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[Translators Version. Received February 11 2005] 13,611 words

Whither the United Nations?

It is fashionable nowadays to remark that the UN is bankrupt and that it is now up to the G7, G8 – or even NATO – to ensure that the international community is "secure" and "democratic"! In the present paper, I argue against this view by demonstrating that the UN has fallen prey to a strategy that seeks to destroy it. To this end, I discuss the role of the UN, both historically and in its present crisis, the political strategies of the world's leading powers, and the challenges of the 21st century.

I. Conflict and harmony between State and market: early manifestations

- Society reproduces itself politically, economically and through cultural identification. A society's cohesion depends on the degree of harmony among these political, economic and cultural spheres. Sometimes, a society's influence (and hence a more or less harmonious relationship) extends over a relatively large geographic area; at other times it is fragmented, in which case the harmony exists only at the micro-societal level – such as the village.

A harmonious relationship does not exclude the possibility of contradictions and conflicts emerging among the different types of logic that express a particular aspect of social reality (political, economic, cultural). In fact, these contradictions account for social and historical change.

Moreover, this harmony is always relative, in the sense that it rarely applies to autarchic or semi-autarchic societies but, rather, to systems or networks of societies. For example, Christianity, Islam, Hinduism and Confucianism can refer to cultural (religious and philosophical) spheres of influence common to groups of societies. Likewise, trade can link societies together, thereby making them interdependent. Modern capitalism views the economic processes of social reproduction as a "world-economy", a single sphere of exchange encompassing the entire planet. Even in previous eras, there were extensive trade zones, such as the Silk Roads.

The nebula of interdependent human societies contains regions that are extremely dense (or concentrated), and thus marked by an obvious cohesion and a more harmonious market-State-society relationship (market: a simplified way, perhaps, of designating the economic sphere; State: the sphere of political power; society: cultural self-identity).

- Capitalism first triumphed in a particular region of the Old World – a small corner of North-western Europe. This is not to say that it had not already existed elsewhere, but it was there that it would adopt its "definitive" historical form, which it would impose elsewhere (or at least try to).

However, this region was highly fragmented, both in the way it reproduced itself economically (essentially via the self-sufficiency of the fiefdom) and in its political management (here too, largely consigned to the powers of the local lord). The broader social regions in which these basic units of feudalism were located were low in density. Consequently, ordinary Christendom did not benefit from the real political power of its head (the papacy), or from that of the emperor (of the Holy Roman Empire) and the kings. Trade had limited impact, though long-distance trade, such as that involving the Silk Routes, was more important than local trade. This is precisely why, for the periods in question, I have characterized this "feudal" form of society, exemplifying a "tributary mode of production", as peripheral rather than as central. The latter term describes a relationship that is not only more harmonious (i.e., the economic forces are comparatively congruent with the political forces), but also encompasses a much larger territory. The fact that new forms of capitalism crystallized prematurely in these peripheries of the "tributary world" was not purely accidental (1).

- In the initial stage, that of the newly crystallizing forms of capitalism, intensification of commercial exchange occurred in what I have called the chaotic origins of capitalism. The harmony between political management and economic reproduction was broken: networks of exchange functioned alongside – and conflicted with – the traditional power of the feudal landowners and the (limited) power of the craft guilds. The map of Europe during this transition from the Middle Ages to modern times began to look like a maze of principalities, seignories and city-states, all increasingly dependent on networks of merchants who eluded their control. It was a model that stood in contrast to that of the central "tributary" societies, that is, to a model characterized by the obedience of the market to the prevailing powers (2), which constituted a major impediment to the rise of comprehensive forms of capitalism.

The modern nation-State would surmount the chaos, and rebuild harmony between market and State (economy and politics). The *Provinces Unies* (The Netherlands), and above all England and France, which invented the absolute monarchy of the *Ancien Régime*, paved the way for its creation. The nation-State was fully deployed by the nineteenth century and became the "model" *par excellence* for structuring the modern world.

This model is presently in a final phase of disintegration, excluding any possibility of returning to the *status quo ante*, as we shall see below. We are experiencing a return to chaos and a new challenge: to transcend capitalism, which has become obsolete.

- It just so happens that the UN was created during the long phase of harmony between market and State (between economic management and political management). In fact, it constitutes this phase's crowning though belated achievement. The world-system philosophy is based on two principles: (1) the absolute sovereignty of States (considered inherently to be "nation-States"), and (2) polycentrism. These principles constitute the basis of the United Nations charter. Below, we will assess the progress made by the world-system (it will be a positive assessment; the constant negative assessments we hear these days are too

rash). In doing so, I do not wish to underestimate the UN's limits and contradictions, both of which have intensified, causing its contemporary crisis.

The Treaty of Westphalia (1648) was the first accord based on a system recognizing both the sovereignty of States and polycentrism. When the treaty was signed, this system applied only to the old world of Catholicism, which remained unified until the Reformation erupted. With the Treaty of Vienna (1815), it would spread across Europe, becoming quasi-universal with the creation of the League of Nations (1920). I use the term quasi-universal since the League of Nations did not challenge the colonial status of Asia and Africa, which were therefore excluded. The League of Nations remained a world-system organization composed of "centres" (Europe and Japan), cut off from the United States (which backed away from joining, though it was initially its principal supporter) and flanked by the "independent" Latin American countries of the periphery. The United Nations, by contrast, was founded on genuinely universalistic principles, which would quickly be actualized when first the countries of Asia and the Arab world, and later Africa, regained their independence.

Consequently, we should not be surprised that the apogee of UN history occurred precisely at this time. It would be a brief period, lasting from the early 1960s to 1975-1980, and coinciding with the "development decades". I will return to this subject later.

The questioning and crisis that followed were not of the UN but of the world-system with which the organization was associated. For, as we shall see, conflict among the various authorities in charge of managing the world (particularly the conflict between its economic sectors – the "market", to use the more common term – and its political sectors) reappeared following two or three centuries of harmony, even though this harmony was limited to the system's centre. However, the discord did not resemble the chaos that had characterized the origins of capitalism. The new chaos was that of a system that had become obsolete (3); it could not be transcended using models of harmony that belonged to another era. Rather, a complete review of all facets of the problem was required — not only at the local level (that is, by nation), but also at the world-system level and future regional sub-system level.

Just as the solution to these local (i.e., national) problems cannot be found by returning to practices institutionalized by the capitalism of a previous era, so too the UN crisis (a major factor in the crisis of global management, and the one that concerns us here) cannot be resolved by preserving the old UN's role. The old UN had many successes, but it met the needs of another era – the post World War II period.

II. An Assessment of the United Nations (1945-1980)

- The Second World War resulted in two victories that provided the context for the creation of the UN: the victory of democracy over fascism and the victory of the peoples of Asia and Africa over colonialism.

These two victories provided a beacon for the economic, social and political forms for managing systems at the national and international levels. They provided a footing for the three fundamental "socio-historic compromises" of the period. The first compromise was the **Welfare State** in the West, that is, the compromise between labour and capital that made it possible for the working classes who had defeated fascism to attain a dignity unparalleled in previous stages of capitalism. The second compromise was that of **actually existing socialism**. The third compromise was **national populism** in the liberated countries of Asia and Africa (4).

They simultaneously paved the way for negotiated political management of international relations, and thus promoted the role of the United Nations. Nowadays, it is fashionable to say that the bipolarity of the Cold War and the veto power wielded by the five major powers (especially the two superpowers) paralyzed the UN. However, the opposite is true: the bipolarity, reinforced by the veto, gave the countries of the periphery (Asia, Africa and Latin America) a degree of manoeuvrability they have since lost. For a time, the imperialist centres were forced to adapt: they had to respect the sovereignty of these countries and to accept (or at least put up with) their national and social development projects.

It is impossible to grasp the significance of this encouraging development without comprehending that every stage of global capitalist expansion since its origins (the mercantilist period of 1500 to 1800) has been imperialistic in character. Stated differently, the dominant, immanent, internal logic of capitalist expansion gave rise to a polarization in global power and wealth unlike anything experienced in previous millennia. This tendency has been a dominant and permanent feature of "actually existing capitalism", (though the discourse of "liberalism" has deliberately ignored it, replacing it with a veritable mythology that the intellectual gymnastics of vulgar economics tries to pass off as reality). However, it was radically questioned, or at least tempered, during what I have called the "Bandung" period (1955-1975). It was no accident that this period was one of growth and glory for the United Nations.

- It is not difficult to identify the period's positive achievements. Economic "growth" rates were among the highest in modern times. There was immense social progress, not only in the system's centres and in the countries of "actually existing socialism", but also in the vast majority of countries of the liberated periphery. Lastly, there was a burgeoning of proud, modern, national identities. Nor is it difficult to identify the period's limits and contradictions, which I will discuss presently.

The United Nations was party to these important changes and facilitated their implementation. The dual principle of national sovereignty and polycentrism proved to be an appropriate instrument for change. On the political level, it prevented the violent intervention that had been common practice in the imperialism of yesteryear and that has arisen once again ever since NATO began imposing its will on the world. On the economic management level, it introduced the principle of negotiation, with nation-States remaining free – on their own territory – to organize their systems of production and distribution of wealth as they thought best. "Pessimists" will of course say that the resulting negotiations

(such as those conducted by UNCTAD) rarely resulted in anything other than ineffectual declarations. The fact remains that the sovereignty of States was upheld – at least within national borders. As a result, States had real negotiating power, which their ruling classes used as they saw fit.

- The limitations of this system

First, the system's references to democracy were purely rhetorical. That said, the peoples of the world are now (though to varying degrees) more demanding in this regard than they were during the Welfare State, "actually existing socialism" and "national populist" periods. I certainly view this as a positive development, even though the imperialist powers are easily able to manipulate pleas for greater democracy. In the era under discussion, absolute sovereignty belonged to States, which were viewed as the exclusive representatives of their populations. Another limitation of this period was that local ruling classes often used the need for national construction as a justification for abandoning democracy.

A downturn in market conditions and slow economic growth put a halt to gains being made by many sectors of the population (particularly the middle classes, but also working classes to the extent that the younger generations had been upwardly mobile). As a result, the "national construction" discourse lost its pretext for disregarding rights (democratic rights and sometimes even basic human rights).

Second, the concepts of economic and social development themselves were based on premises that were specific to the paradigm of the period. This paradigm was predicated on a harmonious relationship between market and State, that is, between the management of the economy and the exercise of political power. The concept of economic development, which belongs to the capitalist logic of expansion, meant "catching up". It assumed that technology was neutral and that capitalism's hierarchical organization would be reproduced. The fact that this model always included an active role for the regulatory State, which sometimes replaced the absentee (or comprador) capitalist class, and that it occasionally had a somewhat "social" orientation, does not mean it was socialist. Some observers incorrectly called this model socialist (I call it national populist).

This approach to development aligned itself with the capitalist globalization of the period, though the terms of this alignment were subject to negotiation. The "development decades" — the triumph of the United Nations in this period — actively supported this strategy.

The development projects of the period would rapidly discover their limitations because they aligned themselves with capitalism (in terms of nation's internal social relations and the logic of global expansion). As more projects were implemented, their contradictions accumulated, eroding their effectiveness and leading to an imperialist offensive and an economic slump.

- The United Nations made a positive contribution to these experimental projects: its political activities protected national sovereignty and supported polycentrism. Although the political regimes responsible for the projects were not democratic (or, at best, had extremely weak democracies), overall they were not

as "odious" as many today claim. They were progressive and open to secularization, and they provided support (though qualified) for improvements in the status of women; these autocracies often resembled "enlightened despotism". Actually, it was the imperialist powers that set up or supported the most odious regimes of the period. The regimes of Mobutu in Zaire and Suharto in Indonesia, and the dictatorships in South America all attest to this fact. Imperialism would later lend support to the Taliban in Afghanistan (Here an obscurantist dictatorship succeeded an enlightened despotism, which some observers had too hastily labelled "communist", thereby demonstrating that the decline of national populism can lead to something worse).

- Today, most criticisms of the United Nations during this period do not reflect the realities of the day. They are superficial, focussing for example on the mediocrity of the UN bureaucracy. An objective comparison between the UN apparatus and other national or multinational institutional systems (such as the European system) would provide a more enlightened view of the UN (5).

A more meaningful and perfectly legitimate assessment of the period would focus on the illusions nurtured by its development successes. However, it is unacceptable for neo-liberals to manipulate the "failure" of the UN for their own purposes. They subsequently imposed an even more devastating illusion, namely, the idea that deregulated capitalism would provide a superior form of development. This illusion, propagated through dogmatic rhetoric, has been refuted by the entire history of "actually existing capitalism". (Whenever development, even in the restricted sense of economic "catching up" within the system, occurred, it always thanks to strategies that conflicted with the dominant logic of expanding, globalized, dominant capital). It has also been cruelly refuted by changes that have occurred over the last two decades: stagnation (development has been brushed aside and replaced by the discourse of the "war on poverty", i.e., ineffective charity) and a scandalous increase in social inequality.

It is hardly surprising then that the UN has brushed aside the concepts of democracy and peace, as it brushed aside development, notwithstanding the high-sounding rhetoric of major power delegations. An appropriate rejoinder to the confused liberal approach would explore the relationship between democracy and social progress. Instead, we are served a series of vacuous discourses intended to deflect attention away from the real issues. One type of discourse dwells on "good governance" (accompanied by insipid disclosures on the "war on corruption"! — a poor substitute for an analysis of the realities of power. A second type lends support to various types of communitarians, under the misleading pretext of respect for the right to be different. A third type is the hotchpotch of so-called "postmodernist" ideas. Finally, there is the discourse on the supposed clash of civilizations (instead of the real debate — on the clash of political cultures, a topic to which I shall return). It is easy to recognize the source of these homilies: they bear the stamp of the United States "Ministry of Propaganda". We know how the World Bank (or, as I like to call it, the "Ministry of Propaganda of the G7") spreads this kind of discourse and foists it upon the United Nations (which, admittedly, is loath to challenge it). As for the promised peace, Washington and its allies have replaced it with a permanent war (called "the war on terrorism")

and ongoing aggression (called "preventive" wars). Meanwhile, liberalism has led to the disintegration of States and this, in turn, has given rise to civil wars!

- The world has entrusted the United Nations with a historically unique and supremely important mission: securing peace and condemning recourse to war (and preventing it to the greatest possible extent).

The United Nations Charter was designed to advance a **polycentric** approach to globalization. By this, I mean structuring globalization on the **principle of negotiation**, which is the sole guarantor of genuine respect for diversity in all its forms — cultural and linguistic, of course, but also diversity deriving from inequalities in economic development. Polycentrism respects all nations, big and small. It also accepts that each of them is, in a sense, its own "centre". Consequently, globalized interdependence must also be able to deal with the legitimate demands set out in the inward-looking policies of all parties. **Polycentric** globalization is "negotiated", and while it may not provide perfectly equality, at least tries to reduce inequalities rather than exacerbate them. In sum, the challenge is on the one hand to resolve existing differences and on the other hand to reconcile various global appeals for peace, democracy and solidarity-based development.

The United Nations Charter actually took polycentrism much farther by condemning war itself, tolerating it only in cases of self-defence, and by condemning the aggressor at the outset. The UN only approves military intervention that it has ordered itself and that is carried out under its own operational and political command. Even if an intervention fulfils these criteria, it must also be an interim and measured response.

My assessment of the way the United Nations implemented these principles until the Gulf War (1991) is for the most part positive. The UN endorsed the wars of liberation against the colonial powers (Britain, Holland, France, Belgium and Portugal), thereby supporting polycentrism in a concrete way. Compared to what was to come later, this period had few "civil wars". While certain powers fanned the flames of disputes or exploited them to their own advantage — there are examples of this throughout history -- the United Nations, for its part, did not lend support to these manoeuvres (as in the case of the war in Biafra). Of course, the UN may have been manipulated occasionally (as in the Korean war), or neutralized (as in America's war on Viet Nam or the Soviet invasion of Afghanistan). Admittedly, with regard to the Palestinian issue it legitimized the creation of Israel on highly questionable grounds (allowing the Zionists to avoid implementation of the partition plan), though it later tried to halt the expansionist designs of the Israeli government, condemning the tripartite aggression of 1956 and, through resolution 242, the occupation of Palestinian territories since 1967.

My responsibilities during the 1960s and 1970s frequently allowed me to attend meetings of the United Nations General Assembly, held in September of every year in New York. Always a great event, it was attended by leading political dignitaries from around the world. All parties were at least obliged to consider each other's positions, even if this did not always result in constructive compromises.

In sum, the UN did not die a natural death. The United States, supported by its allies of the triad ruined the UN in 1990-1991 by its decision to no longer carry out its responsibilities in managing polycentrism and guaranteeing the peace. Stated differently, Washington's decision to carry out its plan to extend the Monroe doctrine throughout the world ruined the UN.

George Bush Junior did not think up this outrageous and criminal plan. The American ruling class has nurtured it since 1945.

The US formulated the plan following the Potsdam conference, which was based on nuclear monopoly. Indeed, the plan always gave a pivotal role to its military component. The United States promptly established a global military strategy, divided up the world into regions and assigned responsibility for the control of each region to a US Military Command. I wrote on this topic even before the collapse of the USSR, noting that the Middle East was high on the agenda in this global policy strategy (6). The objective was not only to encircle the USSR (and China), but also to make Washington the power with the final say in every region of the world. In other words, the aim of the United States was to extend the Monroe Doctrine, which effectively gave it the exclusive "right" to manage the New World based on what it defined as its national interests, over the entire planet.

The strategy implied that the "supremacy of US national interest" should prevail over all other principles informing political behaviour considered "legitimate". It developed a systematic mistrust of all supranational law. Of course, the imperialists of previous eras did not behave any better, though supporters of the current US establishment and those who try to mitigate its responsibility and criminal behaviour allude to the past by saying that the existence of historical precedents are indisputable.

However, many people wanted to see an end to imperialism and began working toward this goal in 1945. The UN was founded on a new principle, the illegality of war, because imperialistic rivalry and the fascists' disregard for international law had produced the horrors of the Second World War. At that time, United States did not merely support this principle, but was one of its early proponents. Just after the First World War, Woodrow Wilson advocated reorganizing international politics according to principles that were different from those that had been in effect since the Treaty of Westphalia (1648). This treaty had given absolute sovereignty (the same sovereignty that would later be challenged because it had led modern civilization to disaster) to monarchical States and, later on, to the more or less democratic nations. It matters little that the vicissitudes of American internal politics delayed implementation of these principles. Franklin Delano Roosevelt, and even his successor, Harry Truman, played a decisive role in advancing the new concept of multilateralism, which, accompanied by condemnation of war, is the foundation of the United Nations Charter.

This fine initiative received universal support at the time. In effect, it represented a quantum leap, setting the stage for the further evolution of civilization. Nevertheless, it never won support from the ruling classes of the United States.

American leaders always felt uncomfortable about allying themselves with the UN, and today unabashedly proclaim what until now they have been obliged to conceal: that they do not accept the concept of a law of nations having precedence over what they consider to be the requirements of their national interest. It is inexcusable for these leaders to adopt the same stance as the Nazis in their era, when the latter demanded the destruction of the League of Nations. While Dominique de Villepin made a brilliant and impassioned plea to the UN Security Council to uphold the law of nations, the United States defended a past that others had openly proclaimed out of date. De Villepin's statement should not be regarded as nostalgia for a bygone period but rather as a reminder of what the future can and must hold.

The United States is not the only country responsible for the drift away from a law of nations. Europe too played a role by fanning the flames in Yugoslavia (through its hasty recognition of Croatian and Slovenian independence), then by rallying to the positions taken by the United States on "terrorism" and the war in Afghanistan. It remains to be seen if, starting with the war in Iraq, Europe will review its positions. At any rate, a return to the principle of polycentrism and restoration of the role of the United Nations will not figure on the agenda as long as Europe accepts NATO (!) as a substitute for UN management of globalization.

III. Conflict and harmony between State and market: the new challenge

The contemporary chaos bears no resemblance to the type that existed during the rise of capitalism. It follows that any response to the contemporary challenge cannot be based on the model of harmony that existed during that period.

In its time, the old model was associated with the introduction of a higher form of society, i.e. capitalism, and constituted a real social breakthrough. Today, capitalism has exhausted its progressive historical role and has nothing to offer us, except a drift towards barbarism. The challenge is to think "beyond capitalism" and, consequently, to focus our enquiry on the conflict between the economy (the "market", that is, capitalism) and society. This conflict affects all aspects of contemporary reality, both national and global. Thus, we cannot make proposals on the role we wish to assign to the United Nations without first clarifying the nature of the challenge humanity is facing.

To accomplish this, we first need to examine two sets of questions: (a) the nature of the chaos fostered by liberalism and the illusions it fosters; and (b) what I call the clash between political cultures confronting this chaos.

The following digression is therefore necessary. Without it, the proposals for the UN that I develop in the final section would not make as much sense.

The chaos and the illusions of liberalism

Since I have already developed some of these questions in detail, I will be brief.

- We must now face the fact that the dominant powers (serving dominant global capital) have one plan for the future and that they are imposing it through systematic violence (including military violence).

Now that "actually existing capitalism" has reached its present stage of natural development, and in keeping with its own immanent logic, this is the only plan it can possibly have. However, it is very different from the "liberal" plan, whose discourse promises (a) a competitive and transparent market and (b) democracy that substitutes civil society for the "bureaucratic" or even "autocratic" State. It claims that civil society will also assure peace, but only if barbaric "terrorism" can be stopped. This discourse is hollow.

This is the plan of dominant global capital (the "transnationals" of the imperialist triad). I have termed the future they foresee for the majority of humanity as "apartheid on a global scale" (7). Thus, the permanent war waged against the peoples of Asia, Africa and Latin America will play an essential role in ensuring the success of the plan. Obviously, in this scenario the United Nations would no longer have a role of its own to play; it would either become a docile instrument of the forces waging permanent war against the South or disappear.

Who will take the lead in this barbaric plan and for the benefit of whom?

The facts speak for themselves: through its unilateral decision, the United States has already catapulted itself into the position of leader. I have analyzed elsewhere the circumstances surrounding this decision, emphasizing both the power and the vulnerability on which it is based. On the one hand, the US has enormous and destructive military capability. On the other hand, its military is vulnerable due to its limited military combat capability. The US is also economically vulnerable due to deficits, which, for lack of "spontaneous" financial support from the rest of the world, it will have to reduce through taxation. For all of these reasons, the decision does not belong exclusively to the American far right united behind Bush Junior, but also to its Democratic rivals. The latter would be more inclined to re-define the methods for implementing this plan, and to make a number of concessions (how far would they go?) in order to bring their triad allies on board (as ever, in a subordinate position).

This agenda also makes provision for an alternative – a "sharing" of responsibilities and benefits. However, what is meant by sharing in this context is of little interest to the peoples of the rest of the world and does not erase the barbaric nature of the future that it is charting out – total apartheid on a global scale.

As liberal policies implemented over the last twenty years have amply demonstrated, the plan devised by "actually existing imperialism" has not paved the way to social progress or democracy, either for imperialism's victims (70 % of humanity) or for the workers in the triad. A measure of success, though highly unlikely, would allow it to make certain concessions, if necessary, to consumers in the triad. For example, let us suppose there was an oil shortage. Through military control and the plunder of producing regions (first and foremost the Middle East), the triad could reserve consumption of this essential energy source

for the countries of the triad alone, thereby nullifying development prospects for the South in general and China in particular.

Nonetheless, is there a possibility that the plan will be deployed under the banner of "genuine economic liberalism"? Given the current climate, we cannot ignore that many, especially in Europe, are of the opinion that this is the proper course of action. An even greater number – among the ruling classes of Southern nations – have accepted economic liberalism on its own terms, considering it the only realistic option. China's membership in the World Trade Organization (WTO), and the positions (which I have examined elsewhere) taken by Third World countries in Cancun (September 2003), reflect this trend (8). Time will dispel these illusions — but will it then be too late?

Faced with the reality of the plan advanced by capitalism and "actually existing imperialism", there is only one real alternative: thinking "beyond capitalism". In other words, we must take a long-term approach to planning the desired transformation, both nationally and in terms of negotiated globalization. The United Nations has an important role to play in this new approach.

The clash between the political culture of the past/present and that of the present/future

Washington's propaganda machine placed the supposed clash of "civilizations" (read: religions) on the agenda. It maintained that the clash was unavoidable and that it would play a decisive role for the future of the planet. The United States systematically set about making the clash seem real. Its methods included encouraging various kinds of communitarianism, under the pretext of respect for the right to be different; an offensive against secularism (supposedly outdated); praise for religious obscurantism that post-modernism considered just as valid as any other "ideology"; systematic support for nauseating ethnocracies in Yugoslavia and elsewhere; cynical manipulation (CIA support for terrorist groups mobilized against its adversaries in Afghanistan, Chechnya, Algeria and elsewhere) and a war of lies against purported "terrorism" (whenever terrorism did not serve the purposes of Washington). The idea of a clash of civilizations is an integral part of capitalism's drift towards barbarism, and does not impede the implementation of its plan in any way.

By undermining the fundamental values of universalism, capitalism reveals its weakness. In previous phases of its development, capitalism had been universalistic, though this universalism had remained truncated due to the immanent imperialism of capitalist globalization. In contrast to the political culture of capitalism, in which the past is always present (this culture invariably dominates in contemporary societies), the political culture of the alternative (socialism) can avoid truncation. A socialist culture of the future is not some clever theoretical formulation: it has already penetrated public consciousness.

Thus, the real ideologico-cultural conflict of the 21st century is not a clash of civilizations, as Huntington claims, but a conflict in which the political culture of capitalism, drifting towards barbarism, is confronting that of socialism.

The political culture of capitalism developed its own approach to rights, law and democracy. To understand its contours, it is useful to analyze the thinking that still dominates in America, since capitalist political culture in that country has remained relatively "uncorrupted" by the culture of its victims and opponents. Originally, the only legal "rights" were those of individuals (the concept of the corporate personality came later), and in fact were given exclusively to "white" men (i.e., excluding women and slaves, to which we may add the peoples colonized by the US). Consequently, a "contract" between individuals takes precedence over the law, making the legislative role of the State marginal. An ordinary "contract" in the United States can contain up to 200 pages, whereas in Europe, where the law has precedence, two pages usually suffice.

These basic concepts belong to a political culture based on rigorous separation between economic life and political life. (Economic life in this culture is dominated by private property and freedoms of benefit to owners; it ignores the social dimensions of economic life, thereby debasing its concept of "equality"). In this culture, political life is limited to representative democracy, that is, to the multi-party system and elections. It excludes more evolved forms of democracy involving greater participation.

The concept of civil society – as understood in the United States – rounds out our description of American political culture. In that country, it is reduced to an amorphous collection of non-governmental organizations that, along with the private sector, are viewed as "apolitical" (particularly when the organizations are based – as they are most of the time – on "community", religious, para-religious, ethnic or neighbourhood affiliation). These organizations are assumed to be "closer to the public" (the public consisting of consumers rather than citizens) and consequently relatively effective in managing public goods (especially health and education). The fact that their methods might sometimes increase inequality is not considered embarrassing in the least, since many of these organizations do not consider equality to be an important ethical value.

Since the French Revolution, the political cultures of France and continental Europe have differed somewhat, though both have remained wholly within the capitalist camp.

Here the values of liberty and equality were on an equal footing from the very start. This meant that the State had to impose a form of "social management" whenever these values came into conflict. Consequently, it had to regulate capitalistic practices according to the objectives of this social management. The uniqueness of this situation was immediately apparent, since it opened up possibilities (via social struggles) for participatory democracy. A characteristic of participatory democracy is that it makes public its conflict with the logic of capital accumulation. It proclaims that the "majority" of citizens can oppose the minority of "owners" who, in the exclusionary logic of capitalism, are alone recognized as real, active citizens. This cleared the way for recognition of explicit social rights (ignored, on principle, by the American model). These rights involved active legislative and executive intervention by the State, unlike political and civic freedoms, which, considered in isolation, required only that the State refrain from interfering in their implementation. Thus, the concept of a

government managing collective services (education, health) to ensure the greatest possible equality plays a major role in social management. The proof that this approach is in fact more effective than that implemented in the United States is evident when we compare health expenditures (7% of GDP in Europe versus 14% in the United States) and the effects of these expenditures (much better results in Europe). In addition, this approach allows for a different concept of civil society, since it gives paramount importance to working class organizations that defend social rights (such as unions and politically responsive citizen movements).

The political culture described here paves the way for transcending the limits imposed by the logic of capitalist expansion. The potential for a socialist future already exists in the capitalism of today.

Washington has assumed the offensive in imposing its narrow and reactionary vision on the entire world. This has brought to the fore the clash between the political culture of the past/present and that of the present/future. The American objective seems all the more arrogant given that English Common Law, which provides the legal infrastructure for this vision, is a primitive form of the law in Europe and many countries of the Southern Hemisphere (though the latter law has generally been replaced elsewhere). The fact remains that America is clear about its objective: United States law must be accepted as a substitute for international law. This stance goes much further than Moscow's former objective of imposing a vision of socialism based on the Soviet model.

The language of contemporary politics and the dominant media epitomizes the cultural decline revealed by the present-day conflict. Terms such as State, politics, power, classes and class struggle, social change, alternatives and revolutions, and ideologies are rapidly disappearing, only to be replaced by insipid terms such as governance, communities, social partners, poverty, consensus and rotation of power.

The attempt by OECD countries to introduce a universal commercial law taking precedence not only over national rights in this area, but also over all other local, social and political rights (see: the Multilateral Agreement on Investment, or MAI) forms part of this offensive. It resembles previous attempts to introduce the "sharing" option (discussed above) reserved for the partners of the imperialist triad alone and consequently does not constitute a real obstacle to Washington's aggressive implementation plan.

The rallying of all triad partners around this reactionary vision of law and democracy is hardly a mystery. It derives from the common resolve of all sectors of dominant imperialist capital to blaze new trails in the quest for higher profits. Of course, this is short-term thinking; however, capital always reasons in this way when there is no social opposition.

In light of the decline in democracy described above, UN functions have been downgraded. It is losing its central role, which is, first, to support democratization by integrating social rights into the corpus of individual and peoples' rights and,

second, to promote genuine international law, which is the upshot of negotiated compromises vital to the progress of humanity.

This is the definitive expression of the conflict between the "market" (untamed capitalism, at both the national and global levels) and society (in both its national and globalized aspects).

The conflict between "market" (capitalism) and society

Contemporary capitalism has entered a phase of genuine and profound transformation with long-term effects. Underlying this transformation is a scientific and technological revolution unlike any of its predecessors. To release this revolution's creative potential it is necessary to transcend the social relationships of capitalism (the private appropriation and domination of capital) and build a "cognitive economy", as Carlo Vercellone would put it. My analysis, like that of Vercellone, stresses the obsolete character of social relationships under capitalism (9).

However, capitalism is still entrenched and is going to great lengths to control this revolution and make it comply with the requirements of capitalist reproduction. Conventional economic analyses of the "growth economy" (unlike the cognitive economy) subscribe to this strategic agenda, while post-modern discourse attempts to justify it.

Thus, there is a new contradiction – between the potentially liberating effect of developing productive capability and the use of every possible means to maintain the relationships of capitalist social domination. This contradiction highlights more than ever the conflict between the logic of capitalist expansion and the affirmation of social interests. Dominant capital's strategies are tremendously destructive (barbaric), both at the local (i.e., "national") level and at the global level.

The dominant power system focuses on bogus issues, thereby deflecting attention from real debate. For example, it concentrates on conjunctural phenomena related to capitalist management of the crisis (the financierization of the economy is a good example), portraying them as "irreversible" structural changes. However, this system's main tactic is to confine the debate to a choice – between the market and the State – that is biased in favour of the market. It rejects any State-centred (or nation-centred) alternative, which it characterizes as both obsolete ("globalization does away with nations!") and ineffective ("the failure of socialism demonstrated the ineffectiveness of the State"). From this perspective, there is no other alternative but total deference to the so-called dictates of the market, that is, to the dictates of the dominant oligopolistic capital of the imperialist triad.

This pro-market focus is ideological discourse and has no scientific value. Capitalism has never been, and will never be, reduced to purely economic phenomena. It cannot exist without a political power structure – the State. At the global level, "actually existing capitalism" has always achieved its goals through "guns and markets". In theory then, the globalization that it is attempting to

control for its own, exclusive benefit requires a legitimate international power structure. However, the conditions for creating this kind of State (which, *a fortiori*, would enjoy democratic legitimacy!) do not exist. The reason for this is precisely that the world consists of nations. This denotes that beyond the interests of certain sectors of dominant capital in the imperialist oligopolies there are what we might call "national interests" whose precise content is defined by the socio-historical compromises made by each nation according to its particular circumstances. These compromises ensure the steady social and political reproduction of these interests (within, or outside of, a more or less democratic framework). Without them, these nations – the upshot of intrinsically unequal capitalism – would probably have less economic and political power.

The real alternative is between allowing "market" values alone to control socialization at every level (from the national to the global) or creating forms of socialization based on democracy (in its most profound sense) and introducing them in stages over a long period. All the peoples of the world aspire to social progress, more democratic control over their lives and respect for their national identities. However, the ability of capitalism to satisfy these aspirations in any effective way is declining, both nationally and globally.

To manage this crisis, capitalism needs a political force capable of imposing its barbaric requirements. Without a world State, which is unattainable, the "North American State" will fill this role, as it purportedly wants and is able to do. Since Europe is not "one nation – one State", but merely an association of nations and States, it does not have the means to contest North American leadership of the imperialist triad. Any supposed sharing of responsibility would go no further than substituting NATO (under Washington's control) for the American army; meanwhile, this would not significantly change things for the rest of the world. In this kind of crisis management, the US (or, if need be, triad management under US leadership) would act outside the framework of all international or other law. In sum, the US would turn into a "rogue" State.

"Global liberalism", the prevailing strategy for managing the crisis, has no future. Consequently, there are two possible scenarios: (a) all nations agree to submit to the supposed dictates of the market. There can be no doubt that in this scenario the future would be very different from what we have known up to now: much worse and, much more barbaric, and maintaining the UN would no longer make sense; (b) The second scenario is not only more desirable but also more likely. Here, nations would demand the creation, over a long transitional period, of local social systems and a global system. These systems would demand that the "market" (and of the economy more generally) gradually comply with the needs of socialization based on democracy. In this scenario, the UN would have an important role to play.

In stating that there are only two options, I mean that the idea of a "third way" – i.e., a form of local and global market management viewed as "liberal" (and possibly including social concessions) – is totally illusory. Dominant capital cannot permit it.

Nonetheless, the illusion that the "third way" is not only possible and sustainable, but can even provide opportunities for individuals and peoples capable of playing the game intelligently, is still deeply ingrained. The approach has completely ensnared European public opinion, which now seems to believe in it, while the Chinese ruling class too has cast its lot with it. At times, both have been staunch supporters of the concept, but their arguments continue to be shaky. In recent works, Giovanni Arrighi and André Gunder Frank advance the hypothesis that China could follow this path and rise to the top of the global hierarchy, but this is unlikely. By operationalizing the imperialist triad's "five monopolies" (and by applying the global form of the law of value, which expresses the effectiveness of these monopolies), "actually existing capitalism" precludes this type of catching up. Along with Lin Chun, I maintain that China cannot "develop" (in the sense of escaping peripheral nation status under global capitalism) unless it changes its current strategy (10).

Implementation of the alternative, "socialization through democratization" requires urgent action on several fronts. First, we need to defeat the current plan – especially that of the US and/or NATO – to control the world militarily. Next, we must (a) re-establish a "Southern front", but without copying the Bandung Conference model (1955-1975); (b) rebuild the European plan on a solid foundation that would facilitate the development of socialization through democracy; and (c) create a genuine form of "market socialism" in China that would constitute the first stage in the long transition toward socialism per se. As this plan suggests, a politicized and structured convergence of social struggles waged at the national level by the system's victims will result in a united front of workers and peasants. (The latter constitute half of humankind) I have discussed these issues elsewhere (11).

We should use the above framework as a point of departure for identifying the UN's role in managing the proposed alternative "globalization", which must also be consistent with the requirements of socialization through democracy. We could then consider concrete proposals for attaining the desired outcome.

IV. Proposals for a UN renaissance

The proposals in this section have been broken down into four sections, each of which describes a role for which we would like the UN to assume major responsibility.

Proposals on the political role of the UN

- Fully restore to the UN its apposite and substantial responsibilities: ensuring the security of peoples (and States), guaranteeing the peace, preventing aggression regardless of the motive (the pretext for the war in Iraq proved to be false). This principle must be re-stated forcefully.

In this vein, it is imperative to **condemn** the US, NATO and G7 declarations exploited by the powers involved to appropriate "responsibilities" that were not rightfully theirs.

These condemnations must be followed by political strategies to resolve issues affecting the future of countries (such as Yugoslavia, Afghanistan and Iraq) victimized by the illegal intervention of imperialist powers. These strategies must make explicit provision for the withdrawal of foreign armed forces. It is unacceptable to bring in the UN by the back door to justify the *fait accompli* of a condemned intervention. The only role for the UN following this kind of intervention would be to facilitate the withdrawal of the aggressors.

- Restoring this major role to the UN could involve reforming its institutional structure.

However, we must remain vigilant. Certain criticisms of the UN can lead to ill-considered proposals that, rather than reinforcing the role of the UN, effectively buttress the plan of the imperialist triad to downgrade it. Other criticisms, ostensibly inspired by democracy and realism, may no longer be valid, particularly attacks on the right to veto. It is quite conceivable that if France had not wielded this power, the US would have succeeded in justifying its aggression. Eventual reforms of the Security Council (such as expanding it to include India and Brazil, or increasing the representation of other regions of the world) should be examined meticulously before being proposed. Upgrading the role of the General Assembly and improving the clarity of resolutions (with or without the force of law, depending on the assumptions made) regarding Security Council action could provide a good starting point for these deliberations.

- Upgrading the role of the UN does not mean returning to a position of support for the absolute sovereignty of the State (as sole representative of the people). In the next section, I will develop proposals that seek to replace the exclusive sovereignty of States with the sovereignty of **peoples**. This will form part of my discussion on the democratization of society.

- Restoring the UN's role must lead to real progress in solving the major crises of our time. A few powers, chiefly the United States, bear the primary responsibility for these crises, which they have fomented (or facilitated) by creating turmoil and unrest.

Consequently, the UN needs to establish:

- (i) an interposition force between Palestine and Israel (based on the pre-1967 Green Line borders). Israel would not defy severe economic sanctions like those imposed on other nations;
- (ii) peacekeeping forces in regions of occupied former Yugoslavia (Bosnia and Kosovo), as was done in African nations that were victims of so-called "civil" wars.

If necessary, the UN could plan these actions in close collaboration with regional organizations (the European Union, greater Europe and the African Union).

- The UN must take an active role in developing a comprehensive disarmament plan. This plan must entail much more than the Non-Proliferation Treaty which, in its current form, strengthens the monopoly on the production of weapons of mass destruction held by those who have proved to be the most

frequent users of these weapons! Disarmament must begin with the major powers and be subject to UN control, which would replace the previous bipolar control of the two superpowers. The bipolar world no longer exists.

General disarmament must include evacuation of all military bases set up beyond national borders, especially those the United States plans to use in extending its military control over the planet.

- The UN must take an active role in defining the framework and procedures for future humanitarian intervention.

There can be no question that this kind of intervention is needed once it is understood that society can, unfortunately, degenerate into savagery (ethnocide, "religious" or "ethnic" cleansing and apartheid). But this intervention must not be left to the imperialist powers, since they can manipulate it for their own purposes, apply double standards and so on.

- In a similar vein, the UN will have to assume principal collective responsibility in defining "terrorism". It must also decide when to take action to eliminate terrorist activity and monitor this action. It must not entrust the "war on terrorism" to the major powers, least of all the United States.

Proposals concerning people's rights and the development of international law

- The present proposals start from the assumption that the concept of State sovereignty must be redefined.

Current public opinion generally holds that all human beings are responsible not only for what occurs locally, that is, within the States of which they are citizens, but also globally. This clearly constitutes a step forward in collective consciousness and puts to the test the older concept (found in numerous accords from the Treaty of Westphalia to the United Nations Charter) that the sovereignty of States is absolute and exclusive.

The contradiction between this form of sovereignty and people's rights is very real. However, it cannot be resolved by eliminating one of its two underlying conditions, that is, either (i) people's rights (which can be undermined by upholding the old concept of sovereignty) or (ii) sovereignty (which can be undermined for the purposes of intervention and manipulation by the imperialist powers).

The contradiction can only be transcended if real progress is made in democratizing all societies. Admittedly, in affirming the need for democracy each society must proceed at its own pace. This where an international organization could play an important role: it could champion the progress made and accelerate its concrete impact on the exercise of power. The UN is the ideal forum for thrashing out these issues; it should be debating them unflaggingly.

- Certain declarations, pacts and conventions are already making progress in broadening their definitions of human rights. In fact, two pacts eventually complemented the United Nations Universal Declaration of Human Rights of 1948. Their joint adoption clearly confirmed a shift from a restricted concept of human rights, limited to civil and political rights, to a broader concept encompassing social and collective rights as well. The two pacts in question are the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, both adopted in Teheran in 1968. In 1986, the UN General Assembly validated this change by officially proclaiming the Declaration on the Right to Development to be an integral part of the corpus on human rights. However, the UN must not let up in this undertaking since these texts are inadequate in their present form, especially since they are constantly being challenged and for the most part have not been applied. In fact, some parties, notably the triad powers, claim that they cannot be implemented; they are uneasy about the economic, social and collective aspects of these texts. Development rights have become the focus of extensive analysis in "private" circles (such as the International Lelio Basso Foundation for the Rights and Liberation of Peoples); they also receive enthusiastic support from partial, quasi-State alliances, like the non-aligned nations. In practice, however, development rights are not recognized as prior and universal rights of individuals and peoples. Likewise, the right of access to land of all the world's peasants (half of humanity), and to human and sustainable conditions in which to cultivate this land (irrefutably part of the same logic), has not yet received even minimal recognition.

The UN's universal framework should also be used to clarify rights that have not yet been fully recognized, some of which are still in embryonic form. In this category are rights that affirm the principle of equality between women and men and make provision for their implementation in practice. In addition, "collective" rights conveying cultural, linguistic, religious and other "identities" must be extensively debated to define their meaning and determine their areas of application. Recognizing the right to diversity must under no circumstances force societies to organize on a "community" basis (since in so doing they could even be abandoning the "right to similitude" and the rights of individuals outside the community in question). Stated differently, these rights would not be able to challenge the principle of secularism.

Many so-called realists attach little importance to charters of rights, which are useful only if measures are taken to implement them effectively. We must not underestimate the importance of law, which can become an effective weapon in ensuring compliance with these charters. A system of international tribunals could be set up for this purpose. (We will return to the question of courts and tribunals later).

- The UN must exercise great care in formulating international business law

The expansion of global economic relations of every kind makes it increasingly important to improve international business law. However, this area of law should not override either national strategies or the basic rights of individuals and

peoples. It follows that accords such as the Multilateral Agreement on Investment would be unacceptable.

Furthermore, we must not entrust formulation of this law exclusively to the party representing the interests of dominant capital (the "transnational club"), as is done in WTO projects. I cannot overestimate this point, given that the party in question sets itself up as legislator, judge and beneficiary in its plan for a business court, over which it has sole control. Rarely have the fundamental principles of law and justice been so brazenly trampled underfoot! Nor is it more acceptable for US courts (whose impartiality is, to say the least, questionable) and US law (particularly primitive) to dominate commercial regulation practices, though this is in fact occurring with greater frequency.

International commercial law should be formulated through transparent discussions that bring together all interested parties. Discussions would include not only business groups, but also workers (not only from the industries involved but also from nations that are affected by the legislation) and States. There is no forum for conducting this debate except the UN (including the International Labour Organization, which is a UN agency).

- The UN cannot be transformed overnight into a "world state", "world government" or even a supranational authority with vast powers in a number of fields.

Recognizing this fact, however, does not preclude the possibility of embarking upon a process that in the longer term will lead to the desired transformation.

We must exercise caution in reviewing proposals to transform the UN. There is currently an outpouring of proposals to ally "civil society" (in Washington's understanding of the term, as described above) with the life of the UN. Some of them would like to give the "corporate world" a pivotal role in this alliance. By contrast, the defenders of this UN "reform" consistently ignore the working class – the majority of human beings who must contend with the minority of billionaires. They have gone as far as to try to downgrade the ILO's powers, even though these are already quite weak. Unfortunately, the ILO's administration seems to be complicit in this socially regressive plan.

Proposals for a "World Parliament" made up of representatives of national parliaments (sometimes non-existent and only rarely representative of the people in any meaningful way) do not have to be bland or unrealistic. Progress in this area is possible even when the global democracy these parliaments uphold is not as mature as its national counterpart.

Proposals on the economic management of globalization

- The supposedly deregulated globalization currently in force is in fact just one form of globalization among several. Currently, dominant global capital (the transnationals) and the G7 political leaders who are beholden to them have complete and exclusive responsibility for regulation. It will be necessary to replace this form of globalization — which is neither inevitable, nor irreplaceable,

nor acceptable — with institutionalized global regulation. In the future, the latter will support and complement national and regional regulation, which will eventually be used everywhere. Challenges and conflicts among the various levels of modern economic management will be commonplace.

The task ahead is complicated. For a long time, successes will be modest, even if the UN lends its support. The challenge should not be spurned; it can provide positive benefits for both nations and workers.

- Given its devastating impact, international debt could provide a good starting point for debate on the role of the UN in managing the world economy.

The dominant discourse assigns sole responsibility for the debt to borrowing nations, whose actions, it maintains, are indefensible (corruption, complacency and irrationality of policy makers, extreme nationalism, etc.). The truth, however, is quite different. Certain lenders had a policy of systematically making loans to facilitate investment of surplus capital. This accounts for much of the debt. Due to the serious economic crisis of the last twenty years many investors failed to find investment markets, either in rich countries or those that were supposed to be in a position to absorb their capital. Therefore, they set up fake markets to prevent devaluation of the surplus capital. The result of these policies was a sudden increase in speculative funds invested over the very short term, including investment in the "debt" accumulated by Third World and East Bloc countries. The World Bank in particular, but also many major private banks in the United States, Europe and Japan, as well as a number of transnationals bear a major share of the responsibility, though this is never discussed. Corruption has piggybacked on these policies, once again aided and abetted by the lenders of capital (the World Bank, the private banks and the transnationals) and the heads of affected nations from the Southern hemisphere and the former East Bloc. A systematic audit of these debts is urgently required. It would demonstrate that a major portion of these debts is illegal.

The debt service burden is utterly intolerable, not only for the poorest countries of the South, but even for those who are better off. When, following the First World War, Germany was ordered to pay reparations amounting to 7% of its exports, liberal economists of the period concluded that the burden was unendurable and that the country's production system could not adjust to the new requirements. Today, economists of the same liberal school have no compunctions about suggesting that Third World economies bend to debt servicing requirements that are five or even six times more onerous. In reality, debt servicing today amounts to plundering the wealth and labour of populations in the Southern Hemisphere (and the former East Bloc). The plunder is especially lucrative since it has managed to turn the planet's poorest countries into exporters of capital toward the North. It is also brutal, as it frees dominant capital from the management of production. The debt is due, that's all! It is the responsibility of the States involved (rather than the lenders of capital) to extract the necessary work from their populations. Thus, dominant capitalism is freed from all responsibility and worry.

There are three categories of debt:

Debts arising from loans used for offensive or immoral purposes

The loans made by the former apartheid government of South Africa provide a good illustration of this kind of debt. The country borrowed money to purchase weapons for use against the African resistance.

Debts arising from loans of questionable origin

The financial powers of the North (including the World Bank) provided most of these loans and the corruption of both creditors and debtors smoothed the way. Most of these loans were not invested in projects, and payments were concealed (the lenders were well aware of this). Any court worthy of the name would consider these debts purely and simply illegal. In a few cases, the loans were in fact invested, but in absurd projects imposed by the lenders, especially the World Bank. In these cases, the Bank should be put on trial. This institution has been financially irresponsible, even placing itself above liberalism's own laws and its discourses on risk taking!

Debts arising from acceptable loans

When loans have been used for their intended purpose, acknowledgement of the debt cannot be questioned.

Debts arising from loans used for odious or immoral purposes should be repudiated unilaterally (following audit). In addition, following their capitalization the creditors should reimburse the payments made on these debts at the same rates of interest the debtors had to pay. We would then see that in fact the North is indebted to the South, its victims.

The debt management proposed for Heavily Indebted Poor Countries (HIPC) belongs to a very different type of logic. Their entire debt is considered perfectly "legitimate", even though it is not subject to any kind of review or audit. This is because the debt management proposal is regarded as charity. This stance is unacceptable. On the one hand, the proposal purportedly lightens the burden for the very poor; on the other hand, it imposes additional draconian conditions on them. In so doing, it places them permanently in a situation closely resembling that of colonies administered directly from abroad.

In addition to the suggested audit and the adoption of measures to facilitate regularization of accounts, we must continue developing an international law on debt to ensure that these kinds of situations do not recur. For now, this type of law exists only in embryonic form. In addition, we need to set up genuine tribunals (much more useful than arbitration boards) to uphold the law in this matter.

- Restoring full responsibility for organizing the world economic system to the UN involves re-defining the roles of (a) its major internal institutions, particularly the United Nations Conference on Trade and Development (UNCTAD) and the International Labour Organization (ILO), and (b) its external

institutions: the World Trade Organization (WTO), the International Monetary Fund (IMF) and the World Bank (WB).

The main priorities in this exercise should be as follows:

- to breath new life into UNCTAD and identify its new (or revived) functions, including: (i) developing a global framework for a foreign investment code to regulate delocalization and protect the workers of all concerned parties; (ii) negotiating market access for the various negotiating parties at the national and regional levels. These proposals should seek to reverse the total marginalization of UNCTAD that has occurred with the transfer of its powers to the WTO. UNCTAD's role must be re-thought from top to bottom if it is to break away from the strict control of a clique of transnational corporations;
- to revitalize the ILO, not in the way suggested by this organization's current management, but by strengthening workers' rights;
- to renegotiate the global monetary system and institutionalize regional arrangements to manage exchange rate stability. This would be the responsibility of a new IMF in charge of interlinking regional systems. (It would have nothing in common with the current organization of the same name). In the current system, the IMF, which is not in charge of the dominant currency system (which includes the dollar, euro, yen, pound sterling and Swiss franc) operates as if it were a joint colonial monetary authority (for the triad) managing the finances of dependent nations. It subjects these nations to "structural adjustment" so that it can (i) plunder their resources for the benefit of floating capital and (ii) bleed them dry financially through debt servicing;
- to build a global capital market worthy of the name that would (i) direct funds toward productive investments (in the North and South), and (ii) discourage the so-called speculative flow of funds (the Tobin tax might fall within its agenda). This would challenge the role of the World Bank (Ministry of Propaganda to the G7) and the WTO (executing agency for the transnationals).
- Of course, the UN may not do any better in global economic management than it does in global political management. Even so, it can at least initiate a global economic regime (and economic policy). For, when you talk government you are talking finances.

Global natural resource management unquestionably provides the best introduction to global economic management.

Theoretically, access to natural resources is a matter of national sovereignty. Nevertheless, sovereignty is not always respected: colonialism destroys it; "geopolitical" or "geostrategic" power undermines it. The North's disproportionate access to the planet's resources is the root cause of its squandering of these resources. It also suggests the impossibility of extending the North's consumption patterns to the South, which, subjected to the prevailing form of globalization, becomes the victim of "global apartheid". Environmental movements have increased public awareness of the problem's tragic dimensions. However, they have not really managed to get the global power system (epitomized by the Rio and Kyoto conferences, which were evaluated by the Johannesburg conference of August 2002) to accept effective and efficient democratic management of resources at the global level. There is also a link between the militarization of

globalization and the hegemonic power's objective of controlling the planet's natural resources.

In theory, the resources being developed are those of "actually existing capitalism". The latter practices short-term thinking (financial profitability), since the transnationals, who are making the decisions, understand no other approach. The way capitalism develops resources is a perfect illustration of the alleged rationality of market management. It reveals that, from the standpoint of people's long-term interests, it is in fact irrational. Discourse on sustainable development originates with an awareness of the contradiction between market interests and the interests of humanity. However, this discourse often fails to draw concrete and practical conclusions from this contradiction.

The alternative to market rationality is rational (sustainable) and democratic management (at the local and world system levels) of natural resources. There are several practical proposals available, but until now they have only been put forward indirectly. Examples include a global tax on rent associated with access to and development of these resources. The proceeds from this tax would be redistributed to the affected populations in such a way as to promote the development of poor countries and regions and to discourage waste.

This could be the beginning of a global tax regime.

The topic encompasses a large number of resources – minerals, oil, water and the atmosphere. To start, however, the debate should focus on two areas – oil and water.

- UN management of water, the common property of all humanity:

There is no life without water; which is just as necessary as air. Water has numerous uses, but this paper will only discuss its use in the field of agriculture, which consumes most of it.

Nature distributes water among the planet's rural societies in an extremely uneven way. In some regions of the world, there are copious amounts of water within reach. However, in arid and semi-arid regions, people must draw water from rivers or deep wells and distribute it by irrigation over the entire surface of their farmland. In these regions, the cost of water is high. Is assigning a price to resources such as water the only way of dealing with their scarcity?

Locking into the logic of conventional economics and market alienation (on which this economics is based) and bowing to an ethic of competition aligned with unbridled globalization leaves only two choices: accepting systematically lower pay for some workers or ceasing to produce. The liberal approach to globalization condemns vast agricultural regions of the planet to extinction.

We must face the fact that the world consists of peoples, nations and States. They occupy their own territories, though the natural conditions in each locality are not identical. Conventional economics ignores this reality, replacing it with an imaginary globalized world in which all aspects of social life and the human

environment are commercialized at the planetary level. This allows it to justify the unilateral objectives of capitalism without worrying about social reality. If the liberals who defended this fundamentalist capitalism were consistent, they would conclude that the optimum sustainable utilization of natural resources (in this case water) required massive relocation of the world's populations. The contours of this relocation would be determined by the unequal worldwide distribution of this resource. Were this to occur, water would become a "commons", i.e. a common good or property of all humanity.

For the time being, water is a common good only to the extent that it is common to one nation or one territory. In a given territory, when water is relatively scarce, it must be rationed. Market regulation and an acceptable system of subsidies and taxes can ensure that all inhabitants share the cost of access. The system adopted will depend on compromises related to internal social conditions and the way the country is integrated into the world economy. Thus, there are compromises between peasants and consumers of food products; between development strategies based on a particular vision of society and the export requirements eventually needed to implement this vision. (For example, exports that are "naturally" uncompetitive could be subsidized). The compromises will vary with time and place.

A "law of peoples and humanity" will provide solutions to these problems. However, a law of this type dealing with water does not yet exist since, within its borders, every country is in principle free to use ground and surface water as it sees fit. Agreements on water management, when they do exist, deal only with the particularities of international treaties. Making rapid progress in developing a genuine law of peoples and humanity is of paramount importance. International business law was designed to serve the interests of capital, and is currently controlled exclusively by the international institutions (especially the WTO) designed for this purpose. Consequently, it cannot possibly serve as a substitute for a genuine people's law that would manage water as a "common good" (humanity's common heritage). On the contrary, the *raison-d'être* of international business law is antithetical to the spirit of such a law.

Proposals on the institutionalization of international justice

- International courts of justice (sometimes called tribunals) already exist. Some even existed before the creation of the UN; others came into being recently, in conjunction with war crimes and crimes against humanity.

However, the effectiveness of these institutions of international justice is extremely limited: they have limited jurisdiction and certain powers (spearheaded by the US) refuse to recognize their legitimacy.

Our first task is to carry out a comprehensive review of existing institutions in the area of international justice, critically analyzing their shortcomings and identifying any legal gaps that must gradually be closed.

There are also "courts of opinion". They do not have legal status, yet fulfil a very useful role in informing the public about important issues (a good example is the

Russel Tribunal, which sought to expose war crimes). We should follow their example, support their actions and give them wider coverage, though they should not interfere with campaigns to create recognized international courts responsible for stating the law. We must also continue to codify the laws that these courts will enforce.

We must also develop a system of international courts of justice to implement proposals on UN responsibilities. Ideally, proposals aiming to strengthen the legal aspects of UN actions would involve three groups of courts.

- The first group would deal with the political aspects of globalization.

If the United Nations is to judge the trans-border actions or interventions of States, whatever the motives, then a UN authority should have a say in determining if these actions are justified or should be condemned. Of course, the International Court of Justice in The Hague exercises jurisdiction in this area, though it does not have any power of enforcement. For example, when Nicaragua's Sandinista regime filed a complaint with the UN regarding the mining of its ports by the US Navy, the Court agreed with the complainant, and demanded that the guilty party cease its armed intervention and pay restitution to the victim. However, nothing came of this ruling since only the Security Council, on which the US has a veto, had the power to enforce it¹. Similarly, a recent and unequivocal ruling by the same Court concerning the Wall of Shame in occupied Palestine led to nothing more than a non-binding declaration of the UN General Assembly, whose role was limited to making recommendations. Consequently, the jurisdiction of this Court must be reviewed and its powers broadened. The victimized State and the UN General Assembly should have the right not only to appeal the decision of the Court but also to be satisfied that a decision in its favour – even if contested by the State responsible for the intervention – would have consequences.

Failing this, the imperialist powers (with the US in the lead) will never be held accountable for their violations of international law, even when these violations are irrefutable. Even if they are held accountable, they might never have to face any punishment — except that exacted by the mobilized masses.

- The second group would strengthen the rights of individuals and nations recognized by the UN.

It could draw its inspiration from the European Court of Justice, to which victimized individuals or groups can appeal directly, as long as their claims fall within the court's jurisdiction. As with the European Court, these victims would not have to get prior approval from their country. It might be advisable to broaden the jurisdiction of international justice (so as to include, among other things, social rights) and, to this end, plan two distinct divisions – one for individual rights and another for the rights of nations.

¹ On 27 June 1986, the Court ordered the United States to pay reparations amounting to \$17 billion (US) to Nicaragua, but the latter never received a cent.

- The third group would manage commercial law.

The court of commercial law too could have various divisions, each with a specific area of competence. A criminal division would try indictable economic crimes. The case of Bhopal demonstrates the outrageous impunity the transnationals currently enjoy.

Another division could be empowered to deal with litigation over external debt.

An action plan to implement the proposals

The present proposals are, to be sure, ambitious, and accomplishing even a few of them will take time. However, the future begins today, so there is no reason to postpone implementing an action plan if we want things to improve.

I do not think anything can be gained by asking governments to immediately embark upon a "Reform of the United Nations". They will do it of their own accord if they think it necessary. For the moment, prevailing power relationships are such that their reforms would probably achieve few positive results. On the contrary, there is every reason to fear that their reforms would be incorporated into the dominant imperialist strategies, since the aim of the leading imperialist powers is to further marginalize this international body and control it for their own ends. If the reforms eventually put forward encourage imperialism, it will probably be necessary to campaign against them instead of supporting them!

Consequently, it is necessary to tackle the problem in a different way – by setting our sights on public opinion. We should set up ad hoc international commissions (one for each of our concerns) that will provide reports and proposals to the vast nebula of movements that work with the national, regional and global "Social Forums". The *Forum Mondial des Alternatives* (World Forum for Alternatives) could employ the network of correspondents and associates in its critical think tanks to help coordinate the undertaking.

Once it has made sufficient progress, the commissions' work must be used by vast, worldwide campaigns with precisely defined goals for each commission. This would help to rectify the inequitable power relationships that define today's world.

Notes

- (1) Samir Amin, *Class and nation*, Monthly Review Press , NY 1980.
- (2) Note the example of the Mamekuk system in Late Islam. See Samir Amin and Ali el Kenz, *Europe and the Arab world*, Zed 2005, chapter 1 , section 1.
- (3) This is the title of one of my works. See Samir Amin, *Obsolescent Capitalism*, Zed , 2003.
- (4) Samir Amin, *Obsolescent Capitalism* , op cit , Ch. I.
- (5) Interview with Samir Amin: Yves Berthelot, "UN Intellectual History", United Nations, New York, April 2002.
- (6) I wrote on this topic even before the collapse of the USSR, noting that the Middle East was high on the agenda in this global policy strategy. Reference in Samir Amin, *Obsolescent Capitalism* , op cit ,pp. 95 and following.
- (7) Samir Amin, Globalism Or Apartheid On A Global Scale? ;in, Immanuel Wallerstein (ed) , *The Modern World System In The Longue Durée*, Paradigm Publishers 2004.
- (8) Samir Amin , WTO recipe for world hunger, in *Ahram Weekly*, No. 657, Sept. 2003, Cairo.
- (9) Samir Amin , *Obsolescent Capitalism* ,op cit , Chapter III.
Carlo Verdone, *La question du développement à l' âge du capitalisme cognitif*.
See Third World Forum (TWF) Web site.
- (10) Giovanni Arrighi (ed.), *The Resurgence of East Asia*, Routledge, 2003.
André Gunder Franck, *ReOrient*, University of California Press, 1998.
Lin Chun, "What is China's Comparative Advantage ?" See Third World Forum (TWF), *Les Indes Savantes* (forthcoming).
- (11) Samir Amin, *The Liberal Virus*, Pluto press 2004 , pp 29-42.