities*, which has now become a cornerstone of systemic epistemology, I observed that classical science could recognize rationality only in necessity and could only consider chance as irrational, and that Mauro was inviting us to explore a series of conceptual transformations of our theoretical conceptions, and was indicating the way to enrich and make more complex our vision of rationality.

His belief, which I shared and on my part developed in *The Method*, was that the real issue of our modernity was a renewal of the scientific and of the epistemological problems-area, capable of taking up the challenge of complexity. And we have both dedicated these decades to taking up this challenge. This challenge, for Mauro, emerges precisely from the bowels of European history and civilization, and Europe is faced today with it as an unavoidable task.

He shows, in his speeches and in his books, that in thinking about Europe one cannot dissociate its multiple diversity from its unity, indicating that the Europe to be built (if this is still possible) must be that of unity in multiculturalism. Presenting the French edition of our book *Our Europe*, in 2014 I wrote that it was «the work of two brotherly spirits, that of Mauro Ceruti and mine: I find myself in him as he finds himself in me». Together, in that book, we raised the alarm.

Europe, a breeding-ground of great civilizations and capable of integrating very different ethnic groups, in its ambivalence has experienced two specific diseases: the national States' internal "purification" and the sacralization of borders. After the catastrophe of the two World Wars which had brought Europe to the brink of the abyss, the European Union allowed the polyethnic integration of small mono-ethnic nations and therefore tended to eliminate the disease of purification. And it has also produced a desacralization of borders.

However, in Europe today the specter of a new purification appears, namely that against migrants whose condition is seriously threatened, as well as against migrants who are mercilessly rejected. And so we raised our voice against the idea of a "fortress Europe": especially since Europe was born from migrations, from

prehistory to historical times; especially since its own "miserable outcasts" emigrated to the Americas; and even more so since the ravages of the development imposed on Africa are pushing proletarianized Africans to move to Europe. And we have also stigmatized the last obstacle to the European Union, which comes from the European States themselves, who have agreed to abandon their economic sovereignties, but resist the renouncement of their political absolute sovereignties, whereas the vital and fundamental problems that they have to face require, by their very nature, the relinquishment of that absolutism.

It is in this context that Mauro Ceruti's complex thought comes to the rescue. He shows, in fact, that the essential problem, that of understanding our time, is a matryoshka-problem, one that contains within itself other problems, each of which in turn contains other problems…

Understanding our time means in fact understanding the globalization that drives the human adventure, which all over the planet has become interdependent, made up of actions and reactions, in particular political, economic, demographic, mythological, religious; it means trying to question the future of humanity, which is driven by the joint engines of science/technology/economics towards an "augmented man", though not at all improved, and towards a society governed by algorithms, tending to be guided by artificial intelligence and, at the same time, to make us banal machines. Simultaneously, these same science/technology/economic drivers lead to catastrophes which are in turn interdependent: degradation of the biosphere and climate warming, which lead to massive migrations; multiplication of deadly threats with the increase in nuclear weapons, chemical weapons and the appearance of cyber weapons, capable of disintegrating societies. All this causes anguish, withdrawal into oneself, delirious fanaticism. Thus there looms large, on the one hand, the inhumanity of the "best of worlds" and, on the other, the barbarity of a Mad Max situation, resulting from a planetary mega-catastrophe. The problem of the human adventure poses us the question: what is human? But the nature of our own identity, as Mauro has continually observed, is not taught at all in our schools, and therefore is not recognized by our minds. All the elements that could be useful to recognize it are dispersed in countless sciences (including physical sciences, since we are also physical machines made of molecules, which are in turn made of atoms) and also in literature, which reveals human complexities in its masterpieces.

The problem of human identity includes within itself the problem of Nature. This is present in a vital way not only in the environment, but also within human identity itself, which carries within itself the problem of nature, that is both physical and cosmic. The human is in fact not just a singular element within the cosmos, but carries the cosmos within himself. It is not just a singular being in life, it carries life within itself. Thus, step by step, the question amplifies and multiplies. And so, since the beginning of his research, Mauro has shown how much we need trans-disciplinary knowledge, capable of extracting, assimilating and integrating many branches of knowledge that are still separate, compartmentalized and fragmented. And showed how much we need a complex thinking, that is, capable of linking together and articulating branches of knowledge, and not just juxtaposing them. All of his work is animated by his effort to understand human complexity, which requires not to isolate the human, but to place it in its cosmic, physical, biological, social, cultural contexts, and by now also in the planetary community of destiny. His work has stimulated a broad international debate in many research domains, such as clinical psychology, pedagogy, cognitive sciences, but also organizational sciences, architecture, anthropology, sociology…

And this volume is testimony to his original influence in multiple disciplinary fields. Mauro Ceruti has outlined a philosophical path that takes up the challenge of complexity in our time; he outlined an anthropological perspective from which human identity emerges as an evolutionary and irreducibly multiple identity, through the interweaving of multiple stories; he showed how our time makes it unavoidable to think together, and not in opposition, about identity and diversity; he motivated the urgency of an education reform capable of valorizing individual and cultural diversity, and at the same time aimed at integrating the fragmentation of knowledge. With his pedagogical writings he contributed significantly to the three reforms of knowledge, thinking and teaching, and, above all, he stimulated us to draw connections between these three reforms. And by affirming the vital urgency of "educating for the planetary era", he outlined a perspective that helps us orient ourselves in our age of changes, produced by the vortex of globalization. A perspective which, due to its originality, outlines the horizon for thinking about school reform in a time of complexity, in which everything is connected.

The result is a passionate reflection on the increasingly ambivalent condition of contemporary humanity, of which, with clarity and visionary ability, he has been able to highlight the unprecedented risks, but also the great and equally unprecedented opportunities. The basic idea of his philosophy is that humanity is constitutively incomplete, even as a species. And that constitutively its manifestations, individual and cultural, are incomplete and multiple. Therefore the challenge for the endangered future of humanity is to develop a consciousness of a "community of destiny" of all the peoples of the Earth, as well as of all humanity with the Earth itself. Mauro draws the horizon of a new planetary humanism, which can only arise from the encounter between the different cultures of the planet, from our ability to think together of unity and multiplicity, from our ability to connect individual and collective diversities of the human species, without diminishing and dissolving them, because only by treasuring the different present and past human experiences will it be possible to regenerate a creative process of co-evolution with the planet Earth, our only homeland wandering in the immensity of the cosmos.

Likely? No. Possible? Perhaps. In the image of history outlined by Mauro Ceruti, the set of evolutionary possibilities is not static and predetermined: the universe of the possible regenerates itself recurrently, in a discontinuous and unpredictable way. Mauro thinks, like Blaise Pascal, that human identity is self-transcendence: "*l'homme passe infiniment l'homme*" ("man infinitely surpasses man"). Therefore, he writes in the conclusion of his book The time of complexity, "the identity of the human species contains the possibility, however unlikely, of the emergence of a new humanity".

The human condition in the global age contains within itself the possibility of a true universalization of the humanistic principle. And transforming the fact of planetary interdependence into the process of building a "civilization" of the Earth, promoting an evolution towards coexistence and peace, is the difficult and even improbable, but at the same time creative and unavoidable task that is posed to us by the challenge of complexity, by the challenge of giving birth to a planetary humanity. On the occasion of the publication of this volume* dedicated to his work, I like to renew my personal homage to the powerful, creative and to me fraternal spirit of Mauro Ceruti.

* The book (in Italian) is L. Damiano, F. Bellusci (Eds.), *La danza della complessità. Dialoghi con la filosofia di Mauro Ceruti*, Mimesis, December 2023

World Statehood: The Future of World Politics

Heikki Patomäki

The planetary perspective on the future of world politics is commonly associated with life and complex ecological systems on Earth. In the two centuries since the industrial revolution, the world economy has grown by a factor of 70 or 80. This huge economic growth has shaped the Earth system and led to multiple ongoing and interconnected ecological crises. Processes such as virus mutations, the development of science, for example in AI and nanotechnology, securitisation of issues such as migration and environment, and peace and war, also shape the future of humanity – as does space expansionism, since global processes have already extended their reach beyond the globe and into outer space. These dynamics have generated increasingly serious existential threats to humanity, which seems incapable of addressing them. In January 2023, *The Bulletin of Atomic Scientists* set the famous Doomsday Clock at 90 seconds to midnight – the closest to global catastrophe it has ever been. There is a need for novel ideas about the future of world politics.

During the 1940s debates about the world state, Reinhold Niebuhr wrote[1]: "The crisis of our age is undoubtedly due primarily to the fact that the requirements of technical civilization have outrun the limited order which national communities have achieved, while the resources of our civilization have not been adequate for the creation of political instruments of order, wide enough to meet these requirements". In the 1970s, Immanuel Wallerstein used very different terminology, but shared at least in some essential sense Niebuhr's analysis. A world-system is based on a single division of labour and multiple cultural systems. A capitalist world-economy involves endless accumulation of capital, cycles of technological changes, and hegemonic (world) wars, while it lacks a single political system. For the Wallerstein of the 1970s[2], the next stage of world history should have been a socialist world government. Later on, he seems to have changed his mind, and became agnostic about "stages", and started to adopt ideas from the chaos theory. Chris Chase-Dunn has developed further Wallerstein's early remarks in papers such as "*World-state formation: Historical processes and emergent necessity*"[3] . These contributions notwithstanding, during the Cold War the absence of a world state was taken as a self-evident fact, as in Kenneth Waltz's theory of international politics.

After decades of neglect, the idea of the world state has resurfaced in discussions in several academic fields, such as Political Theory, International Relations, and Global Political Economy. Oftentimes, however, these discussions reproduce the antinomies of the (post-)Enlightenment-era liberal theories. In my book, *World Statehood: The Future of World Politics*[4], I develop a new processual understanding of world statehood. I pose questions about world political integration, especially: (1) whether and to what degree elements of world statehood exist today, (2) whether the development of further elements and functions of world statehood can be seen as a tendential direction of history, and (3) whether, and under what conditions, a world

political community could be viable? These questions imply that the existence of a "world state" is not a categorical yes-or-no question, but rather we must carefully specify the elements and functions that can be associated with statehood. Moreover, process orientation reframes normative questions about the desirability of a "world state". Evidence about the fate of federations in the modern age indicates that the imposition of common laws and institutions, especially if combined with a capability of violent enforcement of norms, may also decrease rather than increase the chances of peace.

A processual understanding of world state formation

A processual understanding of the evolvement of elements of world statehood must include an account of the contradictory forces at play. In the twenty-first century, some forces push towards a world political community, but there are also counter-tendencies[5]. While the current world economy is grounded on cooperative institutional arrangements revolving around free trade and a monetary and financial system, the world economy contains contradictions that risk aggravating conflicts. For instance, only a few governments may realize that it is contradictory for states to try to export their economic problems to other countries by various means, e.g. by maximizing their trade surplus through internal devaluation. Rising uncertainties and inequalities generate existential insecurity, leading to securitisation and populist, nationalist and xenophobic politics. What is more, global warming, overpopulation, pathogens, shortage of resources, weapons of mass destruction, and so on are not only understood as risks requiring global responses, but they also feed into insecurities.

The current early twenty-first-century situation is only a moment in world history.

The argument of *World Statehood: The Future of World Politics* builds on a processual understanding of the world or, in philosophical terms, on process ontology. Also, time itself is process-based and intimately connected to causation. The moment of "now" is relative to the relevant processes. These processes may be nested or related in some other ways, and some of them endure much longer than others. The meaning of a past event – or limited process – depends on how the wider, bigger, or longer-term processes turn out. Because processes tend to be overlapping and interrelated, this can leave the meaning of an event or process undetermined, even when it appears (from a less reflexive and holistic perspective) to have concluded. All this suggests that contemporary realities must be understood historically and reflexively and framed in various scales of time. Large time scales can involve reflections on the meaning and purpose of world history as a whole, including in terms of whether there are "stages" in some sense, or rational tendential directionality[6].

World Statehood is organized into three parts. The first part, "Cosmopolitical processes", explores whether world history as a whole is directed towards planetary integration, focusing on the emergence of cosmopolitanism, the world economy, and the peace problematics. The second part of the book, "Reflexive futures and agency", focuses on the contemporary 21st-century processes of world history in terms of how non-fixed pasts, changing contexts, and anticipations of the future interact. I explain how certain rational directionality is compatible with the possibility of deglobalisation, disintegrative tendencies, and "gridlock" in global governance in the key areas of the economy, security, and environment. A key point is that the rational tendential directionality of world history is contingent upon a transformative praxis. As the number of risks, problems, and contradictions

multiply, so do possible rational responses to them, constituting reasons for holo-reflexivity, involving some comprehension of the mechanisms, structures, and processes of the global and planetary whole. Chapter 9, "Towards a world political party", deepens the analysis of transformative agency[7]. In the final part of the book, "World statehood and beyond", I develop further the processual and open-ended account of the formation of interconnected elements of world statehood, especially by discussing the cases of a global greenhouse gas tax and world parliament. In the final chapter 13 of the book, I analyze the feasibility of different paths toward global-scale integration and the potential for conflicts, divisions, and disintegration.

This book continues from the final remarks of *The Three Fields of Global Political Economy*[8], where I argued that the movement towards global Keynesianism and attempts at responding to environmental and other global problems can be linked in various ways. Breakthrough in one area may be and is likely to become a model for others, causing a paradigm shift. Sustainable growth must be life-promoting rather than exploiting other life forms and the planetary biosphere. A key question is whether democratic global-Keynesian institutions are sustainable, if they remain based, to a substantial degree, on material growth and profit-seeking. As these kinds of questions abound, the inner codes of the whole will evolve under new multiscalar and multitemporal systems of global governance and, for some purposes, government.

Moreover, as explained further in the new book, the inner code of the whole is based on collective human learning. It is from this perspective that I develop a complex account of stages that may co-exist, overlap, and form various constellations in context-bound ways. Moreover, there must be a normative-philosophical rationale for why an alleged "higher" stage may be a better stage, i.e. why each later stage is a better method of reasoning about social rules and principles and thus more adequate for human cooperation and resolving conflicts in democratic terms. At the institutional level, collective learning involves political struggles, on which the future of humanity depends.

[1] https://press.uchicago.edu/ucp/books/book/chicago/C/bo12091283.html

[2] https://books.google.fi/books/about/The_Capitalist_World_Economy.html?id=5GppqmU13pIC&redir_esc=y

[3] https://irows.ucr.edu/papers/irows1.txt

4 https://link.springer.com/book/10.1007/978-3-031-32305-8

[5] For historical political economy analysis of some recent developments, see https://patomaki.fi/Disintegrative_Tendencies_in_GPE.pdf

[6] For discussions on rational tendential directionality, see also https://www.tandfonline.com/doi/full/10.1080/14767430.2023.2188541?src=

[7] See also https://www.greattransition.org/publication/world-political-party and https://www.greattransition.org/publication/roundtable-world-party

[8] https://www.ppesydney.net/towards-a-field-theory-of-global-political-economy/

Urgent and Bold International Changes to Address Planetary Crisis

Andreas Bummel

As the 28th UN climate negotiations, commonly referred to as COP28, start in Dubai, a group of experts warns that urgent and bold changes to the international system are needed to address the climate crisis. According to a report[1] published by the Climate Governance Commission[2], the world faces "a deepening planetary emergency" and "conditions of worldwide poly-crisis", characterized by a broad impact of "ongoing or imminent transgressions of multiple, planetary bio-system-supporting boundaries". In the Commission's view, current policies and institutional responses are "dramatically lagging behind" in addressing the situation.

Although "daunting", the Commission believes that current challenges are "solvable" if far-reaching actions are taken now to avert "the worst". The report stresses a need for "novel approaches to global governance" and presents near- and medium-term proposals "for vital and substantial governance improvements across the international system", that should be implemented within one to five years. Among the immediate measures recommended are the declaration of a planetary emergency by the UN General Assembly, and a review of the UN climate negotiations so that they deliver better results.

An immediate review of the UN climate negotiation process

The group, made up of 36 members and "contributing experts", is co-chaired by Mary Robinson, former President of Ireland, María Fernanda Espinosa, former President of the UN General Assembly, and Johan Rockström,

Director of the Potsdam Institute for Climate Impact Research. In the foreword, the co-chairs write that the Commission seeks to "initiate a shift in global governance and provide a practical path forward for ambitious and doable climate action, ensuring a safe, flourishing and sustainable future for all."

"Empowered with new authorities and capabilities, current and new international governance institutions must exert competent crisis leadership, developing and deploying emergency plans, disaster preparedness, and a new generation of effective policies", the report says.

Apart from "urgent improvements" of the UN climate negotiation process and the UN declaring a planetary emergency, near-term "working proposals" put forward in the document include, among others, "developing a planetary emergency plan"; the creation of a "Science-Policy-Action Network" that monitors planetary boundaries; recognizing the environment as a major pillar of UN activity in addition to development, peace and security, and human rights; enhancing the role of the UN Environment Program; a number of economic and finance measures including a "calibrated global carbon tax" and an international levy on short-term currency trading; strengthening legal frameworks, including better use of the International Court of Justice; new mechanisms for citizen participation; harmonizing trade and investment law with climate policy; committing business to an ecological transition through "high-quality voluntary to mandatory standards"; as well as better representation of local authorities at multilateral venues.

Proposals need to be implemented within one to five year

In the field of "citizen participation in global governance", the report refers to the proposals put forward by the "We the Peoples"Campaign[1] for inclusive global governance, that is supported by over 200 civil society groups and networks. The creation of a United Nations Parliamentary Assembly, in short UNPA, "would give elected citizens' representatives a role in the agenda-setting and decision-making of the UN", the document explains. It further elaborates that "through portfolio committees, the work of a UNPA over time could be connected to relevant bodies, institutions, and activities of the UN system and beyond, as needed, making it a parliamentary umbrella of multilateral collaboration that helps overcome fragmentation. At first, the work could focus on select issues such as climate policy."

Complementary to a UNPA, "would be the parallel, supporting mechanisms of a UN Under- or Assistant-Secretary-General-level Civil Society Envoy for the UN System", and "a World Citizens' Initiative, an instrument to enable citizens to put forward proposals on key issues of global concern for discussion and further action at the highest political level."

A UN Parliamentary Assembly to enhance representation and accountability

"Given the global polycrisis and systemic failures of global governance, in particular in the field of climate policy, we need to improve the efficacy, credibility, and legitimacy of the international governance systems in a number of respects. The consideration of the creation of a global parliamentary consultative body is one important element of this", commented the Commission's convenor and international lawyer, Maja Groff.

In addition to pursuing these near-term measures, the report suggests that "planning and serious expert discussion on enhanced next-generation international governance", to be implemented within three to five years, "should start now".

A Global Environment Agency as central authority in the field

This includes transforming the UN Environment Program into a "Global Environment Agency" that operates "as a central authority on climate and other crucial planetary environmental governance", vested, over the long-term, with a mandate to make binding decisions based on majority voting. Further, an International Court for the Environment, granted compulsory jurisdiction, is recommended, as well as "reinventing" the international financial system. The Commission envisions that the UN Security Council would be transformed into an "Executive Council", with collective security implementation as one of a range of functions. The UNPA in turn "could be strengthened over time" and provide "the deliberative and legislative functions of the Global Environmental Agency", an "integrated approach to global governance of related issues", as well as "accountability of global governance to the people".

According to the report, the Commission plans to form "diverse, high-level working groups to refine its recommendations and advocate for their associated transformations". In addition, it is partnering with the World Federalist Movement and Citizens for Global Solutions in setting up the *Mobilizing an Earth Governance Alliance* campaign[4] in short MEGA, that "aspires to unite state and non-state actors in a new kind of smart coalition to address the planetary emergency".

The official launch of MEGA is intended to take place in March 2024. *Democracy Without Borders* is one of the co-sponsoring organizations.

The Climate Governance Commission believes that the UN's so-called "Summit for the Future", scheduled for September 2024, is an opportunity to implement some of its proposals.

[1] https://www.stimson.org/wp-content/uploads/2023/11/Governing-Our-Planetary-Emergency-Report_WEB-1.pdf
[2] https://globalgovernanceforum.org/climate-governance-commission/
[3] https://www.democracywithoutborders.org/we-the-peoples/
[4] https://earthgovernance.org/

COP 28 in DUBAI: Despite the Optimism in Official Statements, the Global Climate Situation Is Out of Control

Roberto Palea

The COP 28 in Dubai ended after 14 days with an Agreement recognizing the need to transition from fossil fuels to alternative forms of energy production.

Commentators express skepticism towards the decisions made in Dubai during a Conference organized and presented by a not-so-democratic country, whose economic fortunes are closely tied to the production, refining, and export of fossil fuels such as oil. For these reasons, Amnesty International's conclusions acknowledge that the Dubai Agreement can be seen as both historically significant and, conversely, as a death certificate.

Among the extreme positions, only science can help understand the true significance of the Dubai Agreement. In my opinion, the most credible sources are represented by studies from:

- The World Meteorological Organization (WMO);
- The United Nations, specifically its President Guterres.
- The Global Carbon Report;
- The Intergovernmental Panel on Climate Change (IPCC).

1. The **WMO** recognizes that the conference on fossil fuels concluded with a "historic" Agreement aimed at gradually abandoning fossil fuels to curb the acceleration of climate change. The WMO director, however, does not shy away from criticism, considering that 2023 will be the hottest year on record, with temperatures never reached before, and 2024 is expected to be even hotter.

The concentration of CO_2 in the atmosphere will continue to set new record levels year after year, leading to a continuous rise in temperatures in the coming years, given the long duration of CO_2.

We are simultaneously losing the race to preserve our vital glaciers, and prevent sea level rise.

Extreme weather events are multiplying, and the melting of Antarctic glaciers is alarming. Additionally, addressing climate-induced water scarcity and ensuring safe and affordable access to drinking water for everyone is crucial. Agricultural food production, as well as food distribution and mortality rates, are suffering from the worsening climate.

2. The **UN Secretary-General** emphasizes the need for lasting reductions in global greenhouse gas emissions of 43% by 2030 and 60% compared to the 2019 level. Achieving net-zero carbon emissions by 2050 is crucial.

He calls on parties to contribute to the following goals:

- tripling global renewable energy capacity;
- improving energy efficiency;
- eliminating coal-produced energy well before the mid-century mark;
- substantially accelerating also non-CO_2 emissions reduction globally, particularly reducing disastrous methane emissions by 2030.

3. The **Global Carbon Report 2023** examines the financial needs and funding sources required to support the gradual reduction of climate-altering emissions in the atmosphere.

It highlights that public funding for the fossil fuel sector, according to IMF data, increased to $7 trillion in 2023 alone, without a sufficient shift in the renewable energy sector. In contrast, a Specific Fund was established in Dubai for Loss & Damage caused by the current climate situation, which, regretfully, has collected only $570 million.

The damages from continuous global warming amount to hundreds of billions of dollars.

Finally, the failure to announce the end of new research as well as of drilling for fossil fuel extraction (coal, gas, and oil) undermine the credibility of Dubai's declared commitment to investing adequately in renewable sources.

As a result of these policies, a temperature increase of 2.7 degrees Celsius is projected for 2050, contrary to the 1.5-2 degrees Celsius target, a scenario that is feared by scientists.

4. The **IPCC's Sixth Assessment Synthesis Report** summarizes the current state of knowledge on climate change, its widespread risks and impacts, and mitigation strategies.

IPCC scientists discovered that the temperature increase limit from the combustion of fossil fuels emitting carbon dioxide (CO_2) is unprecedented in over 2000 years of observations. Even a one-degree increase can have dangerous impacts on the planet.

Moreover, IPCC climate models predict that if greenhouse gas levels continue to rise at current rates throughout the 21st century, the global average land temperature could increase by 4-5 degrees Celsius by the end of the century.

The median estimate calculated for the entire 2100 but related to 2050 (the timeframe assumed by the Paris Climate Agreement and the EU for achieving zero climate impact) predicts an increase between 2.5-3 degrees Celsius, which would still be beyond control.

It is worth questioning why humanity appears incapable and inadequate in addressing climate risks.

The answer is not only that of the economic interests at stake for coal and oil producers. The world is engaged in tremendous wars that were unimaginable in the preceding 70 years. I particularly refer to the wars in Ukraine and the Israeli-Palestinian conflict, which not only involve atrocities and cruelty of all kinds, but also require financial resources for armaments and the reconstruction of devastated territories. Global international institutions are unable to govern the chaos with powers and authorities worldwide that are adequate to manage geopolitical phenomena.

Just as federalists are dedicated to laboriously achieving peace and global governance, they must also commit to reducing climate emissions – which, as this paper has shown, are trending out of control. The task for federalists, then, is to advocate for global climate governance through suitable global institutions.

COP 28: Decoding Success or Missed Opportunities on the Global Stage?

Suchismita Pattanaik

In December 2023, COP 28 took place in the petrostate of Dubai, bringing together nearly 200 representative parties and governments from 154 nations. Over two intense weeks of climate negotiations, the global community grappled with the pressing issue of environmental sustainability. In a significant breakthrough, a consensus emerged, and an agreement was reached on a pivotal commitment: the transition away from fossil fuels. The accord represents the commencement of the end of the fossil fuel era, coupled with a threefold increase in renewable energy and a twofold improvement in energy efficiency. The incorporation of language explicitly calling for the "end of fossil fuel" usage is a groundbreaking and commendable aspect of this agreement.

In order to address the intricate problems related to climate change, international cooperation has long been fostered through the UNFCCC. As governments came together to create workable plans that align with the objectives stated in the Paris Agreement, COP 28 represented a turning point in history. The results of COP 28 in Dubai serve as a ray of light in the midst of unprecedented challenges because they demonstrate our shared commitment to protecting the environment for coming generations.

The results of COP 28 signal the beginning of the end of fossil fuel use and urge all companies and governments to quickly translate these promises into real-economy results. Many of the components that were the subject of negotiations are included in the main conclusion of COP28 and can be utilised by nations to create more robust climate action plans by 2025. The stocktake acknowledges the scientific evidence that, in order to keep global warming to 1.5°C, greenhouse gas emissions must be reduced by 43% by 2030 as compared to 2019 levels. However, it acknowledges that the Parties are falling short of their targets under the Paris Agreement. The stocktake urges Parties to move in the direction of tripling global renewable energy capacity and double gains in energy efficiency by 2030. Along with phasing out inefficient fossil fuel subsidies and other measures that promote the just, orderly, and equitable transition away from fossil fuels in energy systems, developed countries continue to lead the way in accelerating efforts towards the phase-down of unabated coal power. By 2025, parties are urged to present comprehensive, economy-wide emission reduction plans that address all greenhouse gases, industries, and categories while staying below the 1.5°C maximum in their upcoming round of nationally determined contributions, or climate action plans.

More advancements were made in the area of loss and damage, which sparked the provision of technical support to poor nations that are especially susceptible to the negative consequences of climate change. Six nations pledged additional funds for the Green Climate Fund (GCF) during COP28, bringing the overall number of commitments from 31 countries to

a record USD 12.8 billion. More contributions are anticipated. This boosts the GCF's second replenishment. The Global Climate Action area at COP28 offered a forum for governments, corporations, and civil society to work together and present their practical climate solutions in addition to the official negotiations.

The next two years are going to be crucial. Governments are required to set a new climate financing target at COP29 that takes into account the gravity and urgency of the climate crisis. Additionally, in order to completely comply with the 1.5°C temperature limit, they must bring new nationally determined contributions to COP30 that encompass all greenhouse gas emissions and are economy-wide to meet the target.

Is Federalism Inevitable?

Jean-François Drevet

The paper is divided in three Chapters, the first of which is published here, while the others will be published in the next issues of the review. (Ed.'s Note)

Faced with the multiplication of crises, what assessment can we make of the recent developments in the European construction? Here we present an analysis of the prospects for the emergence of federalism in the European Union in three chapters:

1. The lesson of history: polities only become federal by obligation. The evolution of the European Union (EU) towards a federalist construction is not without precedent. The experiences of the United States, Australia and Switzerland show that bottom-up progression is possible, but that it encounters a lot of resistance and takes time, despite acceleration phases in exceptional circumstances.

2. When will the transition in the EU end? Several years of crisis have shown the shortcomings of European governance, both at the level of each government taken individually, and through their joint action or inaction within the framework of the Council, where it has several times proven impossible to make the general European interest prevail. However, a number of converging signs have emerged in recent years, in particular the "Next Generation EU" recovery plan.

3. Towards a federalist shift? As long as it was only a question of dealing with economic affairs, the EU could move forward through compromises, for which there was all the necessary time. This is no longer possible. For several reasons (internal and external), the long-awaited qualitative leap has become an emergency.

Chapter 1 The lesson of history: polities only become federal by obligation

Despite the increasing seriousness of the events that have occurred since 2008, on economic and monetary crisis comparable to the "Great Depression" of the 1930s, Brexit, and then the Covid pandemic and finally in February 2022, the outbreak of an open war in Ukraine, the European Union has not collapsed. And converging signals, notably the implementation of the Next Generation EU recovery plan, the joint purchase of Covid vaccines and its coordinated support for Ukraine have shown that progress in European integration is still possible.

In the 1960s, people believed that the common market would be the stepping stone for an integrated Europe; but the EEC at the time did not manage to cross the red line of the transition to a political union. More recently, the creation of the single market, then the euro, were supposed to make the implementation of a federal management of the economies inevitable. However, and despite other transformations, notably the Great Enlargement of 2004-2007, which made it even more necessary, such a qualitative leap has not been achieved.

It must be recognized that a "bottom up" process, where the constituent parties agree to delegate a significant part of their powers to a higher level of government, is not self-activating. Where this goal has been achieved, the creation of a federal state has been

preceded by more or less long transitions, lasting sometimes several decades, where the disadvantages and inadequacies of confederal-type organizations have been demonstrated. The analysis of such periods reveals many similarities with the current problems of the EU.

Among the twenty federations in operation today, we will discuss here the experiences which preceded their establishment in three countries: the United States, Australia and Switzerland.

In the United States, after the failure of confederalism.
Before adopting the Constitution of 1787, people sometimes forget that the thirteen American colonies had lived between 1774 and 1789 under a confederal regime, formalized by the Continental Congress in the form of "The Articles of Confederation", which were legally in force from 1781 to 1789. It was a text intended to give Congress the minimum of powers necessary to lead the war of independence. The Confederation had some weaknesses of the current EU, in particular the delays in ratifications (it took three years for the Articles to come into force, due to Maryland's whims):

a) a lack of fiscal power: Congress could issue paper money, and take out loans, but it could not raise taxes directly. It depended therefore on the contributions from States, which would lead them to ruin, due to the heavy expenses of the war. (Until 2020, the European Commission could not run into debt and it no longer had real own resources);

b) it had no power to levy customs duties, which deprived it of significant resources and prevented it from signing trade treaties with other countries. (The Commission has this competence, but the abolition of customs has deprived it of notable revenues);

c) a lack of direct representativeness: the members of Congress are only representatives of their state, they follow imparted instructions and voting is done by state (as in the European Council);

d) the Articles could only be modified by a vote of Congress and the ratification by all the States was necessary (which is the case of the increasingly laborious revisions of the European treaties).

All these disadvantages are the basis of the changes introduced by the Philadelphia Convention and explain the transition to the federal regime established by the Constitution of 1787, still in force. The problem for European federalists is that the EU cannot get out of this intermediate phase and build the United States of Europe that they want. *The Federalist Papers*, written by Hamilton and Madison to conter the objections of the opponents to the American Constitution, were mentioned in recent institutional negotiations[1], but the European Convention of 2002-2003 did not obtain the results of the Convention of Philadelphia. The problem is still topical, but although Brexit has put an end to British obstructions, the EU member states are reluctant to re-engage in a process that has delivered slow and weak results.

In Australia, thanks to the effectiveness of the tax weapon
In Australia, as previously in Canada, it was not just a matter of transferring upwards the competences previously exercised at the level of each of the colonies. The federation was also to receive part of the powers exercised by the center, in this case the British government and the Westminster Parliament. In fact, the problems did not come from that side, but from the former colonies, which became States by analogy with the United States.

At the end of the 19th century, "*in a territory as vast as the United States, five territorial districts[2] were playing the role of sovereign powers. Separated by customs barriers, using railways of different sizes, not collecting the same types of 20 taxes, each having their own postal system, even different postage stamps, managing without consideration for the others the essential problems of education, of social legislation, of public works, having constituted weak armed forces between which no coordination existed, they cut a poor figure compared to the Canadian provinces which, despite their differences of origin, of language, of religion, had succeeded since 1867 in setting up a form of union[3]*" (in fact a Federation). It had long been clear that a Federation was necessary, but it did not materialize until 1901, due to strong internal rivalries. Then, the compromise accepted on that date left a large part of the powers in the hands of the States, because the powers of the Commonwealth (the Australian federal level) had been defined by "Section 51" of the Constitution in restrictive terms.

This did not prevent the government in Canberra from increasing its prerogatives well beyond what had initially been envisaged. As the amendments to the Constitution were subject to a double majority vote of the population and the States (as is the case today in the European Council, provided that it is not a matter requiring a unanimous decision), they refrained from carrying out revisions (only two have been carried out since 1901). De facto, the Commonwealth broadened its powers by extending its fiscal powers:

- initially its fiscal weight was small: during the first decade of the federation, although it benefited from the proceeds of customs duties and excises, it only spent a quarter of it and returned the balance to the States;

- owing to the needs created by the two world wars, it gradually acquired preponderance by increasing its fiscal resources: the Commonwealth's share of revenue increased from 13% (1901) to 73% in 1918,

- to consolidate its position, the federal government first reduced the borrowing capacity of the States in 1927 (the Maastricht criteria ahead of its time), then in 1942 assumed the exclusive power to tax income in order to cope with the necessities of the war and the threat of a Japanese invasion;

- this development was made necessary by an excessive tax competition between States and by their budgetary difficulties. It was facilitated by their divisions: the two largest states (Victoria and New South Wales) were in constant rivalry, and the less populated ones were in opposition to the two previous ones, therefore favorable to the extension of federal power, of which they were net beneficiaries (like today the Member States having priority in the Community structural funds);

- the fiscal monopoly allowed Canberra to impose its priorities on the States, forced to request subsidies from the federal power to carry out their policies, including in areas where they had in principle retained exclusive competence;

- as in Europe, this development was favored by the Court of Justice (High Court in Australia) which most often supported the Commonwealth in its interpretation of the Constitution, against the recriminations by the States.

Since 1970, the process has been reversed by a "devolution" movement that has returned part of the taxing power to the states. However, the Commonwealth's share remains high (82% of revenues in 2000) and the States are

still dependent on Canberra for 40% of what they receive (the subsidies are conditional, like the European structural funds). Despite the application of the principle of subsidiarity (often invoked in Europe), the government in Canberra retains a large margin of action. Thus, Australia offers the example of a federation based on a fairly restricted legal framework, where the federal power was able to impose itself by a budgetary spill over. This peculiarity is not the only explanation, but shows that significant development is possible without incurring costly revisions of the legal framework. This is what the EU did with the single market, but without achieving comparable results, due to the limits to the community budget and the ban on borrowing.

In Switzerland, federalizing the confederation
In Europe, federalism is most often linked to the Germanic tradition. Austria attests to the permanence of very ancient autonomous territorial units, from the composite Habsburg monarchy to the nation state restored in 1955. As for Germany, it has long had a confederal organization: the Holy Roman Empire, then the Germanic Confederation which replaced it after 1815. From 1871, it has been governed by a federal system (with the exception of the Nazi period from 1933 to 1945), robust enough to be maintained after the defeats of the two world wars, and has risen to the challenge of unification since 1990.

But the case that comes closest to the European experience is Switzerland, due to the slowness and prudence of the construction of its federal framework.

In order not to go back too far in history, we will limit ourselves to the Confederation of 1815. If the territorial organization is close to the current one[4], each canton has retained its legislation, its currency, its postal systems, its army and its flag. The federal pact is such only in name, since there is no real central authority. The Diet is a simple conference of cantonal ambassadors, each having one vote and deliberating on instructions (like the current COREPER, committee of permanent representatives in Brussels). A two-year rotating presidency is exercised by one of the three "directing cantons" (Zurich, Bern and Lucerne) and no modification of the pact can be made without unanimous agreement of the cantons (as with the European treaties). Neighboring states are very keen on this rule to keep Switzerland powerless.

The Confederation pays the price for such a defective organization: multiple pressures from neighboring countries are exerted on a Diet reduced to impotence by the incessant disputes between the cantons. From 1840, "reinforced cooperations" in the form of leagues between a few cantons jeopardized the unity of the whole.

In 1845-1848, Switzerland was threatened with a civil war by the secessionist movement of the *Sonderbund*, which had to be reduced by military intervention (a small *war of secession* lasting 26 days which left around a hundred dead), but it knew how to draw the consequences.
The Constitution of 1848[5] was adopted by a majority, as had been required by the cantons of the *Sonderbund* at the time of their submission. Switzerland retained its official name of Confederation, but in reality became a federal state. The central government received exclusive competence to deal with foreign countries, to control customs (disappearance of internal tolls, freedom of settlement throughout the Swiss territory), defense, currency and the postal system[6]. Two councils (the National Council and the Council of States) were to adopt the legislation in co-decision, a collegial government of 7 members to execute it and a federal court to arbitrate disputes.

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Comments

Thus, about thirty years had been necessary to move from an organization partly comparable to the current European Union, to a federation sufficiently structured to maintain the Swiss identity, while respecting its linguistic and religious diversity. In the face of the rise of nationalism in the second half of the 19th century (German and Italian unifications) and the two world wars in the 20th, which could Comments have dislocated the federation, this is a fairly good result. Would the 27 or 30 EU member states be ready to follow the way paved by the 26 Swiss cantons?

[1] Larry Siedentop, Democracy in Europe, Allen Lane, Penguin Press, London, 2000, 254p. Siedentop takes inspiration from the American example, even though he is not a federalist.

[2] Six really: New South Wales, Victoria, Queensland, Western Australia, South Australia and Tasmania.

[3] Robert Lacour Gayet, Histoire de l'Australie, Fayard, Paris, 1973, 558p.

[4] Switzerland widened in 1848 with Neuchatel, and a 26th canton, the Jura, was created in 1978.

[5] Revised in 1874, 1891, 1999, in particular for enhancing popular initiatives.

[6] Also public transport, the appointment of judges of the Federal Court, the control of certain basic insurances, such as AVS (compulsory pension fund), unemployment and disability insurance.

Europe's Federal Imperial Union

Andrew Duff

In its time, Europe has known a lot of empires. Some, like Napoleon's, arose from an excess of revolutionary fervour. Others, pre-eminently the Hapsburgs, were based on dynastic inheritance. The Soviet Union was forged by Bolshevist ideology. The Ottomans had a religious cause. Some empires were more enlightened than others, but all were disrupters of the previous balance of power between Europe's states and principalities. All faced challenges in managing within the empire diversity of religion, ethnicity, nationality and language. Most empires confronted the rise within their lands of what Christopher Clark calls the "miraculous alchemy of nationalism". Imperial rulers, struggling to maintain unity and resist separatism, inclined to the centralisation of government tempered by (variably successful) experiments in provincial autonomy.

Defence of the empire against external threats became an overriding imperative. Every successive empire faced trouble at its borders, often forced into military skirmishes, even if it resisted the temptation to expand its own realm further. Sometimes colonies were obtained almost by accident, especially in the Balkans. Empires both repelled and attracted neighbours. The advent of a new imperial power in Europe would have consequences much farther afield: few places on Earth were, or are, wholly unaffected by European geopolitics.

The latest entrant to the imperial stakes is the European Union. True, the EU does not think of itself as an empire. But look again. Now in its eighth decade, the Union has taken on many internal characteristics of empire building. Latterly the EU has had to assume a duty of care to its own security and protection. This paper looks at some of the similarities between Europe's imperial past and the present state of the European Union.

War, peace and market

Russia's invasion of Ukraine has pitched the European Union into taking unprecedented measures for collective defence. The war seems unlikely to end with a decisive military battle. Indeed, it may never really end at all. NATO and the EU will continue to prevent Ukraine's defeat, but they cannot act to secure its victory. Neither Moscow nor Kyiv wants to negotiate a ceasefire. Ukraine at war has applied to join NATO and the EU, and is apparently welcome to do so. The EU, therefore, that was founded as a peace project, must now bear the burden of a prolonged conflict with Russia. Europe's future is once again unstable and insecure. Its central actor, the European Union, must move promptly to consolidate its power. President Macron of France calls this the assertion of "sovereign autonomy".

When Vladimir Putin is eventually toppled, he may not be followed in the Kremlin by a peacemaker. Europe is unlikely to return to the heady days of the Paris Charter of November 1990, which President Gorbachev signed on behalf of the Soviet Union to mark the end of the Cold War. The Charter, agreed by the European Community and the 34 countries of the Organisation of Security and Cooperation in Europe (OSCE), was a remarkable vision of a liberal democratic united Europe, based on irrevocable human rights and fundamental freedoms.

That same year saw the European Union embark on twenty years of reform aimed at deeper integration and wider membership. The EU treaties went through five revisions. Criteria were established to guide candidates towards what they had to do to become members, as well as to protect the *acquis communautaire* of existing member states. EU citizenship made its appearance. A Charter of Fundamental Rights of the European Union was promulgated. By 2013, the EU had grown from 12 member states to 28.

But enlargement was not unproblematic. Each new accession disturbed the balance of interests within the Union and introduced new challenges at the borders. Enlargement to countries of the ex-Soviet bloc did not help to define the Union's identity. On the contrary. The federalist assumptions behind the classic teleology of "ever closer union" became blurred. In its place, confusion. The EU was much more than a common market, but much less than a state. It never became the hoped-for European pillar of NATO. When the Balkans went to war, it was the US that had to intervene – afterwards leaving the EU to prop up the broken states of Bosnia Herzegovina and Kosovo. EU enlargement to the Western Balkans, let alone Turkey, was promised but never delivered. The EU did next to nothing to stop Russia from invading first Georgia and then Ukraine. Then Britain – with France the EU's only serious claimant to military power – left the Union altogether.

Internally, meanwhile, completion of the single market for goods, people and capital led inevitably to the harmonisation of flanking policies in many fields such as social policy, environmental protection, energy policy and R&D. Attempts to extend the free movement of services sparked reaction. Ambitious goals were set to harmonise many elements of justice and home affairs policies, asylum and immigration. Economic and monetary union was proclaimed, but political will was lacking to follow through the introduction of the single currency with a fiscal union. A banking crisis risked the ejection of Greece from the eurozone. Constitutional reform stalled – leaving the governance of the Union poised nervously between confederal and federal, both intergovernmental and supranational. Right-wing nationalist governments in Poland and Hungary now openly challenged the legitimacy of the EU's treaties, its institutions, and the rule of law.

The rule of law

Like its imperial predecessors, the European Union has tried to entrench the rule of law. Indeed, one may wonder what is left of the pact between member states if the rule of law is jettisoned. The rule of law is not only a practical instrument implying uniform application across all member states of EU legislation and regulation, but also an article of faith reflecting liberal democratic values.

In constitutional terms, the centrality of the rule of law rests on the duty placed on member states to ensure effective legal protection in the fields of EU law, and on the right of every EU citizen to an effective remedy and fair trial. These primary law provisions are buttressed by the principles of the primacy of EU over national law, and the commitment to sincere cooperation between the Union and its member states.

In operational terms, dedication to the EU's rule of law means decent systems of justice, functioning mechanisms to fight corruption, guaranteed freedom for pluralist media, and viable checks and balances within democratic governance. The Commission has instituted annual reports on the rule of law in each member state, and the Council has to make of them what it will. The Commission

and European Parliament have sought to instrumentalise the common values of the Union, as set out in Article 2 of the Treaty on European Union. The European Court of Justice, for its part, has delivered judgments that stipulate requirements for upholding the independence and impartiality of national courts. The Council has agreed to tie conditions on respect for EU law to disbursements from the EU budget. Consolidation of the rule of law is work in progress.

Wider still and wider

Conscious that an ever-expanding Union could dilute the level of integration achieved, the EU's accession process has been made more robust. Large-scale irregular immigration from the Middle East and Africa has been especially difficult to manage. While the EU's doors are still open in theory, the barriers to entry have been raised – particularly to emphasise rule of law reforms, anti-corruption campaigns and high standards of public administration. In so far as the EU identifies strongly with the rule of law, it differentiates itself from Putin's Russia. Being not Russia is the basis on which the EU is building its geopolitical strategy.

The necessity of opposing the Russian outlaw obliges the EU and NATO to grow together without giving rise to the institutional and ideological differences that previously impaired collaboration between these two Brussels-based organisations. Brexit deprived the UK of the veto it used to wield against such convergence. Both Finland and Sweden, long standoffish, by joining NATO are greatly strengthening it. A NATO summit in Vilnius in July 2023 endorsed Ukraine's path towards full "Euro-Atlantic integration". Ukraine will join NATO "when Allies agree and conditions are met". In the interim, a new NATO-Ukraine Council has been created, in which Ukraine and the NATO Allies "sit as equal members".

After Putin's invasion of Ukraine in February 2022, Russia was expelled from the Council of Europe and is no longer part of the legal order of the European Convention on Human Rights (ECHR). This should make it easier for the EU to fulfil its own constitutional obligation to accede as an entity to the ECHR. Previously, the European Court of Justice in Luxembourg objected to the terms under which it would have to accept the European Court of Human Rights in Strasbourg as its external supervisor. A new accession agreement is under negotiation. So long as the EU Court can guarantee retaining exclusive prerogative to decide when and how EU law applies, accession should be accelerated, leading to the closest alignment between the two courts, and the propitious development of a corpus of European human rights law fit for the 21st Century.

Civis Europaeus sum

Another reform will further raise the stature of constitutional Europe: an extension of the rights of EU citizenship. At present, EU citizens resident in member states other than their own may not vote by right or stand as a candidate in national parliamentary elections where they live. It is important to extend the right of franchise. Political integration works through shared democratic participation. Every citizen deserves the right to vote for the ministers who represent them in the Council of the EU, as well as to take part in any referendum on EU matters.

The legitimacy of the European Parliament would be much enhanced were a portion of MEPs to be elected for a pan-EU constituency from transnational party lists. Such a reform of the electoral system would call into being proper political parties at the federal level, assisting the rise of a cadre of EU leaders and better connecting the citizen with Brussels. Transnational lists would add a truly European dimension to the European elections, boosting

the representative capability of the Parliament. They would bolster Parliament's claim, disputed by the Council, to nominate the new Commission president.

The European Union faces a perennial leadership crisis, quite like Europe's old empires. Because the locus of EU government is so poorly defined, nobody really knows who's in charge. There are three centres of executive authority – the Commission, the European Council and the Council of Ministers – , and several other actors with delegated executive authority, such as the European External Action Service and the many agencies that have sprung up over the years to administer and monitor EU policy in specific sectors. These include the Union's first federal mechanisms in the matter of external border control (Frontex), combatting crime (Europol), judicial prosecution (Eurojust), and anti-fraud squad (OLAF).

Membership of the European Council and Council changes all the time as the 27 member states shuffle their governments. Membership of the European Commission and the Presidency of the European Council change once every five years after the general election of the European Parliament. 2024 is one of those years. Allowing the next Commission President to chair the European Council would address at least some of the problems of incoherence, inconsistency and over-complication at the top of Union governance. As the EU struggles to locate its government and streamline the way decisions are taken, there are still several missing pieces of the jigsaw. There is no Treasury Secretary, for example, running a common fiscal and economic policy. MEPs can vote on the expenditure side of the EU budget, but not revenue. There is no Attorney General advising on and enforcing EU law. The European Court of Justice has not yet attained all the appurtenances of a federal

supreme court. The European Central Bank is not yet the lender of last resort.

A federal moment

Amid this uncertainty, the European Parliament is now voting on a large package of proposals to amend the treaties. Its main objective is to enlarge the scope of qualified majority voting in the Council, reducing the prevalence of national vetoes. The switch from confederal to federal methods of decision-making applies as much to security and defence as to economic integration. As the founding fathers of the USA quickly realised, no federal union can long survive under the shadow of the unilateral veto.

Parliament's package will be sent on by the Council to the European Council, which must then decide, by simple majority, whether to call a constitutional Convention for 2025. President von der Leyen has charged the Commission with producing its own "pre-enlargement reviews" of common policies and institutions. Most of the Commission's recommendations will coincide with those of Parliament, containing demands for what is (sometimes derisively) known as 'more Europe'. Expect the rule of law and security and defence policy to feature prominently. Fiscal union, to secure the euro, requires the accretion of powers of direct taxation. The 'green deal' implies recalibrating the EU's relations with its less green neighbourhood: the Carbon Border Adjustment Mechanism, for example, is bound to be resented by some third countries.

Talking of the neighbours, the Commission would do well to propose the installation in the treaty of a new formal category of affiliate or partial membership of the Union. Multiplying its options would help the Union cope with the pressures of enlargement. EU affiliate membership could suit Ukraine, Moldova and the Western Balkans as a staging post on the way towards full accession when circumstances

permitted; it could be a useful relegated status for Hungary and Poland; for Norway and Iceland it would represent an upgrading of their current association agreements; and for the UK, perhaps, affiliation will prove to be the long sought, barely articulated, permanent parking place, alongside the EU.

The outcome of this episode in constitution-mongering will determine how centralised the government of the Union is to be over the medium term, as well as how it intends to relate to the rest of Europe. This is a time for the federal centralisation of essentials. Such reform must be accompanied by more robust democracy and the decentralisation of non-essentials. Europe has no enlightened despot to do this for us. We shall have to do this ourselves, on our own resources and with our own political will.

We should remember that empires rise and fall. The more federal the European Union, the quicker will it rise and the slower will it fall.

What Is at Stake in the Convention for Treaty Reform

Antonio Padoa Schioppa

The European Parliament (EP) approved in its session on 22 November a Resolution which calls for the launch of a Convention for the reform of the Treaty of Lisbon, which since 2009 has been the primary source of European Union law. The resolution was ignored by the press with the meritorious exception of Sergio Fabbrini's article in *Il Sole* on November 26, but it deserves a lot of attention due to its potential significance. We must go back to 1984 to find the only precedent, when the European Parliament approved a proposal (the Spinelli Project) aimed at transforming the Union into a true federation, a proposal which was later abandoned but indirectly generated the Single Act of 1986 and the Treaty of Maastricht of 1992. Now the EP has collected some of the main indications emerged from the Conference on the Future of Europe (COFOE) concluded in 2022, and urged the European Council to convene a Convention to reform the EU according to the procedure established by the Treaty of Lisbon. The EP resolution responds, among other things, to a specific request from hundreds of citizens chosen by sortition who actively participated in the Conference on the Future of Europe.

However, the EP Resolution goes much further. It includes a complex project for the reform of the European Treaties, the result of a preparatory work carried out by a working group appointed by the Constitutional Affairs Commission of the EP, accepted by it with amendments and then submitted to the plenary session on 22 November, following a vote on a large series of additional amendments. The

Resolution was approved, albeit with a small majority, at the end of a heated debate. The entire session can be watched online.

The central point of the Resolution lies in eliminating, almost without exception, the veto power, currently possible in important matters falling within the Union's competence, and in its replacement with the qualified majority voting procedure, simultaneously adopting the ordinary legislative procedure of the EU, which requires the co-decision of the Parliament alongside the approval of the Council. Security, common defense, fiscal harmonization, foreign policy, multi-annual budget, new own resources of the Union, even future reforms of the Treaties would thus fall within the framework of the many matters that can already today be decided by qualified majority and co-decision of the European Parliament, in a context that is not only effective but also democratic. It is well known that the veto of even one single government, in matters where it is currently permitted, always has the effect of paralyzing many essential choices. A century-long wisdom has taught that where a common interest, recognized as such by everybody, is at stake (as are all the competences written in the Treaties, and signed by all the EU member states), any assembly - from condominiums to national governments up to the Conclave – can only escape paralysis by counting individual assent when there is no common agreement.

Naturally, the Convention, if convened, may accept, modify or reject every single proposal of the Project voted by the EP. And the treaties

in force (Article 48 TFEU) then require the double unanimity of Governments and ratifications: the path is certainly very arduous. Just to launch the Convention, the consent of at least fourteen governments of the Union is required; thirteen already announced their approval; Italy did not, yet.

The Convention, if it is launched and concluded, could constitute the institutional culmination of the great undertaking of European integration, that began over seventy years ago. But in any case it takes years to be implemented, with the necessary ratification of all 27 member states. However, the current challenges, internal and external to the Union, are of such gravity, of such magnitude and of such urgency that immediate choices are required, instead of a postponement of years. It should be added that the Project was voted by the European Parliament with a small majority of 291 yes and 274 no. All the Italian parliamentarians of *Fratelli d'Italia* (the current right-wing party in government) voted against; and so too, surprisingly, many members of the European People's Party. This does not bode well for the Italian Government's approval to the request for a Convention, and yet the Italian-German agreement signed recently by Prime Minister Meloni declares that the two countries share the objective of a "strong, supportive and sovereign" Europe. These are the very aims of the Resolution of last 22 November.

At this point it should be underlined that many crucial choices can - and therefore should - be made even before a reform of the treaties, with the tools already available today, including enhanced cooperations and other clauses that allow a group of states to proceed without the need of everyone's consent. This path is certainly not new. The European currency, Schengen, and social cohesion policies were born like this, with a reduced geometry, leaving some member states out by their own choice. To proceed in such directions, huge resources will be needed in the coming years, which can only be activated at the European level, with common own resources. The historic decisions of July 2020 showed that under the pressure of crises the Union can find the strength to proceed in this direction. Already today there have been steps forward in European defense that were unthinkable before the war in Ukraine; and the same goes for the prospects of investments in common public goods, for clean energy, for Africa, for new technologies and more. The Global Gateway launched in 2021 by the European Commission includes a commitment to a very broad spectrum of interventions, amounting to as many as 300 billion euros on a multi-year basis.

The European election in June 2024 is already largely oriented towards European issues in each of the countries of the Union. The various national political forces, which will group together in the next European Parliament on the basis of similar programs, are all taking a position on this front. The stakes in the June 2024 election are therefore very high. The future fate of the Union, and therefore of European citizens, will largely depend on the composition of the Parliament elected in the new European legislature.

Estonia Blocks EU Parliament Seat Allocation Deal

Max Griera

Following the UK's withdrawal from the EU, the number and distribution of seats in the Parliament changes; the European Parliament will have 705 seats, compared with 751 before Brexit.

The Parliament initially proposed awarding two extra seats to Spain and the Netherlands and one to Austria, Denmark, Finland, Slovakia, Ireland, Slovenia and Latvia to correctly apply the degressive proportionality principle required under EU treaties.

After the file reached EU countries, which need to find unanimity, it seemed the new Parliament allocation would face a deadlock, as France and Belgium sought two and one extra seats, respectively, and the Dutch and Germans opposed increasing the total number of Members of the European Parliament (MEPs).

Apart from including the Parliament's original suggestions, the new compromise also gives France and Belgium their claimed seats while giving one to Poland.

"The overall idea of the compromise is to make a small adjustment to the Parliament proposal to better respect degressive proportionality, but in the same logic", a second EU diplomat said. The compromise further certifies the death of transnational lists, at least for the 2024 EU elections, and calls on the Parliament "to come up with a fair, durable and transparent method to allocate seats, and to take account of demographic developments as well as to ensure that more seats in the EP don't lead to more budget", a third diplomat told EURACTIV.

Estonia rejected the compromise because it "needs further clarification and explanation on the reasoning of the numbers and math behind it by the Spanish EU Council Presidency", a EU diplomat told EURACTIV.

With this compromise brokered by the Spaniards, who hold the EU Council presidency, the second EU diplomat said the file was poised to be settled on Wednesday, had not been for the sole rejection of Estonia, which caused "frustration" among EU countries.

After the clarification of the compromise seat allocation by the Spaniards, the information will be "analysed", and only after will the Estonians give a final decision on 26 July, the last chance to change the Parliament's seat allocation, as some member states need to start adapting their national laws and prepare for EU elections.

In any case, EU diplomats are "hopeful" that the deal will be closed next week.

The European Parliament will have a "soft deadline" to submit a proposal with the new allocation mechanism by the end of 2027.

Military Expenditure: Why Does It Increase (and Why Is It Higher than Official Figures)?

Domenico Moro

The Stockholm International Peace Research Institute (SIPRI), in recent months, published the figures for military expenditure incurred in 2022[1]: $2,240 billion ($2,076 at constant 2021 values), a new record, even higher than the $1,400 billion incurred in 1986, when tensions between the USSR and the US were at their peak, and double the lowest level reached in the post-Cold War era: $1,100 billion in the mid-1990s. The answer to the questions that constitute the apparently rhetorical title of this Commentary is threefold: political, economic and technological.

The first answer, which is also the most obvious, is that military expenditure increases at times of insecurity and instability in international relations. The most recent and dramatic example is the armed aggression against Ukraine, a country in a geopolitically sensitive area. More generally, we are facing a structural change, that is, the decline of the world power, the USA, which helped to ensure a minimum of world order, and the emergence of China and other countries as new global political players.
The increase in expenditures between 1998 and 2022, at constant 2021 US dollars, and limited to major geographical areas, can be attributed to: 40 billion to Saudi Arabia and Ukraine, 55 billion to India, 57 billion to Russia, 60 billion to the EU, 263 billion to China and 328 billion to the USA. However, these summary indications hide two facts which, although closely related,

should be analysed separately, as they paint a more critical picture than the SIPRI statistics do. The first is economic and the second is strictly technological.

The economic consideration could explain that for some countries, such as Russia and China, the level of military expenditure does not take into account the fact that the purchasing power of these countries is only partially reflected in the current price and exchange rate trends. The International Institute for Strategic Studies[2] (IISS) tried to estimate the actual military expenditure of Russia and China by equalising the purchasing power of these two countries with that of the USA. The result shows that Russia and China spent about twice as much by 2022 as the official figures indicate. Russia spent about $200 billion, not $86 billion, and China about $500 billion, not $290 billion. Thus, at a global level and at homogeneous prices, global military expenditure would exceed $2.5 trillion (without taking into account what other geographical areas actually spent, if the purchasing power parity method were applied to them).

The increase in military expenditure cannot, however, be explained solely by the fact that new players are appearing on the global political scene, who claim greater bargaining power compared to the traditional powers. Together with the emergence of a new balance of power at the global level, there is a structural

fact that is bound to weigh even more heavily on the level of military expenditure. This is the incessant technological innovation of military platforms, which, according to the former CEO of Lockheed Martin, Norman Augustine, leads to the production of weapon systems with "intensive technology, high and rising unit costs, and declining volumes".

Establishing the unit cost of a military platform is not simple. However, to have at least a rough idea of the increase in costs over time, it is worth considering the indicative cost of military platforms. For this purpose, the obligatory point of reference is the United States, which, with $877 billion (2022), represents the world's largest market for weapon systems, the most technologically advanced and with a high level of weapon standardization. Let us consider, as an example, the increase in costs over time of a strategic bomber, a multi-role aircraft and an aircraft carrier, produced in the USA.

As regards the unit cost of a strategic bomber, the most significant US aircraft, the well-known B-52 (Boeing), can be examined. The cost in current values (2022) of the B-52, produced since the 1950s, is estimated at around $120 million; the bomber of the 1990s, the B-2 Spirit (Northrop Grumman), which was initially expected to have a unit cost of $500 million, later saw it rise to $700 million, and the most recent evaluations indicate a unit cost of $1 billion. The latter aircraft is set to be replaced, from 2030, by the B-21 Raider (Northrop Grumman), which is expected to cost around $750 million per unit.

A similar trend can be observed for multi-role aircraft such as the F/A-18, the F-22 and the F-35. They entered into service over a period of several decades and their unit costs vary significantly depending on the different versions and setting up. The absolute costs, at current values, must therefore be considered as indicators of a trend. On this premise, and according to official US sources, the unit cost of an F/A-18 (Boeing), in the 1980s, was $67 million; the unit cost of the F-22 (Lockheed Martin), in the early 2000s initially projected at $125 million, was later revised to $361 million; and the unit cost of the F-35 (Lockheed Martin) is $160 million at current values.

Other components of the US armed forces, such as the US Navy, show the same trend. The 'Nimitz'-class aircraft carriers, which date back to the 1970s and are currently being replaced, had a unit cost of about $5 billion (at constant 2020 values). Modern 'Gerald Ford'-class aircraft carriers have a unit cost of $13 billion (2020), excluding R&D costs of $4.7 billion.

Against the backdrop of fierce technological competition between the old and the new global powers, growing global political instability, the militarization of space and the expected (and alarming) use of artificial intelligence in the military, it seems likely that military expenditure will continue to rise. How can this trend be reversed? Given the tragic European experience of previous centuries, the current multipolarity, without the parallel strengthening of multilateralism, could be the harbinger of a fatal outcome.

Only the strengthening of existing multilateral institutions and the establishment of new ones in the field of collective security could put an end to the arms race. The available time horizon does not seem infinite. It will last as long as China (and other emerging powers) do not challenge the existing global institutions. The establishment of the BRICS group, however problematic its actual functioning, and its extension to new members, is a sign that time is running out.

[1] https://www.sipri.org/sites/default/files/SIPRI-Milex-data-1949-2022.xlsx
[2] https://www.iiss.org/research-paper/2022/12/military-expenditure/

Taxation and Green Growth: the Role of Carbon Pricing

Alberto Majocchi

The use of economic instruments in the management of environmental policy has been greatly strengthened when the seriousness of the problems related to climate change - which derive from an excessive use of fossil fuels globally - clearly emerged. And the most appropriate tool has been identified in the setting of a price for the use of these energy sources, in such a way that through the functioning of the market the effects of the regulations implemented by various countries could be reinforced. At the beginning of 2023, taking into account the effects of the COVID19 pandemic and the Russian invasion of Ukraine, this is a particular important and pivotal time for considering the role of environmental taxation.

In reality, when one speaks of environmental taxation, this implies the levying of a price, in this case for the use of fossil fuels, from which a negative externality derives. The environmental damage is global since, even if the carbon dioxide emission takes place in a specific location, a market impact happens everywhere. This means that the price does not include all the costs associated with the production or consumption of a given good and, more specifically, it excludes the damage caused to the environment by the polluting emissions. A global environmental tax therefore could be the right solution, with the function of getting prices right.

The Paris Agreement, signed by 196 parties at COP21 on 12 December 2015 and entered into force on 4 November 2016, is an important step forward since it is a legally-binding international treaty on climate change. This a historic agreement as it is universal and recognizes that the problem of climate change is an issue that involves all of humanity. Implementing the Paris Agreement requires economic and social transformation, based on the best available scientific knowledge, and foresees a 5-year cycle of increasingly ambitious climate actions, carried out by the signatory countries. But the problem that remains open is that the realization of these objectives remains at the level of each country. Consequently, the use of economic instruments, and in particular the setting of a price for carbon, is also to be determined to different extents in different areas of the world. The goal of a universal carbon price is still a long way off.

In the theory of public finance, and in particular in the Italian tradition introduced by Antonio De Viti De Marco[1], a tax has been considered the price imposed to obtain the availability of public goods. The environmental tax, which in Pigou's analysis is considered the optimal tool for correcting a market failure in the event of the presence of externalities, is therefore aimed at modifying the behavior of producers and consumers in order to achieve the goal of a green and sustainable growth, and yield a public good.

Although the introduction of a levy for the use of fossil fuels has taken place in various

parts of the world, starting from President Clinton's 1993 proposal in the United States, the implementation of this instrument has occurred to a significant extent in the European Union, in particular with the introduction of the Emission Trading System (ETS), which today covers approximately 11,000 power stations and manufacturing plants in the EU Member States, and sets a price of €80 per tonne of carbon dioxide on the market of permits; it has been strengthened with the Green Deal package – illustrated by the President of the Commission Ursula von der Leyen in the presentation speech of her program to the European Parliament in 2019 –, which predicts a 55% reduction in CO2 emissions in 2030 and carbon neutrality in 2050.

The transition to climate neutrality will offer significant opportunities for a green development, strengthening the potential for economic growth, new business models and market structure, new jobs and technological development.

The process started in Europe has come to a sudden halt with the COVID19 pandemic. The Union has been able to react quickly and effectively to this exogenous shock, with the approval of the plan called *NextGenerationEU*, with an endowment of 750 billion euros funded with the issue of bonds on the market. And even greater was the intervention put in place by the American government. But the recovery on the world market, which also involved the other continents, came to an abrupt halt with the Russian invasion of Ukraine.

In the European Union, after the application of sanctions against Russia and the following increase in gas prices as a result of the reduction in Russian gas exports, there has been a wide discussion about setting a top price for gas. Beyond the technical difficulties for achieving this objective, it has been immediately remarked that a gas price cap for consumers amounts to an undifferentiated subsidy for fossil fuels – which is the opposite of what is needed to reach net zero emissions. This subsidy would also mostly benefit the largest and wealthiest households that consume more energy.

A price cap makes little sense both in climate and in socio-economic terms. Indeed, in the contingent situation, the setting of a top price for gas appears temporarily justified in order to guarantee the profitability of businesses and the standard of living of households, even if the actual price is rapidly diminishing and it is now lower than before February 14, 2022, when Russia invaded Ukraine. But in perspective the goal of carbon neutrality requires that a sufficiently high price for carbon-intensive fuels is set, in such a way as to favour, on the one hand, energy saving and, on the other, the switching from fossil fuels to renewables - which obviously also requires the elimination of subsidies to traditional fuels.

The level of the carbon price must therefore be fixed as part of a long-term plan to achieve carbon neutrality, in parallel with the establishment of a minimum price for traditional fuels, which guarantees the profitability of the investments necessary to develop the alternative energies, even if the price of oil or natural gas falls on the world market. It will therefore be necessary to provide that any reductions in the price of fossil fuels at the source, if they affect the final consumer price to such an extent as to fall below the minimum price, can be compensated on the domestic market. Compensation can occur by an increase in the carbon price on emissions in the internal market, accompanied by a carbon border-adjustment on imported products. In the European case, this would mean adjustments in the price of emission permits under the ETS, and implementation of the Carbon Border Adjustment Mechanism (CBAM).

The introduction of a CBAM presents two sets of problems. On the one hand, while it makes it possible to avoid a loss of competitiveness for European companies and the risk of carbon leakages, at the same time it must be structured in such a way as to be compatible with the WTO rules, so as not to run the risk of retaliatory measures by exporting countries. On the other hand, it is essential for the Union to ensure that the weakest countries, and in particular African countries, whose collaboration is essential for achieving carbon neutrality, are not harmed, guaranteeing the availability of renewable energy resources for Europe that come from the southern side of the Mediterranean sea.

The containment of carbon dioxide emissions is a difficult task and requires a set of measures: a) a package of rules to limit the use of fossil fuels and, ultimately, bans on the use of fossil fuels in some sectors (combustion cars, domestic fossil fuel-fired boilers, etc.); and b) a carbon price for the use of fossil fuels.

The introduction of all these measures must take place gradually, but relatively quickly, and shall be defined in advance, to provide end users and businesses with the possibility of adapting to the new conditions of the energy market. From this perspective, the role of carbon pricing is decisive, since it provides not only the opportunity to internalize the externalities linked to the use of fossil fuels, but will also represent the reference point for the consumption and investment decisions of households and businesses. The twentieth century was the century of oil and the dollar, and both marked the dominance of the United States after World War II. But oil and the dollar together are now seeing a reduction in their global role.

Indeed, with the emergence of the phenomenon of global warming, the international community has set for itself the goal of reducing carbon dioxide emissions through a drastic reduction in the consumption of fossil fuels. It follows that the world economic system can no longer rely on the price of oil as a reference indicator for guiding economic operators and, more generally, the economic policies of states. The problems posed by the sustainability of the global economic system seem to indicate that the new reference price for investment decisions and the use of resources must be the price of carbon.

The imposition of a carbon price will not only help to correct a market failure, but will also allow for a profound reform of the public finance structure and of the economic system, towards a technologically innovative and socially equitable economy. With the 20th century industrial method of production, *physical capital* has been playing a fundamental role, therefore the primary objective of the taxation system has been to favour the accumulation of savings to finance investments, and the main burden of taxation was falling on labour. But, following the scientific and technological revolution, linked in particular to the information and communications technology (ICT) sector, the fundamental factor of competitiveness becomes the *human capital*. Consequently, the relative weight of taxation on labour will have to decrease, in parallel with a growing imposition on financial income, on multinational companies and on consumption, which weighs heavily on the use of natural resources, starting with fossil fuels.

Within the OECD, a global agreement on the minimum rate of corporate tax has recently been reached. A similar agreement could be reached at a forthcoming COP on a global minimum level of carbon pricing, but remains to decide in which currency to define the carbon price. On this point, considering the effects of a single quotation currency, and

given the international impact of the carbon price quotation, it would be appropriate to anchor the price to the SDR (special drawing rights, the unit of account of the International Monetary Fund) instead of using the currency of a single area.

On two points there seems to be a fairly universal agreement by now: the origin of climate change, which represent the most serious, although not the only, major environmental problem, is of anthropic origin, and must be tackled through a gradual evolution towards a global carbon price, starting from the European experience; and secondly, the transition to carbon neutrality must be accompanied by measures aimed at guaranteeing social equity. The ecological transition requires a profound transformation of production and consumption patterns, and in the short term may risk imposing excessive burdens on the weakest parts of world society. For this reason it may be useful to recall an innovative proposal by Raghuram Rajan[2]. Industrialized countries such as the US are concerned because while they work hard to reduce emissions, developing countries will keep pumping them out with abandon. But at the same time, developing countries like Uganda point out that there is a profound inequity in asking a country that emitted just 0.13 tons of carbon dioxide per capita in 2017 to bear the same burden as the US or Saudi Arabia, with their respective per capita emissions of 16 and 17.5 tons.

Here two different themes emerge, the risk of free riding and the need for burden sharing. On the one hand, given that the reduction of climate risks has the characteristics of a global public good, virtuous countries fear that others will behave like free riders, enjoying the benefits without bearing the costs of the interventions necessary to eliminate CO2 emissions. On the other hand, the economically less developed

countries highlight the inequity of imposing the same effort on countries that emit large quantities of carbon dioxide and on those that emit much less, given their lower level of development.

The most reasonable solution to address this dilemma is to reach a multilateral agreement that imposes a policy of reducing emissions on all countries, but at the same time guarantees adequate financial support to the least developed countries. And here Rajan advances his proposal: to introduce "a global carbon incentive (GCI)", e.g. $10 per ton emitted. Every country that emits more than the global average of around 5 tons per capita would pay annually, into a global incentive fund, the amount calculated by multiplying the excess emissions per capita by the population and the GCI.

The importance of this proposal by Rajan lies in the fact that it represents a further contribution to the growing awareness that a multilateral initiative is necessary to deal effectively with the solution of global problems. But this proposal, while certainly appreciable, is nevertheless not sufficient. Distributing resources to the weakest countries with incentives financed by the richest countries responsible for a higher level of emissions is right from an ethical and political point of view, but it is not able to guarantee the achievement of the carbon neutrality objective by the middle of this century. In fact, the funds would be distributed to governments, which in turn would have to implement the necessary policies to guarantee the energy saving and fuel-switching processes that could lead to an effective reduction in emissions.

The most efficient tool to achieve the carbon neutrality goal is certainly the introduction of a carbon price, and in this perspective the European Union can play a decisive role in completing the carbon pricing process, on the

one hand with an extension to all sectors of the ETS or similar mechanisms which ensure the payment of a price by all those who use fossil fuels, and, on the other hand, with the introduction of a carbon border adjustment mechanism to charge the carbon price also on goods coming from countries that have not yet introduced it. In this way, exporting countries will be encouraged to put a price on their own carbon usage, so the proceeds would flow into their own budgets, instead of being burdened at the European Union border by a compensatory duty targeted to finance the European budget.

This would be a first step, capable of giving a strong boost to the introduction of a carbon price at a global level.

[1] A. De Viti De Marco, *First Principles of Public Finance*. Jonathan Cape, London (Harcourt Brace & Co., New York), 1936
[2] R. Rajan, *A Global Incentive Scheme to reduce carbon emissions*, University of Chicago Booth School, 2022. See also *https://www.project-syndicate.org/commentary/global-carbon-incentive-for-reducing-emissions-by-raghuram-rajan-2021-05*

Regional Monetary Unions in Africa: Where Do We Stand?

Demetra Santagati and Marilisa Marigliano

In recent years, the debate on the limits and possibilities of the African monetary unions has been under the spotlight. When the Covid-19 emergency had slowly subsided, the African States were eager to get back on track with the long-term integration projects left pending since the outbreak of the pandemic. While the discussion between the States on what economic policies better suit the purpose of implementing the African Continental Free Trade Area agreement (AfCFTA) has been brought back to the fore, the debate has also broadened to include the objective of introducing a single currency, issued by an African Central Bank.

The African monetary union is indeed a long-term achievement whose elaboration can be traced back to 1999, when the Abuja Treaty established the African Economic Community envisaging the adoption of a single currency – the *Afro* – by 2028. Many documents and political declarations later, the debate is still on the table. Supporters of the monetary integration, as Kenyan President William Ruto, have lately brought new life to the goal through the adoption of the PAPSS (Pan-African Payment and Settlement System), calling for the de-dollarization of financial transactions among African countries.

Some others have instead raised doubts about the feasibility of the project, highlighting the need for progressive integration to be implemented in other economic fields beforehand. Even the most ambitious document elaborated in this regard, the African Monetary Cooperation Program of 2002, established a six-step action plan, based upon a set of indicators to assess the level of macroeconomic convergence across the member States. Accordingly, the African Union has been supporting initiatives that strengthen the economic integration within its sub-regional economic communities in order to promote the harmonisation of monetary cooperation programmes in the long run.

Indeed, the longstanding issue of common currencies in Africa is a phenomenon worth delving into. The first experiment of regional monetary integration is represented by the establishment of the CFA franc zone in 1945, still in force in both the West African Economic and Monetary Union (WAEMU) and in the Economic and Monetary Community of Central Africa (CEMAC). What is now defined as the CFA franc zone consists in fact in two slightly different currencies, respectively the West African CFA franc (XOF) and the Central African CFA franc (XAF), both pegged to the Euro at a fixed exchange rate. However, due to their colonial roots, they have often been criticised. This is why in 2019 ECOWAS proposed a new currency, the independent *Eco*, to replace the franc, which was supposed to be introduced by 2020, but is yet to be implemented.

Furthermore, new protocols are being adopted for the upcoming years. Groundwork has been laid for a new monetary union to arise, with the

aim of allowing the East African Community members to progressively converge their currencies into a common one. However, the implementation of what would be the East African Monetary Union, initially scheduled for 2024, has now been delayed.

To sum up, many attempts to push further the regional integration of the African continent are being carried out, in the perspective of lowering the existing dependency on the Euro and the US dollar. These long-term projects are to be placed in a context where the BRICS group is striving to create a new global order, relying mostly on local currencies - in other words, de-dollarizing the current international financial system. Although the adoption of PAPSS in the African context moves in this direction, total independence from both the US dollar and the Euro is far from being reached. Further developments are to be expected in terms of regional integration in Africa, which is why we should keep a keen eye on the rise of new monetary unions, holding the potential for significant progress also in terms of political integration and economic development.

A New EU-ACP Partnership Agreement Signed in Samoa

The agreement recently signed in Samoa is the overarching framework for the EU relations with African, Caribbean and Pacific countries. The new partnership agreement will serve as the new legal framework for EU relations with 79 countries. This includes 48 African, 16 Caribbean and 15 Pacific countries. Around 2 billion people are covered by the agreement. The agreement aims to strengthen the capacity of the EU and the ACP countries to address global challenges together.

On 20 July 2023, the EU Council greenlighted the signature and provisional application of the partnership agreement, as the new legal framework for the next twenty years, succeeding the Cotonou agreement. The new agreement was officially signed in Samoa on 15 November 2023 by the EU and its members states and the OACPS members. Its provisional application starts on the first day of the second month after the signature.

It lays down common principles and covers the following six priority areas:

- democracy and human rights
- sustainable economic growth and development
- climate change
- human and social development
- peace and security
- migration and mobility

The agreement includes a common foundation at ACP level, combined with three regional protocols for Africa, the Caribbean and the Pacific, with a focus on each regions' specific needs.

We Can End Mass Atrocities in Gaza and Beyond

Shimri Zameret

In the past few weeks, the number of innocent Palestinian civilians killed in attacks by the Israeli government has reached unprecedented levels. Both a majority of people around the world and a majority of governments oppose the mass atrocities against civilians in Gaza. Why is this common-sense view not translated into action that stops these international crimes? And what can normal people do to end atrocities in Gaza and elsewhere?

Before answering these questions, I would like to start from my personal experience on the day this last round of violence started. Like a scene in a horror movie, my Oct. 7 started the way many other Saturday mornings do – my 3-year-old daughter woke me up with a cry: "Aba, Aba!" (Hebrew for Dad). But the normal morning shattered into pieces as I saw the news from Gaza.

My heart pounding, I immediately opened my family and friends' WhatsApp chat groups. Living in Ann Arbor, where I lead a research project on global governance, wars and civil resistance at the University of Michigan, I am seven hours behind most of my family in Israel. While I was relieved to learn that they were all fine, I soon discovered some friends had lost family members in the Hamas attack or had them taken hostage. Palestinian friends in Gaza and the West Bank were posting on social media that the Israeli army had started attacking and that civilians were being killed. The Israeli government soon declared war.

Like many millions around the world, I was scrolling through pictures in my news feed in shock. I couldn't stop thinking of the question I am often asked by my students when we talk of wars and mass atrocities in class: "How can this be stopped?" As I tell my students, my inconvenient answer starts not with a "they" but with a "we" – the atrocities against civilians in the Israeli kibbutzes and in the Palestinian city of Gaza are a symptom of a system we have built, a system that requires our active or passive consent daily. We can re-build that system if we choose to. We have the power, and therefore the responsibility, to change the system that allows the atrocities in Gaza.

Resisting war, occupation and apartheid

Hamas's attack that day killed more than 1,200 Israelis, including more than 40 children. Even before we knew this, it was clear the attack was serious enough to register as a societal shock in Israel – something comparable to what Sept.11 was to Americans.

Within a few hours, the Israeli army started attacking the Gaza Strip. Since then, those attacks have killed over 22,500 Palestinians, with the majority of them being children and women, who do not usually participate in fighting. To give some perspective: the United States killed fewer civilians in Afghanistan during its 20 years of occupation – and Afghanistan's population is about 20 times larger than Gaza's. More specifically, in Afghanistan, one in 3,225 civilians were killed by the U.S. government in over 20 years. In Gaza, Israeli government attacks are

estimated to have killed one in 128 civilians in under three months.

Serving as a volunteer on the board of Refuser Solidarity Network, a global network of 8,000 people who function as an international base of support for war resisters and peace activists in Israel, I have spent many nights and weekends since Oct. 7 working to amplify the voices of Israeli war resisters[1], trying to help in any way possible.

This was and is a difficult period for war resistance, anti-occupation and anti-apartheid groups in Israel. (Again, this is perhaps comparable to U.S. antiwar organizing challenges in the post 9/11 period). Binational groups of Jews and Palestinians working for peace together have faced significant strains, dealing with two national narratives of the events that were at least initially largely unreconcilable. At one point, the national head of the police, Yaakov "Kobi" Shabtai, threatened to send antiwar protesters to Gaza. "Whoever wants to become an Israeli citizen, welcome," Shabtai said. "Anyone who wants to identify with Gaza is welcome. I will put him on the buses heading there now."

The police have also refused to authorize antiwar demonstrations and conferences since the beginning of the war, particularly in Arab towns in Israel. The network I volunteer with has been documenting and amplifying these antiwar voices – along with the police attacks against them – on social media and in our newsletters, while also coordinating international solidarity to help them.

For 15 years Israeli war resisters have been telling Israelis that the status quo in Gaza is unsustainable, that we cannot continue to keep millions of Palestinians in a large open-air prison and expect this to go on forever, or to end well. No amount of F-16 planes, billion dollar walls and high-tech weaponry funded annually by billions of American taxpayer dollars can change that reality. Even before the Israel-Hamas war, a majority of citizens in global north countries [2] opposed the status quo in the Palestinian-Israeli conflict, and supported an end to the Israeli occupation and apartheid. Citizens in poor countries are unfortunately not often surveyed on their views on global politics, including the Palestinian-Israeli conflict, but the governments in the Global South publicly state that the Israeli occupation of the Palestinians territories[3] was the root cause of the conflict. At the same time, a majority of governments in various international organizations repeatedly vote for resolutions against the Israeli rule over the Palestinian Territories. And yet – because our international system is broken – this worldwide consensus does not (and will not) translate into action to stop Israeli apartheid and Israeli occupation.

A single garment of destiny
My students often challenge me with a justified request: "So what is the solution to the Palestinian-Israeli conflict? How do we fix this?" Often those asking want some kind of a quick fix. But after 10 years of research on conflicts and global governance, it is my difficult role to say that the Israel-Hamas war is a symptom of a far graver problem: the fact that our world system is broken. The good news is that we, normal people around the world, can repair it.

In 1964, Martin Luther King Jr. wrote a text called "The Greatest Hope For World Peace," which was only published recently[4]. King argued there that the ultimate answer to war is the creation of a democratic supranational authority. Echoing language from his famous "Letter from Birmingham Jail," he wrote that it would "lessen many tensions that exist today, and it would also enable everybody to understand that we are clothed in a single garment of destiny, and whatever affects one nation directly in the world, indirectly affects all."

In advocating such a form of international democracy, King was following in the footsteps of the likes of Albert Einstein, Mohandas Gandhi and suffragist Rosika Schwimmer, who two decades earlier, in opposition to the creation of the postwar system, founded the *One World* movement and advocated for international democracy. Today, it is perhaps best understood as advocacy for a kind of worldwide European Union, or worldwide African Union. Einstein told a friend that he would devote his life to that vision, and indeed did so in his final years. Gandhi said in a speech: "I believe in One World…I would not like to live in this world if it was not to be One World."

My research on the One World movement led to the conclusion that their struggle against the remaking of the postwar order failed because they did not escalate their campaign to the point of using methods from the civil resistance toolbox (which I will get to in a moment). Nevertheless, while their theory of change failed, history has proved their analysis of the problems in the postwar system to be correct. Taking in the horrors of the Gaza massacre of Oct. 7 – like the intractable war in Ukraine, the climate crisis, the coronavirus pandemic, the rise of artificial intelligence, recurring financial crises, and the rise of ultra-nationalism and extremism – we cannot ignore what is staring us right in the face. Like Gandhi, Einstein, Schwimmer and King warned, the international system built in 1945 is simply not equipped for the challenges of the 21st century.

In the face of our broken world, I possess the same bitter optimism that a realistic observer might have felt in 1944 about the future of Europe. The end of the war was in sight, and the majority of people on the continent then understood that the status quo was unsustainable. At the same time, a small but growing number of people realized that normal people have the power to change Europe's political structure.

And because normal people had the power to change Europe, they also had the responsibility to try. Still, in the midst of a world war and the Holocaust, a few realistic observers nevertheless saw fertile ground for change. It was that limberness and vision that would give rise to a European Union emerging out of the ashes of the war.

Now, to address the challenges we are facing in the 21st century, we must draw on that same limberness and vision. We must strengthen and radically democratize the international system, remaking the failing mechanisms we built to confront global crises.

Fixing a broken world

The failing international mechanisms we built to confront global crises suffer from one core problem: the lack of popular control and democratic legitimacy leads to injustice and gridlock, in Gaza and beyond. A few examples of how this broken system works include:

The U.N. Security Council and the veto power that allows the United States to authorize war crimes against Palestinians, Russia to authorize war crimes against Syrians, and China to authorize crimes against Tibetans.

The secretive Basel Committee on Bank Supervision, where decisions on the levels of risk allowed in the global economy are decided in meetings between government officials from a handful of rich governments and a handful of bank lobbyists (who later give the first ones jobs).

The U.N. sponsored climate change negotiations, where inaction by governments and corporations is hidden by a smoke screen of inter-governmental "summits" and "conferences of the parties" (COP 1 to COP 28) for over 30 years. Similar to the U.N. Security Council, a veto power over

climate negotiations gives the most polluting superpower governments a tool to force non-binding "targets."

The World Health Organization, whose policy of uncritically echoing statements by member states, and especially China, might have prevented earlier action, costing millions of lives in the recent pandemic.

In my forthcoming book "The World Is Broken"[5], I look at these organizations and the international postwar system as a whole, and suggest three minimum components of any real international democracy.

1. End the dictatorship of funding. Rich governments often control international organizations using a funding model that is based on voluntary and conditional contribution. This gives governments, and especially the rich governments, total control. To be democratic, these institutions need to have independent public funding.

2. End the dictatorship of veto. In the postwar era, the U.N. Security Council was tasked with maintaining international peace. It, and it alone, can authorize the legal use of force internationally, as well as financial sanctions against threats to international peace (that is, for example, how the sanctions on Iran and North Korea were established, and how individuals related to financing terrorism are blacklisted). But in the Council, five superpower governments – the U.K., France, the U.S., China and Russia – can veto or block any decision. This veto power was used by the United States to protect Israeli governments at least 53 times[6]. The U.S. used its veto again and again to protect the Israeli government against an international community that rightly sees actions of the Israeli government – including the building of Jewish settlements on occupied Palestinian lands – as war crimes according to international law. Other international organizations have similar mechanisms of formal or informal veto powers. We need to take this veto power away from the superpowers and move to rule by majority, where powerful governments can no longer force their will on the rest of the world.

3. End the dictatorship of the executive. Only governments have real power in international organizations. The democratic idea of the "separation of powers" – such as judicial, executive and parliamentary – is about breaking political power to protect citizens and create checks and balances. But in the postwar international system, governments (the executive power) are unchecked; nothing can hold them accountable or balance them.

Civil resistance offers a strategic path forward

Two important proposals on ending these three dictatorships have gained momentum in recent years.

There's the campaign for a United Nations Parliamentary Assembly (UNPA) modeled after the European Parliament and the Pan-African Parliament, but involving parliamentarians from all countries around the world.

The other initiative aims to create a permanent, sortition-based Global Citizens' Assembly similar to the bodies that helped Ireland legalize abortion and the state of Michigan to redistrict itself in a democratic non-partisan way.

Citizens assemblies – at all levels, including the global – are advocated by the visionary international climate movement Extinction Rebellion, as well as many experts and civil society organizations around the world. Citizens' assemblies are composed of normal people that are selected by lottery (like a jury), but through a process that makes them representative of the general population demographically (such as by gender, income,

education level, political views, etc). In 2022, a global citizens assembly was piloted for the first time, involving 100 normal citizens who represented the global population and were selected by lottery.

While it may seem like a radical idea to govern the international system democratically, it actually makes common-sense in a very real way: in the rare cases when normal people are asked how they want the world to be governed, they overwhelmingly favor this option. For example, a 2005 poll in 17 countries including the United States, China and Russia found 58 percent support for eliminating the veto in the Security Council (with a majority favoring in every country, except Russia). Meanwhile, 74 percent (and a majority in each country polled) favored "having your country's official representative to the United Nations General Assembly be elected by the people of your country." And 63 percent (also a majority in every country polled) supported "creating a new United Nations Parliament, made up of representatives directly elected by citizens, having powers equal to the current U.N. General Assembly (that is controlled by national governments)."

Many will question whether normal people have the power we need to fix the world. My bitter optimism is fueled by the conclusion that history shows repeatedly that we do have the power to fix our world. Civil resistance, a social change methodology, offers a path to achieve that necessary change and fix our broken system of global governance.

Civil resistance has led movements of normal people around the world to victory, *especially* in campaigns to democratize political structures and *especially* against powerful opponents. Examples abound, such as the crusade that won voting rights for women, the campaign that won India's independence from British colonialism, the U.S. civil rights movement that expanded equality, freedom and voting rights, and the present-day global climate movement that is increasingly succeeding in making the climate crisis a central political issue in societies around the world.

The WTO protests as a model

One particularly apt example showing how civil resistance can successfully challenge the rules of global governance is the series of mass protests against the World Trade Organization in the 1990s. With its roots in the Indigenous Zapatista uprising in Mexico against the North American Free Trade Agreement, the WTO protests were aimed at stopping global trade agreements benefiting rich countries and damaging workers everywhere, particularly in poorer countries.

Mass direct actions were organized around WTO summits worldwide, with the most well-known taking place in Seattle in 1999. A brilliantly organized walkout by Global South governments *inside* the summit was coupled with a brilliantly organized action of mass civil resistance *outside* the summit. This led to cancellation of the summit's first day and later the collapse of the trade agreement that had been negotiated. These protests ultimately helped usher in a wider understanding of "free trade" as anti-democratic and prevented the WTO from ever completing another new trade agreement.

Looking at the number of deaths in Gaza and the U.S. veto blocking action in the Security Council, it's hard to understand why the brilliant organizers in Jewish peace groups and many other antiwar groups are blockading Wall Street and shutting down Grand Central Station , while not also targeting the U.N. Security Council. After all, the Security Council and the veto is what shields the

Israeli government from the enforcement of international law. The undemocratic structure of the United Nations is what prevents the deployment of peacekeeping troops to protect civilians, economic sanctions and an arms embargo on the Israeli government. It prevents an International Criminal Court referral by the Council, and economic sanctions against individual Israelis who are the perpetrators of international crimes.

What would a 1999 Seattle shut down moment look like in the United Nations Security Council? Could a coalition led by Global South governments inside the United Nations be joined by social movements outside to disrupt what is both the central pillar and one of the weakest pillars on which the Israeli occupation depends? Could the protests demand a global citizens' assembly on the Palestinian-Israeli conflict to make decisions on economic sanctions and an arms embargo, instead of the Security Council? The United States and other superpowers need a functioning U.N. Security Council for various reasons – so if the Security Council were shut down like the World Trade Organization in 1999, "business as usual" could not continue.

One key to the success of the 1999 protest in Seattle was the way it brought trade unions and environmentalists together in action. A diverse coalition could potentially be formed here too, as the victims of the Security Council veto are not just Palestinians but also Syrians, Ukrainians, Tibetans and other victims of mass atrocities. What's more, environmental groups could also get involved.

After all, the council has adopted over 70 resolutions that involved climate, but avoids taking real action on the subject. With the climate crisis already fueling wars and conflict and posing a threat to peace worldwide, we could really use a Security Council – a democratic one that is run by majority rule

instead of a dictatorship of veto – to sanction corporations and individuals responsible for endangering the planet.

Another way of challenging the Security Council using tactics from the civil resistance toolbox is to go after its finances. It's a little known fact that the Security Council is funded by taxpayer money from *each country around the world.* Because of the way the United Nations is structured, no real enforcement mechanism for funding was ever set up, which is a weakness often used by the superpowers to dominate, but rarely used by citizens. That funding includes payments collected by many governments who openly oppose the atrocities in Gaza, and taxes from each of us.

Why are these governments and us, their citizens, funding an institution that, by design, allows for the atrocities in Gaza to continue? Why is there no national, regional or global campaign demanding that governments defund the Security Council unless it is democratized? Why are we funding an institution that shields the war criminals who kill civilians, in Gaza and worldwide?

Toward international democracy
Civil resistance has been used for thousands of years – with the first documented act being a strike of tomb builders in ancient Egypt. It's only until quite recently, however, that systematic research into the methods of civil resistance has occurred. For the most part, that research has focused on *national* democratic transitions, leaving a huge gap in the literature when it comes to understanding how civil resistance can challenge international injustice and democratize international organizations.

I believe that an international civil rights movement using nonviolent struggle to fight for international democracy is not only possible but necessary. Repairing the world is possible – it has been done many times before. History

shows us it is something normal people can do and have done many times in the past, by organizing and winning, even against the most powerful opponents.

In the days since Oct. 7, when I look at my daughter, I can't help but think how illusory our sense of security is. Invading Afghanistan, we now understand, did not create real and lasting safety, any more than blockading and then re-occupying Gaza is going to create real and lasting safety. Until we develop an international system of global governance enabling us to deliver accountability to war criminals (regardless of their nationality) and protect children (regardless of their citizenship), none of our children will be safe. We are clothed in a single garment of destiny.

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[1] https://wagingnonviolence.org/2019/02/israel-war-resister-hilel-garmi/

[2] https://today.yougov.com/international/articles/45869-attitudes-israel-palestine-conflict-western-europe

[3] https://responsiblestatecraft.org/hamas-israel-global-south/

[4] https://www.beacon.org/In-a-Single-Garment-of-Destiny-P1008.aspx

[5] https://shimrizameret.com/book-pre-order/

[6] https://www.un.org/depts/dhl/resguide/scact_veto_table_en.html

For an Israeli-Palestinian Federation

Piergiorgio Grossi

There are countless positions and analyses by political scientists and journalists on the war in Palestine. Some start from analyses that refer to historical events that date back decades, others limit themselves to starting from last October 7th, but the characteristic feature of these analyses is the search for responsibilities, errors and faults of one party or the other.

It is rare to hear voices that raise, without preconceptions, the problem of a lasting peace after the end of hostilities. If we want to build a road to peace, we cannot start by pointing to an enemy. Those who want peace must support both the Israeli and the Palestinian circles who want the coexistence of the two peoples.

Almost all commentators and diplomats, from the UN to the EU, and even the Pope, after calling for a truce, indicate the establishment of a Palestinian state alongside the State of Israel as the road to peace, a solution now defined as that of "two peoples, two states".

Are we sure that the simple establishment (if ever possible) of a sovereign Arab-Palestinian state, independent of Israel, can ensure peace in that land in the future? The historical experience of both Europe and other continents demonstrates that divisions into national states, in the presence of conflicts between them, sooner or later lead to wars, and even more so in our case between two states divided by historical grudges, territorial disputes, religious, linguistic and ethnic conflicts.
The events of the last 15 years have highlighted two major obstacles to the "two peoples, two states" hypothesis:
1- the establishment of an independent and

sovereign Palestinian state alongside Israel scares the Israeli public opinion and ruling class, which, after the aggression of 7 October by Hamas, associates the idea of a Palestinian state (as Gaza was considered) with that of a constant danger of attacks against their security.

2- the policy of allowing Jewish settlers in the territories of the West Bank, who have reached the number of 600,000 people spread across approximately 250 different settlements, has made it very difficult, if not impossible, to make the settlers, and therefore Israel which supports them, accept in the future their belonging to a Palestinian state. Even the hypothesis of dismantling the Jewish settlements and give the land back to the Palestinians appears fanciful, given the importance of the settlements. Equally difficult is that a future Palestinian state will accept the status quo, namely the current astounding fragmentation of the West Bank territory, with vast areas controlled by the Israeli army.

So, if "two peoples, two states" is not a realistic option, is there another way for the two peoples to coexist?

Yes, it exists! It's called the Israeli-Palestinian Federation; it may apparently seem even more unrealistic than the two states, but if we stop and think about it, it is the only way to lasting peace, because it would guarantee security and rights to the two ethnic groups, something not guaranteed by the existence of two states. Certainly the construction of a federation is subject, like other solutions, to conditions yet to be achieved during the constituent

federative process. I would single out at least three of them.

1 - A credible international guarantee is needed, which should be given by the EU (the territory's main trading partner) and the neighboring Arab countries. The USA and Russia cannot be considered unbiased guarantors.

2 - Like all Federations, it requires the existence of two state entities that recognize each other and have the authority to sign the federal pact; therefore, the Palestinian State must be established, but it can be accepted in the perspective of being part of the Federation, not as an independent sovereign State potentially hostile to Israel.

3 - As happened with Europe, which began its federative path starting from the sharing of its strategic resources of coal and steel (the ECSC), also in the Middle East area the common sharing of water and energy resources will be a precondition in the negotiations of the constituent process.

The realization of these three conditions is certainly not simple: the European Union has not yet equipped itself with a foreign policy that makes it a reliable partner; however, the push towards the abolition of the right of veto in foreign policy has become very strong in view of future enlargements, boding well for the future.

The neighboring Arab states do not seem interested in the birth of a Palestinian state, even more so if federated with Israel, but the recent "Abraham Accords" reveal that there may be promising developments in this direction too.

The recognition of the legitimacy of the State of Israel, already signed by the Palestinian National Authority, is still questioned by Hamas, whose policy, however, has not had the support it was hoping for from the Arab world, which now considers that policy as an obstacle to Palestinian rights and to peace.

The undeniable difficulties must not prevent us from starting the federal constituent process: the construction of Peace is too important an asset for us to give up.

I am well aware that today the opponents of such a project are predominant both in Israel, where the coalition led by Netanyahu currently in government pursues the goal of a single Jewish state from the Jordan to the sea; and in Palestine, where Hamas, which won the elections in 2006, still enjoys a broad support.

I am also aware that international diplomacy, from the UN to the Pope, does not have this hypothesis on its agenda. It is the pacifists and the federalists, the only components of civil society who place Peace as the supreme goal, who must put on the table the project of the Israeli-Palestinian Federation, open to a broader federal process that could spread to the whole Middle East.

The Israeli-Palestinian Conflict as a Clash Between Nationalisms

Alessandro Cavalli

Ernesto Galli della Loggia is right when, in the editorial published in the "*Corriere della Sera*" on November 23, he states that the presence of the State of Israel produces ideas and attitudes of unease and anxiety in Europe. I acknowledge it. But my reasons for discomfort and anxiety are different from his.

For him, "Israel is deeply disliked by many in this part of the world, […] it arouses in many of us here a feeling of annoyance, of dull rejection. They don't like Israel." I don't know on what basis he can ground these statements, perhaps there are data and empirical findings that I don't know about. But this is not the point. Rather, it is the interpretation he provides of this "dull", and perhaps even "mute", antipathy towards Israel that arouses, at least in me and perhaps also in others, a certain dismay. "With its very existence – he writes – Israel reminds us Westerners of what we are not, what we no longer want to be, or cannot be". We in Europe would lack the feeling of unity, of cohesion, of community, capable of getting over religious, cultural, ideological, social and political fractures. In essence, for Galli della Loggia what is missing in Europe, or no longer exists, is a strong idea of nation, from which derive solidarity, civic sense, "the propensity to personal sacrifices […] which become apparent in a peculiar way in relation to a war".

In the words of Galli della Loggia emerges an admiration for the ability of the State of Israel to put aside domestic conflicts, even profound ones, and form a common front against the enemy represented by Hamas, and a sort of nostalgia for an era in which even in Europe people were willing to sacrifice their lives for their homeland: "the war brings into play ancestral traits of human identity to which it is difficult not to attribute a value, elementary maybe, but still crucial: courage, the feeling of solidarity with the people at our side, self-sacrifice".

It sounds like a sentence written between the 19th and the 20th century, before the two world wars. After 1945, there have been the wars of the former colonial powers, the war in the Balkans and now in Ukraine, but a significant part of Europeans have first repudiated and then removed these "values", transforming them into dis-values. The fact that today almost the entire population of Europe has never experienced such a long period of absence of war can only be a source of hope, not of nostalgia.

Perhaps if the State of Israel does not arouse in Europe the enthusiastic support that Galli della Loggia would like to see, it is also because European history evokes a past which there is no desire to go back to. After all, the State of Israel would probably never have existed if anti-Semitism had not reached its maximum expression in the nationalist phase of European history.

Anti-Semitism is an ancient phenomenon, it was born together with the diaspora. After the destruction of the Temple of Jerusalem and the massacre of the Jews by the Roman legions in the year 70 AD, the survivors began

to disperse and create settlements in the Mediterranean area, including North Africa. Sometimes they were welcomed, sometimes tolerated, sometimes persecuted and expelled, or forced to convert. In the modern era the diaspora extends from West to East, from the Iberian peninsula to Italy, France, Germany, Poland, Ukraine, Russia and Romania. Jewish culture takes form and adapts depending on the contexts it has to live in. The reasons are religious, cultural, economic, political.

There is no doubt that the "Jewish question" arises from the claim of each population believing in the one and only God that their own is the "only true one", while that of the others is a "false" divinity. This explains how the most fierce religious wars, as explained by the great Egyptologist Jan Assmann (*The Price of Monotheism,* Stanford University Press, 2010), were fought between peoples of monotheist religions. The Jewish question arises from the clash between different monotheisms, which, however, find their common origin precisely in the Jewish religion.

But religious reasons are often a pretext to cover up conflicts of another nature. A minority, religious or otherwise, in addition to being forced to carry out functions that are precluded to the majority, such as usurious loans, can be taken as a scapegoat to expel the evil that a community cannot accept within itself. Collective conscience, solidarity, the "us" always require a "them" to struggle with. Jewish identity and anti-Semitism have supported each other. I'm not saying that without anti-Semitism the Jewish identity would have dissolved, but it was an important component of its survival. How much anti-Semitism contributed to the survival of the Jewish identity is a question that deserves to be taken up again. Collective identities emerge when they define the "not us", the "others", they are born in a relationship of contrast. On

the topic Marx, Martin Buber, Sartre, Elias and many others up to Edgar Morin have written illuminating pages.

However, when the national state was established starting from the French Revolution and the idea of people was based on and confused with the idea of nation, a problem arose, because history has fragmented the Jewish identity into a plurality of different nations., often hostile to each other. It is not a simple historical coincidence that at the end of the nineteenth century, in the culminating phase of European nationalisms, the Zionist movement was born, which wanted to give a territory and a state to a population scattered throughout the world but in particular on the European continent. The demand for a return to the land of the fathers (the homeland) begins, Jewish settlers settle in the countryside, in the villages and then in the cities, the movement spreads but remains fundamentally a minority, until anti-Semitism reaches its extreme expression in Germany, in National Socialism and in the Shoah. The "fault", if we can speak of fault, lies not only with Germany, but with all of Europe. Zionism and the creation of the State of Israel in the land of Palestine are difficult to imagine without anti-Semitism, fueled by nationalism, of which racism is an extreme form. It is not, therefore, a question of antipathy towards Israel on the European side, but rather of a poorly concealed sense of guilt for having been at the origin of the emergence of that question. Nationalisms have forced a people that historical events had made naturally cosmopolitan to desire to constitute itself as a nation-state.

This is the reason for the unease that I, but perhaps many others too, feel these days in the face of what is happening in the "promised land": the clash between two nationalisms, one that has managed to establish itself as a national state, and the other that pursues

the same goal, a clash from which nothing but anger, hatred and violence can emerge, with the risk that all this will extend in space and time to generations to come. The Zionist movement is the Jewish version of European nationalism.

European Jews had enjoyed (so to speak) the uncertain "privilege" of maintaining their own identity as a people, despite having different "homelands": they were at the same time "citizens" but also "foreigners": Italians, Germans, French, Spaniards, Poles, Russians, etc., but always "Jews". In a certain sense, we can say that the Jews could have constituted an original nucleus of a European people in formation, if the European nationalism had not forced them to become nationalists themselves.

The Palestinians, on the other hand, have been part of the Ottoman Empire for centuries. Like all empires, which were political organizations that tended to be supra-national, the Ottoman one also was granting a wide autonomy to the provinces. Following the dissolution of the Empire after the First World War, the British Mandatory administration in Palestine took over; but it is only after the birth of the State of Israel, with the famous and contested United Nations Resolution 181 of 1947, that a movement (the PLO) was formed that claimed the creation of a Palestinian State.

Today, the only solution capable of quenching the conflict seems to be the construction of two states, on which, however, only an agreement between ultra-reliable, steely guarantors at a global level will be in a position to impose the peace. A desirable solution, but frankly unlikely. Aside from the difficulties associated with the inevitable displacements of people of the two ethnicities, the two-state solution would trigger strong opposition both within Israel and among Palestinian factions. The concern arises because it is difficult to see how the great powers can converge in attributing the power to impose peace to the UN (or another global body). Two sovereign states behind and in support of which coalitions and alliances will line up at the international level risk increasing the chaos in one of the most dangerous areas of the planet.

What Galli della Loggia seems to me is not considering in his nostalgic exaltation of the values of the nation and war, is that it is not a question of choosing which side, Israel or Hamas, one should take. In war there are atrocities on both sides. It is the war that is atrocious, not the combatants. There are good reasons to defend the existence of the State of Israel, and good reasons to consider legitimate the Palestinian aspirations to have a state. If we want to save the planet from the risk of a Third World War, we would need a solution involving two federated states under the guarantee of the UN and the European Union: a solution that is frankly unlikely, although not entirely impossible. Both within Israel and among the Palestinians there have been signs that dialogue is not impracticable. Signals that can be weakened, but also strengthened. After all, Europe, after the tragedy of its nationalisms that have been fighting each other for a century and a half, has demonstrated that ancient enemies can indeed coexist peacefully. Unfortunately, this is a lesson that Europe itself seems not to have finished learning, demonstrating that it does not possess yet the moral authority to pass it on to others.

Statement of Israel-based Progressives and Peace Activists Regarding the Debates over Recent Events in Our Region

We, Israel-based academics, thought leaders and progressive activists committed to peace, equality, justice and human rights, are deeply pained and shocked by the recent events in our region. **We are also deeply concerned by the inadequate response from certain American and European progressives regarding the targeting of Israeli civilians by Hamas, a response which reflects a disturbing trend in the global left's political culture**.

On October 7, 2023, Hamas launched an unprecedented attack that included mass murder of innocent civilians in their homes, indiscriminate violence towards women, the elderly, and children, and mass kidnappings of Israeli citizens. Entire families were wiped out in this carnage, whole communities were reduced to ashes, bodies were maimed, infants were massacred. It is impossible to overstate the damage caused by these events, both on a personal and a collective level. The traumatizing events of that Saturday in October will leave a lasting mark on our hearts and memories.

As expected, in response to Hamas's actions, the State of Israel launched a massive military operation in Gaza, resulting in a higher death toll than anything we have witnessed heretofore. **This cycle of aggression severely undermines our long-standing struggle against oppression and violence and in pursuit of full rights and equality for all residents of Israel-Palestine. At this moment, more than ever, we need support and solidarity from the global left, in** the form of an unequivocal call against indiscriminate violence towards civilians on both sides.

Many of our peers worldwide have expressed strong opposition to Hamas' attack and have offered unambiguous support for its victims. Prominent voices in the Arab world, too, have made it clear that there is no justification for sadistic murder of innocent people. **However, to our dismay, some elements within the global left, individuals who were, until now, our political partners, have reacted with indifference to these horrific events and sometimes even justified Hamas's actions**. Some have refused to condemn the violence, claiming that outsiders have no right to judge the actions of the oppressed. Others have downplayed the suffering and trauma, arguing that Israeli society has brought this tragedy upon itself. Yet others have shielded themselves from the moral shock through historical comparisons and rationalization. And there are even those – no small number – for whom the darkest day in our society's history was a cause for celebration.

This array of responses surprised us. **We never imagined that individuals on the left, advocates of equality, freedom, justice, and welfare, would reveal such extreme moral insensitivity and political recklessness**. Let us be clear: Hamas is a theocratic and repressive organization that vehemently opposes the attempt to promote peace and equality in the Middle East. Its core commitments are fundamentally

inconsistent with progressive principles, and thus the inclination of certain leftists to react affirmatively to its actions is utterly absurd. Moreover, there is no justification for shooting civilians in their homes; no rationalization for the murder of children in front of their parents; no reasoning for the persecution and execution of partygoers. Legitimizing or excusing these actions amounts to a betrayal of the fundamental principles of left-wing politics.

We emphasize: there is no contradiction between staunchly opposing the Israeli subjugation and occupation of Palestinians and unequivocally condemning brutal acts of violence against innocent civilians. In fact, every consistent leftist must hold both positions simultaneously.

The seventh of October is a dark day in the history of Israel-Palestine and the lives of the peoples of this region. Those who refuse to condemn Hamas's actions do immense damage to the prospects of peace becoming a viable, relevant political option. They weaken the left's ability to present a positive social and political horizon, turning it into an extreme, narrow, and alienating political force. **We call on our peers on the left to return to a politics based on humanistic and universal principles, to take a clear stance against human rights abuse of any form, and to assist us in the struggle to break the cycle of violence and destruction**.

December 9th, 2023

Recommended Books

ALTIERO SPINELLI
ERNESTO ROSSI
IL MANIFESTO DI VENTOTENE / THE VENTOTENE MANIFESTO

ALTIERO SPINELLI
ERNESTO ROSSI

THE VENTOTENE MANIFESTO

preface by Eugenio Colorni

Foreword by Josep Borrell Fontelles
Introductions by Lucio Levi and Pier Virgilio Dastoli

1

ultima spiaggia

Eighty years after the composition of the first version of the *Manifesto for a free and united Europe* (1941), another reading can still surprise us with the topicality of the analysis and the farsightedness of its programmatic proposals. It is surprising how this text, written in the prison-island of Ventotene at the height of Nazi expansion on the continent, by Altiero Spinelli and Ernesto Rossi, with the preface by Eugenio Colorni, and distributed clandestinely in occupied Europe, still constitutes today, eighty years later, a roadmap for European construction.

The *Manifesto* proposed goals which have not yet been achieved, such as the creation of a «common army» or a «single foreign policy», so the text should continue to stimulate our reflections in favour of a stronger Europe in the world.

Josep Borrell Fontelles

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For the Unity of Thought and Action of European and World Federalists*

Fernando Iglesias

In 1947, the World Federalist Movement and the Union of European Federalists were born together at Montreux. For the UEF, the construction of a United Europe was the priority in order to avoid a new war. For the WFM, the unity of the entire world was the immediate objective. The resulting division was rational and fruitful. The UEF was a crucial actor in the building of a united Europe, particularly, in the development and empowerment of its more democratic institution: the European Parliament. The WFM was important too in the development of the United Nations and crucial in the creation of the International Criminal Court.

But now, that division is obsolete. We are facing a dangerous world in which none of the issues Europe faces is European, none of the aspirations of the European citizens could be achieved without international unity, nor a world federation could be possibly achieved if the European Union fails.

Artificial intelligence, climate change, international terrorism, aggression and war, ethnic conflicts, financial crisis, poverty and social inequality, transnational migrations, nuclear proliferation, global pandemics, the paradoxical raising of a global national-populism. None of these existential threats to humanity is national or regional, neither could be solved without the cooperation of international forces and organizations, particularly, without the coordination and integration between European and World federalists.

A more democratic United Nations, starting by the creation of a UNPA (UN Parliamentary Assembly). The creation of new international institutions, such as the International Anti-corruption Court. The building of new regional institutions, such as the MAPO (Mercosur Antimafia Prosecutors Office) and the COPLA (Latin American Court Against Transnational Organized Crime). Together with much closer goals such as the signature of the agreement between the European Union and the Mercosur, and the reform of the European Union treaties. These are our common goals, which are not competitive but complementary. These are also new opportunities for working together.

In the medium term, the subsistence of regional federalism is impossible without the progressive application of federalism and democracy to the global level. On the other side, the building of a world federation is a joke without the contribution of regional federalisms. I am happy to be here to make this call for unity and cooperation, particularly, among many old friends and fellows such as Daphne (Gogou), Brando (Benifei), Luisa (Trumellini), Sandro (Gozi) and Josep (Borrel), and when an old friend and convinced world federalist such as Domenec (Ruiz Devesa) is chairing the UEF.

Risks are enormous, challenges are high, opportunities too. Let's work together. As in 1941, we are those who first and foremost fight for international unity. As in 1941, the road to follow is neither easy nor safe, but it must be pursued, and it will be.

International Call for a UN Rapporteur on Democracy

"Democracy Without Borders"

A statement[1] calling on the United Nations to appoint a special rapporteur on democracy has been signed by more than 80 civil society organizations, networks, think tanks and institutions, as well as over 180 individuals from across the world, united by their commitment to human rights and democracy.

According to the document, which was released today and it is endorsed by *Democracy Without Borders*, "democracy is threatened and authoritarianism is on the rise". In this situation, the UN "needs to do more to strengthen human rights and democracy", the statement says. The new rapporteur position would be created by the UN's Human Rights Council in Geneva, and "mandated to investigate the state of democracy around the world."

The joint appeal is made ahead of the 75th anniversary of the Universal Declaration of Human Rights, that is coming up on 10 December 2023. Like-minded organizations, policy-makers and individuals are invited to sign on[2].

"Democracy is a human right and human rights depend on democracy. The UN can no longer look the other way while this right is being denied, undermined and weakened in many countries around the world. A UN rapporteur on democracy is urgently needed", said Andreas Bummel, Executive Director, *Democracy Without Borders*.

A joint appeal ahead of the 75th anniversary of the Universal Declaration of Human Rights

The statement points out that the new mandate can be based on UN resolutions that identify and support democratic principles. This includes the "central democratic principle", stating that "public authority must derive from the will of the people", which is expressed in Article 21 of the Universal Declaration of Human Rights.

According to the document, the proposed UN Special Rapporteur on Democracy, assisted by an independent Advisory Board, would "examine challenges and opportunities related to the realization of democracy". This would include, among other things, looking into "constitutional and institutional arrangements such as checks and balances; effectiveness of parliaments; free, fair and competitive elections and election environments; political participation including minorities and women; direct and deliberative mechanisms; as well as civic space and freedoms."

Groups that endorsed the appeal include ASEAN Parliamentarians for Human Rights, Citizens for Global Solutions, CIVICUS: World Alliance for Citizen Participation, Democracy International, Counterpart International, Open Society Foundations, Parliamentarians for Global Action, PEN America, the Latin-American Network for Democracy (REDLAD), Society for Threatened Peoples, The Carter Center, The May 18 Foundation, and Varieties of Democracy Institute (V-Dem).

Democracy is a human right and human rights depend on democracy

"The UN Special Rapporteur system is an invaluable tool for advancing human rights. It is time that this powerful mechanism be deployed in support of democracy," said Rebecca A. Shoot, Executive Director, Citizens for Global

Solutions. According to Sigrid Lipott, UN Advisor in Geneva of CIVICUS, "democracy cannot exist without the protection and promotion of a civic space", and "the mandate of a UN rapporteur on democracy is key to ensuring that civil society and civic space remain at the heart of democracy".

"Despite the evolving threats, this mandate, rooted in UN principles, symbolizes our optimism for a future where strengthened democratic values prevail", Eric Bjornlund, CEO and President of Democracy International, noted. A UN Rapporteur on Democracy will keep human rights and democracy "at the forefront, and signal to naysayers that democratic principles and practices offer the best conditions for peace and prosperity", said Dr Ann Hudock, President and CEO of Counterpart International. "At a time of crisis and contested narratives, the UN must use every possible tool to empower people: a Special Rapporteur on Democracy would be a good start", according to Natalie Samarasinghe, Global Director of Advocacy, Open Society Foundations.

"The establishment of a UN Special Rapporteur on Democracy will support our legislative work, especially when drafting evidence-based legislation and policies that promote integrity in political speech, transparency in government and the protection of fundamental human rights", said Naveed Qamar, Member of Parliament from Pakistan and President of Parliamentarians for Global Action. Citizens and civil society as well require focused tools to effectively counter democratic regression, noted Gina Romero, Executive Director, REDLAD, adding that a UN rapporteur "could provide substantial assistance".

"Ethnic and religious minorities and indigenous peoples are particularly affected by the increasing authoritarianism in the world. At the same time, they are particularly dependent on functioning democratic institutions in order to be able to represent their interests and fight for their rights,"

explained Roman Kühn, Director, Society for Threatened Peoples. "This is why strengthening democracy worldwide should be on the UN agenda. The position of a Special Rapporteur can make a valuable contribution to this."

The proposal deserves urgent and serious consideration
"In a time when democracy is challenged by autocracies and undermined in many democracies, the proposal of a UN rapporteur on democracy deserves urgent and serious consideration", said political scientist Staffan Lindberg, Director, V-Dem, University of Gothenburg. Soonsuk Won, Chairperson, The May 18 Foundation, in Gwangju, South Korea is convinced that such a rapporteur can help pave the way "to a better world for democracy and human rights."

In addition to representatives of the endorsing organizations, the list of initial supporters includes over 100 individuals from around 70 countries, among them numerous human rights and democracy defenders and scholars, as well as over 25 parliamentarians from across the world. Among them are Nobel Peace laureate Oleksandra Matviichuk from Ukraine, the former Prime Ministers of Greece, George Papandreou, and of Mongolia, Amarjargal Rinchinnyam, the former Foreign Ministers from Canada, Lloyd Axworthy, and from Montenegro, Srđan Darmanović, the former Minister of Defense of Georgia, Tinatin Khidasheli, and the UN Special Rapporteur for promoting an equitable international order, Livingstone Sewanyana from Uganda.

In an individual capacity Thomas Garrett, Secretary-General of the Community of Democracies and Kevin Casas-Zamora, Secretary-General of The International Institute for Democracy and Electoral Assistance (International IDEA), declared their support of the statement. Their organizations are intergovernmental with 30 and 34 member

states respectively. Both organizations work closely with civil society.

The statement calls on "all governments that are committed to democracy to support the establishment of this new mandate under the auspices of the Human Rights Council." Annika SilvaLeander, Permanent Observer to the United Nations, International IDEA, expressed hopes that UN member states will consider supporting the effort

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[1] https://www.democracywithoutborders.org/unrod-call/
[2] https://www.democracywithoutborders.org/unrod-call/

The Global Minimum Tax Is In Force: a Revolution!

On January 1, 2024, the Global Minimum Tax (GMT) came into force,. The GMT, proposed by the OECD in 2021 and signed by 142 states, with the objective to introduce a minimum rate of 15% to be applied to multi-national or national companies with a turnover of more than € 750 millions, aims to counteract the phenomenon of fiscal dumping that some States implement when they propose a preferential taxation to induce multinational companies to choose to produce in or transfer their headquarters to their own country. The states that have ratified the GMT will be able to apply it, obtaining useful resources (the OECD estimates up to € 200 billions in additional revenues worldwide). Unlike those who believe that the GMT is difficult to apply, *The Federalist Debate* underlines its importance due to its global character, which places it in the wake of initiatives aimed at creating global rules and norms to combat the "far west" situation in the global economy, in this case the unfair tax competition between states, but hopes that this initiative will be followed by others at the global level, in particular with regard to the fight against environmental and social dumping, which hinders the fight against climate change, and against the social and between-states inequalities (g.b.)

Populism and the Challenge to Liberal Democracy

Michel Caillouët

Marc Lazar & Ilvo Diamanti
Peuplecratie: La metamorphose de nos démocraties (in French) ["Peoplecracy", the metamorphosis of our democracies]
Ed. Gallimard, 2019

Marc Lazar is professor of history and political sociology at Sciences Po in Paris, and a specialist of the movements of the left in Europe, of the politics in France and Italy after WWII, and of contemporary populism. He had published in 2019 *Peuplecratie: La metamorphose de nos démocraties,* a topical book to this day, in which he analyses the rise of populist movements in Europe. In his opinion, their force is to present themselves as the best defenders of democracy …!

Peuplecratie, the book's title, is actually a neologism which has the same meaning of the Greek etymology of democracy ("power of the people"), but with a less noble twist; Marc Lazar acknowledges that it sounds better in Italian: *popolocrazia;* Ilvo Diamanti, with whom he wrote the book, is a talented writer, and an inventor of words. The emergence of new political practices, or new regimes, requires to devise new expressions. So did, in the 1930s and 1950s, that of "totalitarianism", which tried to convey what could have in common Bolshevism, Fascism and Nazism.
However, whether in power or in opposition, today's populist movements are changing the very foundations of liberal and representative democracy.
Democracy, in its modern practice, is based on the separation of powers and on everything that comes under the rule of law born of the Enlightenment. We are now entering, under the pressure of these movements, a completely different period… These populist movements and their leaders insist that people sovereignty is limitless. All kinds of state powers must give way to universal suffrage.
The second element that characterizes them is the emphasis not only on direct democracy but also on immediate democracy, without any form of mediation, bypassing intermediary bodies and parties. Their discourse is one of permanent urgency. They claim that there are simple solutions for all problems, hence their demand for a systematic practice of referendums. They have also well understood the revolution represented by social networks, which they use to the full.
Peoplecracy has not yet won, but it is there as a great challenge to liberal and representative democracy. The populists have already succeeded in imposing their way of doing politics and their use of time, so much so that those who want to fight them can only be tempted to resort in turn to what we call the populist style.
It is undoubtedly a situation that evokes that of the 1930s, even if there are fundamental differences with that period. Thus, in France, the populists of the time, like the Leagues, called for an authoritarian or even dictatorial regime, because democracy was ineffective. Instead, the strength of contemporary populists is to reverse that logic and present themselves as the best defenders of democracy, claiming that they, unlike the "caste" or the "establishment", are not afraid of the people. And they challenge the traditional parties: why don't you introduce referendums? Why don't you organize consultations on the Internet? Thus, these movements are both a continuation

of the old populist movements and a breakup: like them, they play on the "all rotten" idea and on the opposition between the "real country" and the "legal country", according to the expression of Charles Maurras. But, at the same time, they surf on the criticism of politics, pretending to better taking into account popular participation, and on the aspiration to another politics.

Their strength is to be at the junction of these two themes in the face of the traditional parties, unable to respond to this double challenge… "*Peoplecracy*", if it comes to power and if it consolidates, is indeed a step towards something else: the illiberal democracy or the "democrature" already at work in Warsaw and Budapest.

How can populism be defined? The abundant production in political science on the subject revolves around two poles. On the one hand, there are those who believe that it is a new form of political ideology, fragile, loosely structured but replacing the great ideologies of the 19th century, which are now in decline. On the other hand, those who see populism primarily as a political style.

There is a populist phenomenon, but populisms are many: they are not all of extreme-right or right. There are left populist movements like *Podemos* in Spain, *Syriza* in Greece, *LFI* in France. There are regional populist movements (*Vlams Belang* in Belgium), and of course, on the far right, *Rassemblement National* and *Reconquête* in France, the coalition around Meloni in Italy... A new form of the current populism is constituted by the figure of a businessman embarking on politics, whose archetype was Silvio Berlusconi, and who triumphed across the Atlantic with Donald Trump or in the Czech Republic with Andrej Babis.

They claim that a country is to be run like a business, and constantly refer to popular common sense and the supposed values of the people. Their very acceptance of the people varies. For some, the people is *populus* – the citizen, conscious people; for others is *plebs* - the pleb, that is to say the mass. There is also the *ethnos*, that is to say people on an ethnic basis… Or even the people as consumers, whom Silvio Berlusconi was willingly addressing himself to. Populist movements combine these various meanings.

So, how to explain this rise of populist movements? We have built the European Union, but not the European People, let's face it!

We must take into account the serious social distress: unemployment, precariousness, inequalities and poverty. However, there is no direct link between the economic crisis and the populist vote: Austria, breeding ground for populism with its FPÖ party, is one of the richest countries in the EU, with very low unemployment...

Another factor is the perception of Islam as a threat, after various terrorist attacks. The flow of migrants explains the identitarian withdrawal of many, especially since the two major models of integration – the multicultural model and the French "republican" model – are in crisis.

But there is above all the mistrust vis-à-vis politics and the institutions, and this makes the situation explosive."

The EU Law on Artificial Intelligence

*Anton Filippo Ferrari
interviews Brando Benifei (MEP)*

After a long negotiation, which ended with 36 hectic hours, the EU institutions reached an agreement on the AI Act, the European law on artificial intelligence. The first regulatory framework on these technological systems in the world. The aim of the legislation is to ensure that artificial intelligence protects fundamental rights, democracy, the rule of law and environmental sustainability, while stimulating innovation and making Europe a leader in the sector. We talked about it with one of those who actively took part in the negotiations and is one of the rapporteurs of the AI Act: the MEP, elected in the S&D list, Brando Benifei.

What does the European law on artificial intelligence provide?
«The European regulation on artificial intelligence (the AI Act) transforms a series of initiatives, protocols, codes of conduct, recommendations which were already taken as reference sources in many contexts of use of artificial intelligence, on a voluntary basis, into an organic, horizontal law. A law, the first in the world, which has a very precise objective: the reduction of risks in the use of AI in our lives, enhancing instead its opportunities and positive impacts for people. In essence, it identifies the cases of application of artificial intelligence which could imply a higher risk and require therefore more stringent rules, in particular a verification of compliance by the developers».

Can you give us some examples?
«I am referring, for example, to artificial intelligence that is used in the workplace, in schools, in hospitals, in courts... That is, in the most delicate, most sensitive contexts. There are a number of areas that are considered at high risk. Here developers will have to carry out a compliance procedure. That is, verify that their system has certain characteristics, very specific standards that will be set in the coming months: the quality of the data used to feed the system, its control, cybersecurity, environmental impact and others.»

Can you illustrate a practical case?
«Thanks to this law, systems that discriminate against women in the selection of CVs, excluding them from important jobs, will no longer be put on the market... This risk will be eliminated. More generally, risks to health, security and fundamental rights will be eliminated.»

Rules that all companies will have to comply with or only the European ones?
«These rules apply to all those who want to market their product in the common European market. Have it used in Europe. Therefore they will also have to be respected by American and Korean companies...».

Let's go into detail. What will be prohibited by law?
«With the AI Act we are the first to say that there are uses of artificial intelligence that are so risky that we believe they should not be permitted. We are talking about a list that Parliament has greatly expanded and has been the subject of the toughest negotiations. It includes the ban on predictive policing, which has been the subject of a tug-of-war. We will have a total ban unlike what was said and thought before. That is, the use of AI to identify who will commit a crime will be prohibited. In addition to the fact that it doesn't work, we believe that it is a system that undermines the

"presumption of innocence" principle. It goes against the rule of law, absolutely. So, with a lot of effort, we chose a full ban.»

Other bans?
«There is a ban on biometric categorization. That is, the fact of categorizing people through facial-recognition cameras, even if the material will be used subsequently, for protected categories such as sexual orientation, ethnicity, religious or political beliefs. This was completely banned. Just as emotional recognition in contexts of school and work has also been prohibited.»

There has been a lot of talk about stopping biometric recognition systems. Can you tell us something more?
«Yes, the mechanism of real-time biometric recognition cameras is also banned. Except for a couple of exceptions; this topic required at least 8-9 hours of discussion out of the 36 we had in the last part of the negotiation. It has been decided that such use will be subject to a judicial review with the access of data protection authorities, that are autonomous from governments. A detail that several executives didn't want.»

What are the exceptions?
«The exceptions concern the search for terrorists for an imminent attack, according to the jurisprudence of the Court of Justice of the EU, and for very serious crimes such as murder and massacre. For this type of search for suspects, with the checks I mentioned earlier, its use is authorized.»

Let's get to generative artificial intelligence. What was decided?
«For the most powerful models that have developed in the last year and a half, that are the basis of generative AI, I am referring for example to the one that is the basis of the famous ChatGPT, we require preventive

security checks. Before they enter the market. Checks on the model, at the root. The reason is that these models have a high versatility, possible evolutions that the developers themselves do not fully know and are increasingly at the basis of other systems of which they will become something like an alphabet. This decision is for the protection of citizens, but also of companies which, if they have to develop on these models, it is right that they know their technical characteristics, risks and so on.»

I imagine that you have encountered strong resistance here too...
«Yes, this too was the subject of difficult negotiations due to the lobbying of some large companies. Even European models in development. In particular, there was a letter signed by France, Germany and Italy - which it is not clear why it was there, perhaps it was dragged. in.. - in which they were asking not to make these rules mandatory. In the end, however, their position was softened and overcome.»

Will the rules also apply to general AI models, those with more versatile purposes?
"Yes. Here there are transparency obligations on content and copyright, a topic that EGAIR (European Guild for AI Regulation) reported to us, but not only that. That is, the fact that the creatives, the artists who create the contents that are used by the AI for training, can prohibit the use of their contents, perhaps to negotiate their use from a position of strength. This will obviously apply to the new models. For those that already exist, it will be difficult to extract the data to see what's inside. However, detailed summaries on the use of content protected by copyright must be produced. Authors will then have the possibility to know what has been used, so they can see whether or not there has been

a violation and act accordingly. We give them a very strong control tool. Here too there was a very strong attempt by the developers to avoid it, but in the end we came to a solution."

The AI Act also requires that content produced by artificial intelligence be made recognizable by users. How?
«Generative AI systems (video, audio, photos, etc.) will have to place a digital watermark, a «logo» inside the content produced. This «hidden» mark will be read by every machine (PC, smartphone, television and various devices) which will therefore automatically know that it is content produced by AI, and will make it known to the human being who will use it. He will say it clearly. This is a very important element of transparency.»

Are there supervisory bodies foreseen in the AI Act? Who will verify that everything is done in compliance with the law?
«Obviously, to make this regulation something that works and not just a piece of paper, a system of control authorities is needed, that ensures compliance with the rule with fines, penalties and even removal from the market. There will therefore be a European office: the *AI Office,* which will coordinate the work of the national authorities, but will also have a very active function at the central level. Parliament fought a lot on this. Allow me to add that the choice of basing this regulation on the cases of practical utilization, in essence, makes it more easily capable of surviving technological changes. Technologies can evolve, but the fact of using AI in a school, in a hospital, in court, etc. does not change. Both the cases of practical utilization and other features will be the subject of the work of the AI Office, in some cases; in others, of delegates of the European Commission, who will be under the control of the European Parliament; therefore, the updating of the regulation is absolutely guaranteed.»

What are the times? When will the AI Act become law?
«The final vote is expected in Parliament at the beginning of February, which is a bit of a formality. There is no possibility that it won›t pass. From February the regulation will become law. At that point, its gradual entry into force will begin. The bans will become operational in just 6 months. In 12 months, the part relating to the most powerful models and to transparency will be operational. 24 months will instead be the time for all other forecasts. This is to have time to develop standards and for the development of supervisory authorities. Otherwise the rules would be voluntary... What will start from day one will be the so-called "Pact for Artificial Intelligence", that is, a platform to support early voluntary adherence to the rules of the AI Act for the product-developing companies and for companies that use Artificial Intelligence. It will also serve to be ready for the moment when it will be mandatory to respect the rules.»

During the interview you spoke on several occasions about resistance. Which country was the most rigid during the negotiations?
«We negotiate directly with the country that holds the rotating presidency. So we negotiated with Spain, which represented all the governments. Then obviously there was an external discussion with all the individual executives. We can say that the most rigid countries on surveillance issues and on the most powerful models (prohibitions and transparency) were undoubtedly Italy, France, Germany (which however was the first to lend a hand in finding solutions) and Member States such as Bulgaria and Hungary. It must be said that the agreed text is very far from the one proposed by the governments. The rush that individual European executives were in to conclude certainly helped make them give in on various points. We are satisfied.»

Has Italy's position always been the same or have there been changes?
«Its position has not changed and I don't think it will change. There will be a meeting of the ambassadors on December 15th, and Italy too will have to say whether it rejects or supports this agreement. But it seems difficult to me that the country can reject the regulation.»

In a few months there will be the European elections. If the next Parliament were to have different ideas on the matter, could the law change?
«Changing the regulation is very complex. Voting for it now also offers the guarantee that it will remain a law with a more than progressive structure.»

Paolo Benanti, the only Italian member of the United Nations Committee on Artificial Intelligence, welcomed the news of this AI Act more than positively, arguing that it "stops the manipulation" and that "now AI will improve us".

«I am convinced that the use of AI with these rules, that put the human being at the center, is a model that can inspire the rest of the world and that will allow us to reduce risks and increase possibilities. Paolo Benanti expressed appreciation for our work, but I must say that in the academic world and in civil society I found many positive opinions. The final text is very far not only from the text approved by the governments, which was weaker on the protection of human and workers› rights, but it is much better than the European Commission›s draft, which was the initial draft from which we started. I believe that the Spanish presidency was right to take some risks by opening up to some of our requests, because only in this way, with a text of this kind, can we face technological change with credibility and with a clear message to citizens: that is, to trust in the adoption of AI because in Europe this will happen respecting very clear rules, which protect them.»

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