

Main Points of Professor Joseph Schwartzberg's
Transforming the United Nations System: Designs for a Workable
World
(United Nations University Press, 2013)

The United Nations is one of humanity's greatest achievements. But because of the way in which the organization was structured after the Second World War, it has often been kept weak and ineffective by many of its member-nations. Schwartzberg argues this thesis: "In a vicious cycle, distrust keeps the United Nations weak, and the UN's weakness in turn perpetuates distrust. Reforms are sorely needed." (p. 263) Because the present confederal United Nations system includes 193 independent national governments and is based on the principle of national sovereignty, "political considerations persistently trump morality in formulating UN policy." (p. 321)

This book puts forward many practical suggestions for making the United Nations system a relevant mechanism for eliminating "our presently anarchic 'war system'" (p. 316), for designing a more peaceful and just world, and for solving global problems. Schwartzberg argues that "we must find ways to supplant the law of force with the force of law in international affairs" (p. xxviii) and that "global problems require global solutions." (p. xxix) Just solutions must be found to the problems of war, terrorism, climate change, pollution, and the dehumanizing consequences of extreme poverty. "The workable world I envisage," he observes, "centres on a revitalized and substantially strengthened UN system. While many of the essential institutions within that system are already in place, none is optimally constituted. In particular, their methods of allocating decision-making power bear little relationship to the actual power of global actors outside the arena of the UN itself. Consequently, their fairness and even their legitimacy are often called into question." He adds that "the entire system suffers from a serious democratic deficit." (p. 2)

One of the biggest problems with the structure of the United Nations is the "one-nation-one-vote" principle that is followed in the UN General Assembly (GA) and most other UN agencies. China (the most populous country with 1.35 billion people), Nauru (the least populous country with 9,300 people), and all of the 191 member-nations in between (39 of which have less than one million people each and 13 have less than 100,000 people each) have the same voting power in the General Assembly. It is therefore possible for 129 nations that together have only 8% of the world's population and who pay only 1.271 percent of the UN budget to vote as a two-thirds majority on a substantive issue in the GA. Sixty-five nations with a combined population below one percent of the world total can block passage of a substantive resolution.

In order to change GA resolutions from being merely non-binding recommendations to legal binding obligations, Schwartzberg's proposal involves calculating a weighted vote (W) for each Member of the GA by averaging three percentages:

- its percentage of the total population of all UN members (P)
 - its financial contribution as a percentage of the UN budget (C)
 - the percentage of the total number of members in the UN (M).
- This would be the same for every Member, now 1 out of 193 or 0.521 percent.

The formula is therefore
$$W = \frac{P + C + M}{3}$$

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The average percentage for each Member would constitute its weighted vote in the GA. Using 2010 data, the United States has 4.558 percent of the world's population, is assessed 22 percent of the UN budget, and it is 0.521 of the Members of the United Nations. Averaging these three numbers would give the United States a weighted vote of

9.936. In descending order, the weighted vote for China would be 9.640, for India 6.700, for Japan 3.543, for Germany 2.554, for France 2.047, for Brazil 2.006, for the United Kingdom 1.938, for Italy 1.671, for Russia 1.625, for Indonesia 1.605, for Mexico 1.250, for Spain 1.234, for Pakistan 1.176, for Canada 1.150, for Nigeria 1.049, and for Bangladesh 1.002. For all other 176 Members, their weighted vote would each be less than 1.00, the lowest being the countries of Dominica, Grenada, Kiribati, Marshall Islands, Micronesia, Nauru, Seychelles, St. Kitts and Nevis, St. Vincent and Grenadines, Tonga, and Tuvalu, each with a weighted vote of 0.174.

Schwartzberg argues that this system of weighted voting could be accomplished by simply amending a few sentences in Article 18 of the UN Charter. He suggests that decisions of the General Assembly on global and general questions become binding if made by a two-thirds majority of the weighted votes, provided that the total population of the concurring members represents a majority. On issues such as proposals for Charter revision, recommendations to the Security Council (SC) to impose sanctions on nations in serious violation of international law, and requests to the SC to send armed peacekeepers to deal with serious threats to world peace, Schwartzberg suggests that such proposals require as much as 75% of all weighted votes as well as approval by nations with at least two-thirds of the total population of all UN members. Such a change in voting in the GA would give it some law-making capability. This change would supplement treaty-making between and among nations, thus providing a way of making binding international law on all nations.

As more and more democratization takes place around the world, Schwartzberg suggests that after fifteen years or so the formula could be changed to

$$W = \frac{2P + 2C + M}{3}$$

After another fifteen years or so, assuming even further democratization, the formula could be changed to

$$W = \frac{3P + 2C + M}{6}$$

so that population would become a larger determinant of voting strength.

While the GA is composed of representatives of national governments, Schwartzberg recommends that a World Parliamentary Assembly (WPA) be created to represent the people of the world. These two bodies in the future could be considered parts of a bicameral global legislature. Schwartzberg proposes three stages of development for a future WPA. The first stage would be a WPA with only advisory power composed of parliamentarians who are either appointed or elected by their respective national governments. The second stage would be a popularly elected body with increased legislative power. The third stage would be a maximally democratic system composed of parliamentarians, regardless of their national backgrounds. One possible formula for the first stage would create a WPA whose composition would be based on the same factors for weighted voting in the GA. In Schwartzberg's example, a WPA with 564 seats could be created in which 57 seats would go to the United States, 55 to China, 39 to India, 20 to Japan, and 15 to Germany; 74 countries would each have between 2 and 14 seats; and 114 countries would have only one seat each.

Schwartzberg's proposal for weighted voting could also apply to the composition of the UN Security Council (SC) which would be responsible for enforcing binding resolutions made by the General Assembly. He first proposes that permanent seats and the veto power

of the so-called P5 (United States, Russia, China, United Kingdom, and France) be discontinued immediately or gradually phased out. Under the present UN Charter, a SC resolution is passed with a three-fifths vote or 9 out of 15 countries that make up the SC at any one time (even though 72 nations have never served on the SC) without a veto by anyone one of the five permanent members. Thus, a resolution with a vote of 14 to 1 could still be defeated if just one of the five permanent members decided to veto it. Before the veto power of any one of the P5 is eliminated, a requirement of at least two, and later three or more, of the P5 for a veto could be instituted. Another possibility is to limit the range of subjects to which a veto might apply.

In order to deal with this issue, Schwartzberg recommends that the SC be composed of twelve seats, each representing a major region of the world. He proposes that any single Member for which the sum of its percentages of the world's population and of contributions to the UN budget exceeds a threshold of 12% (currently, United States, China, and India) would be allowed to form a region on its own. The other seats would be held by groups of countries. The weighting formula for this regional proposal would be

$$W = \frac{P + C + 8.333}{3} \text{ (one-twelfth of 100\%)}$$

in which P and C would represent the population and contributions respectively of the region as a percentage of the total for all UN Members. Below are the weighted votes for the twelve regions that Schwartzberg recommends:

- 7.16 Africa, south of the Sahara (42 countries)
- 5.45 Arab League (21 countries in North Africa and the Middle East)
- 12.24 China

- 7.24 East Asia (Japan, South Korea, North Korea, Mongolia, Nepal, and Bhutan)
- 15.86 Europe (41 countries), including Cyprus and Israel
- 9.30 India
- 7.90 Latin America and the Caribbean (33 countries)
- 4.67 Russia and 5 neighboring countries (Armenia, Belarus, Georgia, Moldova, and Ukraine)
- 6.61 Southeast Asia (12 countries)
- 12.53 United States
- 6.49 West Asia (12 non-Arab Islamic countries including Turkey, Iran, Pakistan, and Bangladesh)
- 4.54 Westminster League (15 countries, including Canada, Australia, New Zealand, and
12 other small Pacific island nations)

In the nine suggested regions consisting of many different countries, regional meetings would have to be held to discuss how a region's weighted vote should be used. Schwartzberg proposes that resolutions in the SC on procedural matters require a simple majority vote while decisions on substantive matters require a two-thirds majority and the concurrent approval by regions whose combined populations exceed 50% of the world's total. An alternative to the composition of the 12 proposed regions listed above would allow a nation to choose to be part of two regional groupings. If a country would choose membership in two regions, its weight in decision-making would be divided between the two so that its overall contribution to SC decision-making would be the same as if it were in only one region.

Schwartzberg proposes that the UN Economic and Social Council (ECOSOC) be transformed into the Economic, Social, and Environmental Council (ESEC). The UN currently lacks a major organ that deals with major environmental problems. Schwartzberg recommends a council composed of 60 member-nations with a hybrid system that provides differentially weighted votes and guaranteed seats for nations that

wield substantial power (currently 17 nations that would have a weighed vote in the GA above 1.0) and uniformly weighted votes for all other UN members (whose individual GA weighted vote is less than 1.0) that are grouped in regional caucuses. Such a change in determining the composition of this council would help the UN deal better with the world economy.

Schwartzberg also proposes that the Human Rights Council become a principal UN organ. He recommends that this council monitor and enforce human rights and the Responsibility to Protect (R2P) principle. He proposes a 36-member council, each member having an equal vote: 24 seats on the council would be assigned by region (two, one male and one female, for each of the 12 regions proposed for the SC); two additional seats for indigenous people; and 10 seats elected at large from the nine multinational regions.

Schwartzberg holds that the International Court of Justice should be given increased authority. It should be given the right to engage in judicial review of the legality of other components of the world's judicial system and agencies with the UN system. It should also be involved in important cases that pose serious threats to international peace and security. He also believes that the International Criminal Court, created by the Treaty of Rome that has been ratified by 116 nations so far (but not including the United States, Russia, China, and India) and limited to hearing cases against individuals accused of committing genocide, war crimes, and crimes against humanity whenever national courts are unable or unwilling to prosecute, should be expanded. He thinks that the ICC should also prosecute cases concerning aggression, illicit dealings in the arms trade, piracy, and terrorism (by individuals, groups, or governments). Additionally he calls for substantial expansion of regional courts and specialized courts to deal with such issues as the environment, human rights, etc.

In order for all voices to be heard in the UN system, Schwartzberg suggests creating five civil society coordinating councils that would deal with human rights, the environment, development, peace and security, and democratic governance. These councils would receive, discuss, harmonize, and prioritize recommendations from Non-governmental Organizations (NGOs) and then work with the appropriate UN agency or agencies.

Each member-nation of the UN is supposed to pay a portion (based on its share of the world GDP) of the regular budget of the UN. In recent years, the top five contributors were collectively assessed 55.3% of the total regular budget. The top 15 were together assessed 81.5%, and the remaining 177 nations the remaining 18.5%. Nations are also assessed a portion of the peacekeeping budget. The top five nations (United States, Japan, United Kingdom, Germany, and France) were assessed 63% of this budget. But in 2007, 12.6% of the regular budget and 86% of the peacekeeping budget was not paid by some member-nations. Schwartzberg proposes that assessments to the UN budget be a flat rate (initially, 0.1 percent) of a member's gross national income (GNI). Under this formula, United States would be assessed 24.73% of the UN budget or \$14.5 billion while Tuvalu, the UN member with the smallest economy, would pay \$30,000. He believes that even the poorest countries could afford their UN dues. As of 2010, this formula would have yielded \$58.65 billion, more than twice the then total current expenditures for the entire UN system. A nation that did not pay its UN contribution could lose its weighted vote.

In many places in his book, Schwartzberg proposes that different UN groups address the current issue of gender inequality in the UN system. He proposes a requirement that not less than one-third nor more than two-thirds be either male or female.

Because one of the main purposes of the United Nations is to maintain peace and security (even though many of the nations have been unable or willing to achieve this goal), Schwartzberg recommends the creation of a UN Peace Corps (UNPC), a UN Administrative Reserve Corps (UNARC) that would provide highly-trained civilian personnel for peacebuilding in different parts of the world, and a UN Administrative Academy for training UNARC personnel. Unlike present peacekeeping operations, the UN needs to create a standing rapid deployment force capable of intervening speedily in order to prevent mass atrocities and genocide. "The envisaged UN Peace Corps would be a strong, standing, multipurpose military body made up of globally recruited, highly trained volunteers under direct UN command." (p. 244) Within each command, either one or two languages would be used for training and most operational purposes. At first, English, French, and Spanish would be chosen. Recruits would be given military training, specialized training in some skill or occupation, and training in negotiating skills and cultural sensitivity. A total force of 300,000 would cost about \$25 billion per year. This is a small fraction of the current annual world military expenditure of about \$1.63 trillion; the United States has been spending around \$700 billion each year recently. If the UNPC were created, national governments could drastically cut their military budgets.

According to Schwartzberg, achieving international peace also requires the total abolition of weapons of mass destruction (nuclear, biological, and chemical) and the establishment of effective inspection regimes. He believes that the so-called "war on terrorism" has not been working. He asks: "Would it not be more prudent to treat terrorists as criminals and deal with them not by military campaigns but rather through patient, unrelenting, multilateral police-type operations?" (p. 262) He states that "the community of nations can most effectively combat terrorism by removing its causes: injustice, social marginalization, economic exploitation, racism, and ignorance." (p. 263)

The United Nations Organization also needs to protect those areas that are not, or should not be, under the jurisdiction of national governments. These areas, called the "common heritage" of humankind, include the Earth's atmosphere, the high seas, the underlying seabed, the Antarctic, outer space, the moon and other heavenly bodies. Many national governments have already signed various treaties about "the Global Commons." But in order to protect them further, Schwartzberg calls for the creation of a Common Heritage Council, composed of 60 experts (five groups of 12, representing the biological sciences, the physical sciences, social sciences, the humanities, and the private sector, casting equal votes and representing different regions of the world and both genders.) This council would establish legally binding norms for the protection of the Global Commons.

Schwartzberg believes that the UN reforms he has proposed are necessary and workable. These reforms could lead to "a constitutional system of democratic federal world government, characterized by a division of powers among executive, legislative, and judicial branches and with clearly specified checks and balances to ensure none of the three branches gains ascendancy over the others." (p. 297) A transformed United Nations system would create a world constitution that contains a Bill of Rights for Nations and a Bill of Rights for all humans. At the center of a transformed United Nations would be four branches: (1) a bicameral legislature made up of the General Assembly (representing nation-states) and the World Parliamentary Assembly (representing people) that together would create binding legislation; (2) an Executive Council of 12 elected individuals from different regions of the world that would enforce world laws; (3) a reformed International Court of Justice that would only try major cases and rule on the constitutionality of laws passed by the global legislature; and (4) the Secretariat, led by the Secretary-General, that would facilitate execution of the decisions and programs of other UN agencies. Other important branches of a

reformed United Nations system would be the International Criminal Court; the Environment Court; the Economic Court; the UN Peace Corps; a Human Rights Council; an Economic, Social, and Environmental Council; the UN Common Heritage Council; the Arms Control and Disarmament Agency; and an Energy Agency. The transformed UN should work with regional federations and organizations.

Despite the reasonableness and specificity of his proposals, Schwartzberg does not regard any of them as necessarily the best that can be devised. Rather, he sees them as demonstrations that workable agencies are possible for dealing with issues that the UN system must confront and he invites others to devise better alternatives.

What can motivate people to work on these goals? Schwartzberg emphasizes the importance of education. Students around the world can be taught about global citizenship, the importance of the human family, and responsibility for our common planet. People need to be taught how the world works and how the United Nations functions. They need to debate various proposals for improving and transforming the United Nations Organization. Schwartzberg hopes that an appropriate global ethos will develop in the future so that global solutions will be found for our many global problems.