The principle of harmony has deep roots in human civilization going back at least to the Axial Period in human history during the first millennium before the Common Era. For many thinkers and religious teachers throughout this history, holism was the dominant thought, and the harmony that it implies has most often been understood to encompass cosmic, civilizational, and personal dimensions. Jesus, Mohammed, Buddha, Lord Krishna, Lao Tzu, and Confucius all give us visions of transformative harmony. However today, in the face of the pervasive disharmony of much of human existence, the principles of holism and harmony function, in the words of Ernst Bloch (1986), as a gigantic “principle of hope.” Today, as disharmony threatens the very existence of life on Earth, the revolutionary holism of the emerging planetary paradigm becomes a vision of the very real possibilities for a harmonious and transformed human reality.

Today we also understand much more clearly than these ancient thinkers that human beings are deeply historical beings, moving from a past, through a dynamic present, toward a future that we are deeply involved in creating. We create our future through a vision of its possibilities. Revolutionary holism is just that: a holism that transforms everything from disharmony to harmony, from war to peace, from hate to love. Ethics, law, education, and government are all historically grounded aspects of human life. This means they are subject to holistic transformation, to “a new heaven and a new Earth,” that may indeed have much in common with what the ancient teachers said about holism and harmony.

In this essay I will first sketch out fundamental aspects of the new, historically grounded, principles of holism and harmony in order to elucidate these principles and show some of their significance in human affairs. Secondly, this essay examines the early-modern scientific paradigm and the institutions that emerged from that paradigm to show some fundamental roots of the lack of harmony and civilization of conflict that dominates in today’s economic, political, and legal institutions. Finally, we examine the emerging holistic paradigm of the 20th century, especially in relation to the concepts of government, law, and education. A tremendous hope is emerging in those who live from the emerging paradigm of wholeness and harmony, a hope which is worldwide and planetary. A new future is opening up for human beings that had not previously been apparent. We need to pick up on that future, let it inspire our lives, and transform the failed institutions by which we have organized our lives on this planet into living embodiments of holism and harmony.

I hope this paper will help reveal both what is lacking in today’s world and outline the process for establishing a harmonious planetary civilization: through drawing on the wisdom of the holistic thinkers of the past, through describing the immense paradigm-shift going on in the present, and through an analysis of the continuing causes of disharmony and fragmentation worldwide. Harmony and disharmony are correlative concepts. They apply not only to
persons, but to the institutions and societies that structure persons’ lives. Establishing harmony requires not only a vision of our higher human possibilities but also understanding the historical causes and conditions of disharmony.

The principle of harmony is associated in human thought with a number of complementary concepts that help articulate its meaning and implications. We associate harmony with peace, as opposed to conflict and war, with nonviolence, as opposed to violence and the mutual attempt of people to kill or harm one another, with cooperation, rather and forms of competition resulting in absolute winners and losers, with justice and fairness, as opposed to situations of injustice, exploitation, or domination, and with freedom—the freedom of people to live meaningful, flourishing lives in relationships with others and with society as a whole.

In past centuries, just as today, disharmony had terrible human consequences—as armies invaded the territory of others, legal systems persecuted innocent persons, class divisions in societies caused suffering to enslaved, oppressed, or marginalized people, or people starved and perished in the midst of social settings abundant with food and other life-necessities. However, it was not until the mid-20th century that thoughtful people began to realize that disharmony was endangering the very existence of human civilization and the ecological ability of our planet to sustain higher forms of life. Jonathan Glover’s book *Humanity: A Moral History of the 20th Century*, details the terrible failure of human civilization to achieve any degree of peace or harmony. Instead, the 20th century provides a disgraceful record of ever more technologically sophisticated means of human beings mass exterminating other human beings. Glover writes:

> The twentieth-century history of large-scale cruelty and killing is only too familiar: the mutual slaughter of the First World War, the terror-famine of the Ukraine, the Gulag, Auschwitz, Dresden, the Burma Railway, Hiroshima, Vietnam, the Chinese Cultural Revolution, Cambodia, Rwanda, the collapse of Yugoslavia. These names will conjure up others. Because of this history, it is (or should be) hard for thinking about ethics to carry on as before. (2000: 2)

The same technological sophistication that has made mass-murder ever more efficient with push-button ease of execution has also made the human impact on the environment of the planet devastating for all the natural systems that make up its delicately woven biosphere. Entire forests can be cut down in the time that only 100 years ago appeared inconceivable to men working with hand axes and two-person cross-cut saws. Entire mountaintops can be removed and chewed up by giant machines to extract the random veins of coal contained in them (as is happening in West Virginia in the US). Human beings began to comprehend that we may be the cause of our own extinction. In fundamental ways, it is clear that we have been living in deep disharmony with one another and with the natural world that sustains us.

A global consciousness has begun to emerge that was very rare in human beings prior to the mid-20th century, a consciousness aware that we now face global crises and global issues that threaten our existence on the Earth—such as the problem of climate collapse and the transformation of the planetary climate into forms that no longer sustain higher forms of life and could, in the process of collapse, engender out of control patterns of devastation such as mass extinctions or pandemics that wipe out the human species and destroy civilization (Speth 2005). A second issue of global crisis proportions involves the problem of depletion of the most fundamental resources necessary to life such as agricultural lands, potable water, clean air, and planetary forests. As the human population vastly expands every year, the resources on the Earth available to support its population continue to dramatically shrink.

A third crisis threatening human existence has been the development of weapons of mass destruction, such as nuclear weapons, as well as technologically advanced conventional weapons to the extent that entire countries can be devastated in a number of hours, and the entire human population could be devastated within minutes in the event of a major nuclear war. As Jürgen Moltmann puts this: “When the atomic bomb was invented and dropped on Hiroshima and Nagasaki in August of 1945, it was not just the Second World War that was ended. The whole human race had entered its end-time as well” (2012: 46). While poverty, misery, and disorder continue to grow everywhere on the Earth, the nations of the world spend well over one trillion US dollars each year on militarism and war-
preparation. While the resources of the Earth continue to rapidly deplete, while climate change increasingly devastates entire portions of the Earth with droughts, hurricanes, floods, and rising sea levels, the militaristic competition of warring nation-states prevents any meaningful cooperation or collective action to prevent total disaster for the Earth and its citizens.

The question of harmony and its implications is clearly no longer merely a theoretical question for philosophers and cultural thinkers. Today, it is an absolutely vital question of survival, of restoring the possibility of a decent future for subsequent generations. We will see that dealing with the global crises that threaten human existence is directly related with the imperative to establish a world based upon human dignity and human flourishing. An immense world-transformative hope arises in those who have grasped the new holism, a new vision of a decent human future of peace and justice, and a human future in harmony with our planetary biosphere. This essay explores some causes of our present planetary condition of fragmentation, disharmony, and ever-increasing planetary disaster and outlines some principles of harmony that are necessary for creating a decent human future, focusing especially on the questions of government, law, and the rule of law in human affairs.

**The Age of Static Holism (Ancient and Medieval World Views).**

In their 1992 book, *The Universe Story: From the Primordial Flaring Forth to the Ecozoic Era*, Brian Swimme and Thomas Berry attempt to bring together human knowledge from many scientific and cultural sources to provide a coherent picture of human life as an integral part of the emergent-evolutionary process from the Big Bang to the present. This kind of endeavor may ultimately be what is necessary if we are to discover a path to harmony with one another and with nature. The sad history of the 20th century has made clear that we are in fundamental disharmony with both dimensions—with one another and with nature. The issue has much to do with the historical emergence of human beings out of nature and into modes of self-consciousness that make possible living in disharmony.

As Swimme and Berry express this: “the drama of self-consciousness takes place in five phases: the primordial emergence of the human; the Neolithic settlements; the classical civilizations; the rise of nations; and the Ecozoic Era (143-44). Their book places the development of self-consciousness within the larger universe story and shows in what ways our present disharmony reflects the fact that we have not yet understood that story. The story is that of the contemporary scientific discovery of the holism of the universe and the articulation of that holism in the diverse development of human beings and human civilization. Our disharmony with the planetary biosphere, and with other people, cultures, and nations, is the consequence of our limited view that fails to see the deeper unity in diversity of the entire process. Human self-awareness has emerged out of this evolutionary process, but this self-awareness remains trapped at the level of polar-opposites—my religion versus your religion, my nation versus your nation—within a contemporary set of assumptions that they call “Technozoic.” However, study of this historical development can bring us to an awakening to the unity in diversity of the whole.

A number of thinkers who chronicle the rise of human self-awareness focus on the Axial Age as the historical era that was central to its emergence. Karl Jaspers (1953), for example, underlines the importance of the worldwide changes that took place approximately between 800 and 200 BCE, also emphasized by Swimme and Berry and by John Hick in his 2004 book, *An Interpretation of Religion*. During this period human beings became capable of clearly distinguishing their personal subjective beliefs, attitudes, and responses from the objective world around them that operated independently of this subjective dimension. The objective world could be understood as governed by laws of its own, potentially discoverable by human reason, and the subjective world could be understood as providing a freedom of action in which humans could alter and manipulate their environment according to their subjective whims, values, and beliefs (Hick 2004). The stage was set for the human drama that would be played out worldwide for the next twenty-five hundred years: the objective laws of nature in relation to human freedom of action. With the
Axial Period, a new dimension develops within our universe—openness to the future. A creature has emerged no longer entirely determined by its past but open to new possibilities in the future.

My 2008 book Ascent to Freedom: Philosophical and Practical Foundations of Democratic World Law traces this drama as it moved from the Axial Age through three broad civilizational paradigms from the ancient world to the present. It names the first civilizational paradigm the “Age of Static Holism.” Through the Ancient and Medieval eras the dominant paradigm looked at the world and human life in terms of a static, integral unity. In the West, prior to the rise of Christianity, Plato and Aristotle articulated versions of this unity in which the order and harmony of the cosmos were discoverable by, and reflected in, human reason. There was, therefore, an integral continuity between the harmonious constitution of the cosmos and human life. For both Plato and Aristotle, each in their own way, leading a “philosophical” life, meant using reason dialectically and dialogically to move up a ladder of ever-greater maturity and understanding toward true intellectual and spiritual harmony with the laws of the holistic cosmos. The primary impediment to harmonious and just society was ignorance, and the key to promoting harmony on the Earth was both education and the construction of good human institutions that mirrored the harmony of the cosmos.

The paradigm articulated by these thinkers became fundamental to ancient Western civilization as well as to the Christian era that followed. For the latter, the static harmony of the cosmos was the creative product of an all-wise and all-good God concerned with human redemption, harmony, and flourishing. It is true that this vision of harmony was somewhat undercut by the Augustinian doctrine of original sin according to which this original natural harmony was disrupted by human sin, making it impossible for human beings to live in harmony naturally, and requiring divine interference and a cosmic redemption. Nevertheless, a concept of natural law developed within that tradition and continued even under the concept of original sin. Just as the cosmos was structured in a holistic and lawful fashion by God, so human beings could discern and live by ethical principles that likewise came from the supreme source. St. Paul writes in Romans 2:14 that “when Gentiles who do not have the law do by nature as the law requires, they show that the law is written on their hearts.” Harmonious social and personal life was theoretically possible on the Earth since its natural laws were available to every person as moral laws written on the human heart.

The Age of Fragmentation (Early-modern World Views).

The Age of Static Holism began to disintegrate in late Medieval times, not in the least because of the Black Death that wiped out well over 30 percent of the population of Europe during the 14th century. During the subsequent two centuries, however, developments took place that had worldwide implications. Such thinkers as Tycho Brahe, Johannes Kepler, and Galileo Galilei discovered the systematic applicability of mathematics to nature. “The book of nature is written in the language of mathematics,” proclaimed Galileo, and creative thinkers from Spinoza to Descartes to Hobbes to Newton attempted to work out the epistemology and cosmology that made this truth possible. A new paradigm was in the process of being born. In the 17th century, the holism of Spinoza’s thought (2002), however, ultimately lost out to a struggle between the mind-body dualism of Descartes and the materialist monism of Hobbes (1963). For Descartes, the physical world of extended substance (which included the body) was singularly subject to mathematical determinism, but the mind was of a different non-material substance altogether. For Hobbes, the mind was simply part of the deterministic world of matter.

These epistemological and cosmological developments culminated in the 18th century triumph of the Newtonian world view which seemed to provide an explanatory framework for all bodies in motion anywhere on Earth or in the universe. They also triumphed through adopting a dogmatic empiricism, first systematically formulated by Locke, Berkeley and Hume. Even Kant, who reacted against the apparent skepticism implied in Hume’s radical empiricism by positing a “thing in itself” beyond the reach of human knowledge, still retained the assumption that all knowledge of the physical involved empirical investigation of this phenomenal world of mechanism and determinism. The
Newtonian or early-modern paradigm was in the process of emerging that, because it appeared so evidently successful in predicting, controlling, and understanding the world, rapidly spread worldwide. The world was conceived as a gigantic mechanism, built up from indivisible simple parts called atoms, and governed deterministically by the mathematically precise laws of universal gravitation within a framework of absolute space and time.

This cosmology was accompanied by an epistemology that demanded detached, value-free observation and “objective,” scientific investigation. It assumed the materialism of the physical cosmos and the idea that physical bodies and atoms existed independently of one another in purely external relationships. It appeared immensely successful in terms of this set of assumptions as creative individuals discovered how to apply observation and mathematics in ways that transformed our physical environment through inventions of all sorts. It also engendered the rise of capitalist economic relations, beginning with the goldsmiths and entrepreneurs of the 15th and 16th centuries (a system that appeared to promote unlimited economic growth). It gave rise to the birth of the modern system of sovereign nation-states, usually dated from the Treaty of Westphalia in 1648. And it led to the industrial revolution during the late 18th and early 19th centuries (which appeared to promise ultimately making the cheap manufactured goods and scientifically grown foods necessary to life available to everyone on Earth).

Even though the Newtonian cosmology did not appear able to explain mind, that is, human moral choices, human freedom, or rational capacity (except as an unconvincing reductionism that equated all these things with deterministic brain processes), its success in the material world allowed it to spread very rapidly throughout the globe. Even God was relegated to the role of cosmic watch-maker by Deism and Enlightenment thought. Since the world was totally determined by the laws governing bodies in motion, there was no role for God except as a demiurge-creator who set the entire process in motion at the beginning and subsequently played no role in its functioning. As Laplace remarked when asked about a role for God: “I have no need for that hypothesis.” God was relegated to an apparently contingent role in relation to the mechanistic universe, and mind remained an apparently insoluble mystery. Nevertheless, the scientific revolution of those centuries had placed great technological and instrumental power into human hands.

Sociologist Max Weber (2001) studied the development of this early-modern world system under the explanatory concept of “rationalization.” Since overcoming the “enchanted” medieval era of faith, society was oriented to rationalizing human life, to its progressive “disenchantment.” The process of rationalization supplied the explanation of the success of capitalism in which quantification, predictability, and regularity were essential to the expansion of a systematic and reliable profit-making regime. This regime was aided, according to Weber, by the elaboration and bureaucratization of nation-state administrative systems. The same calculability and capacity for mastery that early-modern science made possible for nature was now applied to human beings through the rationalization process. The domination of this “formal-procedural” rationality did not necessarily cohere with the possibility of a “substantive-value” rationality that had been prominent during medieval times and had provided a deep meaning and value for both thinkers and believers. A substantive-value use of reason to perceive the intrinsic values and goals of human life would have to await the 20th century rediscovery of holism.

The rationalization of capitalism and the bureaucratization of the nation-state undercut the medieval belief that both faith and reason could discover substantive value in the cosmos. Reasoning became merely instrumental. Reason, it was thought, did not provide the ends of human action (or anything valuable in itself). It provided only the means for achieving human ends. The ends became “subjective”—human desires, instincts, wants and needs were thought to determine the ends of action. After several centuries of this development, according to Weber, the overall effect on human beings was the “loss of freedom” and “loss of meaning” inside the “iron cage” of late capitalism.
Technique and instrumentality had dominated over freedom and any possible discernment of intrinsic values in human life.

Capitalism, as a pervasive economic system and pattern of life, developed as a global institution as part of this same early-modern paradigm: a process of "rationalization" in which reason was understood instrumentally, in terms of regularity, predictability, the development of administrative and bureaucratic systems, and the ever-more effective mastery of both nature and human beings. "Reason" was considered a methodological practice applicable to the calculations of profit and loss, production and consumption, and human beings were also looked at as "rational" in this way: as atoms or units (whether individual or corporate) who calculated costs and benefits to themselves from their economic (and other) interactions and made choices on the basis of such self-interested calculations. The ends or goals to which human beings direct themselves, however, were considered non-rational or irrational. Reason was instrumental and involved a calculation of means to such ends. The ends, typically understood, were wealth, worldly success, power, and pleasure. The process of rationalization had created a materialistic civilization governed by deterministic instrumental, technical, and strategic forms of rationality.

A second institution studied by Weber that emerged as part of the same development of the early-modern paradigm was that of the system of territorially-based sovereign nation-states. As he points out, the elaboration of administrative and bureaucratic systems in these states, the keeping of accurate records, and the passage of private property and contact laws, vastly enhanced the advance of capitalism. And, as Karl Marx also forcefully pointed out, the governments of these nation-states served as agents promoting the advance of their respective capitalist ruling classes. Capitalism and the nation-state system became two sides of the same coin. As contemporary social scientists Terry Boswell and Christopher Chase-Dunn conclude: "A system of sovereign states (i.e. with an overarching definition of sovereignty) is fundamental to the origins and reproduction of the capitalist world economy" (2000: 23).

Scholars commonly recognize that this system of territorially bound sovereign states was first implicitly formalized in the 1648 Treaty of Westphalia at the heart of the development of the early-modern paradigm. This system involved the same set of assumptions that characterized the rest of the emerging global civilization based on this paradigm: the nation-states were conceived of as atoms, as inviolable territorial units that stood in external relations to one another. Each state was autonomous over its internal affairs, just as the early-modern paradigm looks at individual human beings as autonomous over their bodies and subjective thoughts and at corporations as autonomous over their employees (who obey the commands of management in the service of profits for investors).

Each state was independent in its foreign policy, and governed, it was assumed, by calculations of rational self-interest. Hence, like individuals and capitalist corporations, states were assumed to be governed by the same instrumental rationality that calculates self-interest in terms of non-rational values such as power, prestige, and economic advantage. The self-interest of smaller and weaker states is to ally themselves strategically with bigger, more powerful states, and the self-interest of bigger states is to prevail in the global competition for markets, resources, and cheap labor.

With the development of this early-modern paradigm, the Age of Static Holism had now been replaced by the Age of Fragmentation. The system of capitalism is considered an amoral system governed by impartial economic laws (while it was thought that individual capitalists, on the other hand, may or may not be moral persons). Atomistic corporations and self-interested individuals struggle in competition with one another in external relationships, following these economic laws. There is no cosmic, social, or moral unity embracing it all that generates a harmony of the whole, only absolute winners and losers. The same is true of the system of sovereign nation-states. They are in economic and political competition with one another, governed by strategic self-interest, and there is no effective system binding them all together that would prevent absolute winners and losers. War can destroy an entire country
and turn its remaining citizens into slaves of a foreign power. That is just the way things are in the amoral world of nation-state power relationships.

The conflict in both cases can become truly absolute, resulting in the death of millions: economic warfare can result in mass starvation for entire populations, and militarized warfare in the violent wiping out of entire populations. After perhaps 60 million dead in the Second World War, the Korean War is estimated to have killed between 1 and 2 million people, the Vietnam War killed 3-4 million people, with no end in sight for the war-system. There is no sense of a redeeming unity in diversity that might mitigate the carnage. Finally, as often pointed out in the critical academic literature, the economic competition and wars are far from independent of one another but are most often directly correlated (Petras and Veltmeyer 2005). Wars have always been about markets, resources, slaves, cheap labor, or oil. Capitalism and the system of sovereign nation-states form parts of a single world system based on fragmented and mechanistic early-modern premises.

Some Critiques of the Early-modern System.

P.S. Sorokin, in his well-known 1941 book, The Crisis of Our Age, contrasts the “Ideational” system of truth that predominated in Medieval thought, and its development as an “Idealistic” system of truth with the “Sensate” (empiricist) system that developed as the basis of the modern world. In the Sensate system, all knowledge, truth, and value are reducible only to what is confirmed by sensation, through empirical methods (1941:30-36). The crisis of the modern age is due to the fragmentation engendered by the Sensate system that attempts to reduce all truth and value to materialist and empiricist assumptions. He writes (in italics) that “from the integralist standpoint, the present antagonism between science, religion, philosophy, ethics, and art is unnecessary, not to mention disastrous” (318). We need to restore wholeness to human understanding and sensibility by restoring an idealistic or “integral” mode of perception: “Human reason likewise combines into one organic whole the truth of the senses, the truth of faith, and the truth of reason. These are essentials of the idealistic system of truth and knowledge” (82).

In 1941 Sorokin was writing with a clear awareness of the rise of the Nazis to power in Germany and of the horrific atrocities of the Stalinist Soviet Union. He was trying to penetrate to the core of the civilizational problem that can make such inhuman social systems possible. He sees these systems, as products of a fundamental civilizational paradigm that denies reality and value to anything beyond the sensate. For Sorokin, the integral orientation functions as a fulfillment both for civilization and for individual life. The “modern” world, as he found it in the mid-20th century, was a world of fragmentation and loss of meaning, a world in which both the holism of harmony, the integration of perception, reason, and faith, and awareness of the depths of existence were missing.

Similarly, in his 1931 book Man in the Modern Age, philosopher Karl Jaspers reflects on the facts of the degradation and diminishment of individual human beings by mass culture: “in the rationalization and universalization of the life-order there has grown contemporaneously with its fantastic success an awareness of imminent ruin tantamount to a dread of the approaching end of all that makes life worth living.... Man seems to be undergoing absorption into that which is nothing more than a means to an end, into that which is devoid of purpose or significance. But therein he can find no satisfaction. It does not provide him with the things which give him value and dignity” (62 & 83). Within a civilization which is effectively organized to deny the value and dignity of the individual, persons seeking the restoration of meaning and freedom in life will need to be in rebellion:

If man is to be himself, he needs a positively fulfilled world. When his world has fallen into decay, when his ideas seem to be dying, man remains hidden from himself as long as he is not able to discover on his own initiative the ideas that come to meet him in the world.... The mental situation today compels man, compels every individual, to fight wittingly on behalf of his true essence.... The first sign of awakening circumspection in the individual is that he will show a new way of holding himself towards the world. Selfhood or self-existence arises out of his being against the world in the world. (194-195)
For Jaspers, the quest to discover one’s “selfhood or self-existence” includes becoming open to the depths of being that define and empower that selfhood. There is a cosmic framework, Being itself, that defines and illuminates personal selfhood and provides a holistic framework of harmony with oneself and the cosmos. This same “Encompassing,” awareness of the depths of Being, could also provide a framework for harmony and peace within human civilization. However, modern mass culture, with its domination of technique and instrumental reasoning irrespective of any substantive meaning and value for human life, threatens the integrity of the human self. It must be opposed.

A third philosopher concerned with what I have been called the “age of fragmentation” was French thinker Jacques Ellul in his 1965 book, The Technological Society. The discovery of the mathematical structure of bodies in motion, and its applications to industrial and military uses, placed ever more power in the hands of the big capitalist corporations and the governments of militarized nation-states. As the analysis by Max Weber had shown, the purpose of the process of rationalization of society was power and the mastery of nature. As Martin Heidegger put this in his 1950 lecture “The Question Concerning Technology” (English publication 1977), the subject-object split in the modern world had developed into a division conceived of as “the autonomous will and its desires,” on the one side, and the world as “standing reserve” on the other. This split, reductionistic at both poles, is what passes for reality, according to Heidegger, in our age of “the oblivion of being.” An arbitrary “will to power” now faces a world that is simply a reserve for its manipulation and exploitation. No morality, no depth to being, no intrinsic values of any sort, no harmony.

Jacques Ellul examines our technological civilization from a similar perspective. Weber had already shown the predominance of instrumental rationality within the early modern paradigm. Ellul shows that technique, the extreme consequence of Weber’s process of rationalization, has become an end in itself. What was the means to the realization of human interests (following Bacon’s maxim that “knowledge is power”) has taken on its own imperative—the technological imperative—and now dominates civilization regardless of human wishes. It operates not only throughout the mega-corporations of capitalism but through those technological power-systems called sovereign nation-states. Ellul writes:

The interplay of the technical censorship with the pretended “anarchic” spiritual initiatives of the individual automatically produces the situation desired by Dr. Goebbels in his formulation of the great law of the technical society: “You are at liberty to seek your salvation as you understand it, provided you do nothing to change the social order.” All technicians without exception are agreed on this dictum. It is understood, of course, that the social order is everywhere essentially identical: the variation from democracy to Communism to Fascism represents a merely superficial phenomenon.… For a long time it was believed that technique would yield a harmonious society, a society in equilibrium, happy and without special problems. This society would resign itself to an easy life of production and consumption based on an untroubled commercial ideology. This model of bourgeois tranquility seemed to correspond exactly to the preoccupations of technology. The *summum bonum* was comfort, and the ideal type was capitalist Switzerland or socialist Sweden. The sudden plunge of the technically most advanced societies into war and mutual destruction was a rude awakening for the bourgeois. An aberration? Scarcely. It had been forgotten that technique means not comfort but power. The bourgeois countries had developed their technical systems at a comfortable pace, until these systems had fully exploited their possibilities of orderly growth. Then technology, with its accelerated tempo, took over. The smaller nations were unable to keep up. And the great technical countries had willy-nilly to abandon their languid pace so they can accommodate themselves to the real tempo of the technical society. The result was that disproportion between the leisurely bourgeois mentality and the explosive tempo of technique to which we give the name war. A by-product of this ecstasy was a certain mystique. The American myth was born, presenting exactly the same religious traits as the Nazi or Communist myth. But it is different, as we have often noted, in that it is still in a spontaneous phase; it is not yet organized, utilized, and developed technically. (1965: 420-22)
Writing in 1965 of the myth of American exceptionalism, superiority, and manifest destiny, Ellul remarks that the American myth was not yet organized under the totalitarian imperative (as happened to Germany under the Nazis and the Soviet Union under Stalinism), a totalitarian imperative that is the consequence of the supremacy of technique, for all technique is fundamentally about power. During the Cold War, the US claimed it felt “forced” to build ever-more weapons of mass destruction (even though most thoughtful people were aware that substantial use of these weapons would wipe out civilization and possibly humanity itself (Harris 1966)). Ellul points out that the imperative to manufacture these doomsday weapons goes substantially deeper than Cold War fears of an implacable enemy. The technological imperative is a power imperative, inherently totalitarian. Today, Ellul’s insight is substantially more compelling as we witness the wiping out of the bourgeois culture of personal freedom in the US, the militarization of its police forces, massive government secrecy, and the implementation of totalistic system of surveillance (Roberts 2014).

If it was possible to use newly invented nuclear weapons to wipe out entire cities with a single bomb (even though Japan was clearly defeated with the entire city of Tokyo having been destroyed by firebombing six months earlier), the likelihood was that they would be used. If it was technologically possible to wipe out the Iraqi army (or that of some other small country) in just days, to invade and destroy an entire country using the “shock and awe” of impressive weaponry, the chances are that this would be done, regardless of the human consequences. If it is technically possible to spy on all worldwide communications through massive NSA computer systems, it is likely that this would happen.

The technological imperative, originating in the dominance of instrumental reasoning described by Weber—an instrumental-power imperative itself rooted in the early-modern paradigm of mechanism and materialism—has come home to roost in a growing worldwide system of human enslavement: the loss for freedom and the loss of meaning. The dominators are clearly enslaved to the technological imperative of power, just as much as their victims are enslaved to the dominators. Systematic use of torture and humiliation follow naturally from such a paradigm. The early-modern paradigm provides no grounds for harmony. Its ultimate implication is ultimate disharmony: war, injustice, destruction of the environment, and totalitarianism.

The Age of Evolutionary Holism and the New Universe Story (Today’s Emerging World View).

The natural and social sciences of the 20th century experienced a paradigm shift—across the board—from atomism and mechanism toward evolutionary and emergent holism. It has dawned on scientists that everything evolves: from the universe itself to galaxy clusters, galaxies, solar systems, planets, biospheres, species, individual living things, societies, institutions, and psyches. Yet at the same time, this evolving universe exhibits a seamless wholeness, manifested in all its evolving parts, the parts themselves participate in “fields” or overlapping levels of wholeness. The paradigm shift to holism in the sciences began as far back as 1905 with Einstein’s theory of special relativity in which he showed that none of the fundamental aspects of the cosmos, such as space, time, matter, motion, and energy, can be understood separately, independently from the rest. From that time forward, one discovery after another has confirmed the holism in human society, in the human species, in all of nature, and in the cosmos itself. This work is summed up in such books as Fritjof Capra’s *The Tao of Physics* in which he writes:

Quantum theory has abolished the notion of fundamentally separated objects, has introduced the concept of the participator to replace that of the observer, and may even find it necessary to include the human consciousness in its description of the world. It has come to see the universe as an interconnected web of physical and mental relations whose parts are only defined through their connections to the whole. (1975: 142)

Here we find the negation of all the fundamental elements of the early-modern paradigm and the rationalized world described by Max Weber. Instead of objective, independent observers, scientists are now “participators.” Instead of atomism, there is no notion of fundamentally separated objects. Instead of materialism and the
elimination of mind from the sensate world, human consciousness is now an inseparable part of the unity. Instead of external relationships that characterize autonomous objects in relation to other such objects, we find “a web of physical and mental relations whose parts are only defined through their connections to the whole,” in other words, we find that the world and all its parts are characterized by “internal” relations, not external ones. When there is a change in one part, there are changes in other parts and in the whole, for reality is a seamless web of relationships. The technological imperative of power for power’s sake is fundamentally flawed and in complete contradiction to the deeper scientific reality that emerged during the 20th century.

Chapter Three of my book Ascent to Freedom quoted many contemporary sources concerning this holism, now conceived as an “age of evolutionary holism,” and I will not repeat this material here. However, the universe story, as told by contemporary cosmologists, is one in which the higher and more complex forms of life, including human beings and human consciousness, emerged as part of the process of “complexification,” from the evolutionary development of the whole as a moving and developing but nevertheless seamless web. We have regained the holism of the ancient world at a higher and much more sophisticated level. As beings capable of openness to the future, we are capable of embracing this new paradigm and moving to a transformed, emergent relation to existence.

We have moved conceptually, in the words of Swimme and Berry, “from an abiding cosmos to an ever-transforming cosmogenesis” (223), a cosmogenesis in which the emergence of human beings was not an accident in a randomly developing evolutionary process. Rather, “this story incorporates the human into the irreversible historical sequence of universe transformations” (238). In other words, human beings as a single, emergent-evolutionary species, are constituted not only as body-mind wholes but are integral to the evolutionary structure of the cosmos itself. Fragmentation is overcome and celebration of the depths of existence can begin.

But perhaps celebration would be premature, since this new paradigm of wholeness has not penetrated into the practices and institutions of civilization. The power of capitalism, the system of sovereign nation-states, and instrumental-technological rationality remain entirely entrenched. Even though we understand that we are committing planetary suicide, people refuse to give up either capitalism or sovereign states. As philosopher Errol E. Harris puts this in his 2000 book, Apocalypse and Paradigm:

If the implications of this scientific revolution and the new paradigm it produces are taken seriously, holism should be the dominating concept in all our thinking. In considering the diverse problems and crises that have arisen out of practices inspired by the Newtonian paradigm, it is now essential to think globally. Atomism, individualism, separatism and reductionism have become obsolete, are no longer tolerable, and must be given up. This does not mean that analysis is useless, or that the examination of detail is unnecessary, but it does mean that reduction to least parts and examination of these will not by itself afford explanation of the structure of the whole they constitute. (90)

In The Universe Story, Swimme and Berry tell the story of a universal holism “from the primordial flaring forth to the Ecozoic Era, a celebration of the unfolding of the cosmos.” The whole story, as it has been discovered in the 20th century, is indeed the holistic story. The early-modern paradigm, a mere four or so centuries in duration, was an aberration, a discordant note, within the symphony of the whole story. They refer to it, we have seen, as the “Technozoic” era: “The greater part of contemporary industrial society, it seems, is oriented to the Technozoic rather than to the Ecozoic. Certainly the corporate establishment, with its enormous economic control over the whole of modern existence, is dedicated to the Technozoic” (249-250).

Like Sorokin, Jaspers, and Ellul, they recognize the Technozoic as “a deep cultural pathology” (251) and emphasize a transformed mode of consciousness: communion, relationship, sharing, participatory, and open to the depths of the cosmos in a way “that seems to be a new comprehensive context for all religions” (255). The universe evolves in an emergent evolutionary fashion, and its miraculous unfolding can inspire our peaceful and celebratory transformation to people in harmony with one another and with the natural world. Disharmony (in the form of war, exploitation, violence, power relationships, destruction of nature, and the objectification of others inuring us to their
suffering) is overcome within the new, holistic paradigm embracing individuals, human civilization, the natural world, and the cosmos. Harmony prevails and internal relationships emerge into mindful awareness. We are one with one another and with nature within an immense web of unity in diversity.

The world, now understood as a holistic web of relationships, is a world in which all things exist in interdependence. In her book *A Systems View of Education*, Bela H. Banathy defines “interdependence” as follows: “interdependence of components within a system means mutual reliance and signifies that change in one component brings about change in others” (188). In his 1996 book, *The Web of Life: A New Scientific Understanding of Living Systems*, Fritjof Capra characterizes the ecological model in relation to the concept of interdependence: “Interdependence—the mutual dependence of all life processes on one another—is the nature of all ecological relationships. The behavior of every living member of the ecosystem depends on the behavior of many others. The success of the whole community depends on the success of its individual members, while the success of each member depends on the success of the community as a whole” (298).

In *The Liberation of Life* (1990), Charles Birch and John B. Cobb, Jr. write:

> The ecological model proposes that on closer examination the constituent elements of the structure at each level operate in patterns of interconnectedness which are not mechanical. Each element behaves as it does because of the relations it has to other elements in the whole, and these relations are not well understood in terms of the laws of mechanics. The true character of these relations is discussed in the following section as ‘internal’ relations.... Internal relations characterize events. For example, field theory in physics shows that the events which make up the field have their existence only as parts of the field. These events cannot exist apart from the field. They are internally related to one another. (1990: 83 & 88)

The new universe story, now understood by scientists worldwide (the implications of which have not yet transformed our dominant institutions or patterns of thought), is the story of evolutionary and emergent holism. The dynamic evolutionary movement from the primal flaring forth to the present exhibits two interrelated dimensions of holism: first, the world exhibits an abiding deep unity constant throughout our 14 billion year history, what holistic thinker Ervin Laszlo calls the “Akashic Field,” with reference to the abiding cosmic plenum described in classical Hinduism. Werner Heisenberg writes that “the world thus appears as a complicated tissue of events, in which the connections of different kinds alternate or overlap or combine and thereby determine the texture of the whole” (in Harris 2000b: 86). Second, the world appears as an emergent process of complexification in which holism emerges on evermore advanced levels, the most complex of which known to us is the human level. Paleontologist Pierre Teilhard de Chardin writes:

> I doubt whether there is a more decisive moment for a thinking being then when the scales fall from his eyes and he discovers that he is not an isolated unit lost in cosmic solitudes, and realizes that a universal will to live converges and is hominised in him. In such a vision man is seen not as a static center of the world – as he long believed himself to be – but as the axis and leading shoot of evolution, which is something much finer. (1955: 36)

Philosophical cosmologist Milton K. Munitz writes: “The universe and human life are coupled. If we are to understand either, we need to move in both directions: from the universe to man and from man to the universe, since they are mutually involved in a very special way” (1986: 237). And theologian Jürgen Moltmann writes:

> The new emergence theories break down this frontier in the concept of evolution. They tell us that something new does come into being which cannot be explained from the already given components.... The whole is a new organizational principle, which makes parts out of particles and links the parts to the whole and to one another.... And in each qualitative leap we cannot explain the new whole from the given parts. (2012: 125)

The biosphere of the Earth is a whole that transcends the sum of its parts. Our common humanity and the human project are wholes that transcend the sum of their parts. And the evolutionary emergence of human life is linked to the holism of the cosmos itself. The meaning and dignity of the parts derives from their relationship with...
Part Two: Holism and Ethics.

The ethics of holism is scientific and cosmic, reflecting, as it does the fundamental holistic principle of the universe as discovered by contemporary science. It recognizes human beings as integral to the cosmic process, not a mere accident of despair and hopelessness as modelled, for example, in much of existentialism. A human being represents a new whole which is “a qualitative leap” that cannot be explained in terms of its parts. The ethics of holism encompasses traditional ethics but goes beyond the anthropocentric orientation of traditional ethics to affirmation of this cosmic framework, which means, we have seen, that a tremendous revolutionary hope is arising in humankind: the realization that “practical utopia” is indeed possible. Our gigantic hope is based on the vision of the very real possibilities for a new world, new institutions, and a new era of peace, justice, and sustainability for our planet.

Unlike traditional virtue ethics (formulated by thinkers such as Aristotle, Aquinas, and John Finnis), the ethics of holism understands human flourishing not as anthropocentric, linked only to claims about “human nature,” but as truly universal and cosmic. The principle that animates human reason is also the fundamental organizational principle of the cosmos itself. The universe is not only organized as a series of ever-more complex and evolving systems of parts within wholes up to, and including, the ultimate, encompassing wholeness of the cosmos itself, but human beings are themselves such wholes as individuals while at the same time parts functioning within the holism of the human species, nature, and the cosmos. Human reason both discerns this holism everywhere in nature and is itself a manifestation of it. The drive (or telos) within nature is toward ever-greater forms of holism and the drive or telos within us is likewise toward ethical and intellectual holism.

As we have seen, holism means that mind, just as much as matter, is now understood as integral to the emerging complexity of the universe. This means that human desires and emotions must be included within the scope of our ethics, not separated off from the rational moral will as Kant insists in his 18th century ethics. Kant’s “categorical imperative” (1964) correctly understood the intrinsic dignity of human beings. Recognizing this dignity, reason commanded that one should “always treat every person as an end in themselves, never merely as a means.” This is indeed a fundamental principle of ethics.

However, Kant conceived of the body and its desires as part of the determined, mechanistic, empirical world. Morality required that we do our duty “regardless of our inclinations.” Holism overcomes this dualism between rationally willed ethical principles and irrational emotions and desires. As John Finnis affirms in his 1983 book Fundamentals of Ethics: “when we fill out Kant’s inadequate conception of humanity that must be respected in every act, and identify basic goods intrinsic to humanity...we are not adulterating or diverging from the principle of respect for persons. We are simply treating persons in their non-dualistic wholeness” (125).

A fundamental concept in this new ethics is harmony. Unlike deontic and Kantian ethics, the ethics of holism does not create a dualism between the mind and body, nor between reason and human inclinations. It heals these problematic dualisms that have plagued much ethical thought for centuries. Similarly, unlike the alternative modern ethical tradition of consequentialism or Utilitarianism (formulated in the 19th century by Jeremy Bentham and John Stuart Mill and followed today by thinkers such as Garrett Hardin and Peter Singer), holistic ethics does not sacrifice the integrity of human beings: who can be used as a means for some imagined ideal end under the maxim: “what is
right is what promotes the greatest good of the greatest number of people.” There is no temptation to sacrifice this person or these people for the greater good of some abstract majority. Holism sees every human being as having intrinsic dignity, a dignity that does not separate us from the rest of the empirical world (as does Kantian ethics) but unites us to the dignity of existence inherent in all things.

The human mind, like the human body, reflects the holism of nature and the universe and, in turn, discerns this holism. Mind and body are not two different kinds of things but two aspects of one emerging reality. Fact is no longer separated from value, for what is valuable is now discerned by science and reason as holism and harmony: cosmic, ecological, economic, social, and personal harmony. The intrinsic dignity of parts cannot be separated from the intrinsic dignity of wholes. Errol E. Harris writes:

The new metaphysic abolishes the opposition of fact to value, for the criterion of truth and value is the same: coherent order and unity. No fallacy is involved in deducing what ought to be, and to be done, from the general nature of the world and its organizing principle, which, when it becomes self-conscious, characterizes and defines human nature. For what ought to be done is what promotes health, unity, and harmony, as well in the biosphere, as in human history. (2000a: 261-62)

The pervasive positivism of much political and ethical thought throughout the past century has derived from the unbridgeable distinction between fact and value, between what is the case and what should be the case. This distinction was made by such thinkers as Kant and Hume and is integral to the early-modern paradigm. This paradigm, we have seen, found no place within its epistemology of objective observation and empirical testing for the human mind. A trained observer ignored his or her values, feelings, and personal beliefs and just observed the facts. Subjective thoughts, feelings, and desires had nothing to do with the objective facts. Within the objective set of facts, no value was observed, attributions of value were considered merely subjective assessments imposed upon the impersonal reality of the situation.

However, the contemporary holistic paradigm has discovered that the human mind is an integral part of the reality investigated by science, that is, an integral part of the holism of the world, a “participator” as Fritjof Capra puts it, not simply an objective observer. Mind has emerged from this process of evolutionary holism just as much as have life, sensation, perception, and feeling. Mind makes value judgments and some of these, at least, derive from its being an expression of the fundamental organizing principle of the universe. The holism and rationality of the mind embody the same holism and rationality that are manifest in the order of nature. Holism, we have seen, means that we participate in internal relations with other people, nature, and ultimately all things. Mind is no longer divorced from nature, and fact and value are now understood as integral aspects of the same holistic reality.

The consequence of this is that harmony and holism themselves have become the new “categorical imperative” of ethics. Our responsibility is to discern our internal relationships with others and with the orders of living and natural things. From this careful assessment of these relationships, we can discern the principles of ethical action and apply these to specific situations. What attitudes, actions, and institutions promote harmony in the family, the community, the nation, and the world? We confront a world of particular cultures, races, nations, and individuals that often appear antithetical to one another, but emergent and evolutionary holism discerns the larger patterns of wholeness and acts to unite the particulars into ever more encompassing harmonious wholes in ways that do not deny the integrity of the particulars but rather fulfills them.

What kind of human actions promote the integrity and harmony of the biosphere? Again we find that the biosphere cannot be protected both while human actions are not in harmony with its delicate ecological patterns but also while human beings themselves remain fragmented and divided from one another. What kind of political and economic institutions promote harmony with nature as well as integrity and harmony among human beings? What is a sustainable relationship to the ecology of the Earth? The two aspects necessarily go together.
The holistic emphasis is on the study of relationships with a view to maintaining, enhancing, and enlarging their harmony. The emphasis in ecology is on understanding the fields of interrelationships and interdependencies and conforming human activity to these patterns. The emphasis in human relationships is on seeing the issue from the point of view of the other person, culture, or nation with whom I realize I am internally related. We look for mutualities, larger unities, and commonalities that unite us, and then work to actualize these in ways that are mutually fulfilling.

The first principle of an ethics of holism is, therefore, to realize that the other is you and you are the other on a very fundamental level. We are already established in fundamental commonalities and need to evolve these commonalities into actualized, living wholes. The truth of this process is revealed in a variety of ways in today’s thought (for example, in Marshall Rosenberg’s principles of nonviolent communication (2005)), and it needs to be elaborated and articulated systematically in ways that go beyond this paper. Already, philosophers of language such as Steven Pinker (1995), Noam Chomsky (1998), and Jürgen Habermas (1998) have shown the universality of language and its necessary connections with the selfhood of each of us. My self cannot be divorced from the human capacity for language that is part of our universal humanity. Similarly, biologists have shown that all human beings are 99.9 percent genetically identical, and psychologists have shown that an amazing communion of human consciousness is possible between people (Laszlo 2007).

On these holistic principles, my relationship with other persons will be internal relationships, not external as currently assumed. This means that my actions, beliefs, and goals affect the other and those of the other affect me, not simply externally but in our very being. My consciousness of myself is no longer that of an egoistic atom promoting my selfish interests, but that of a cooperative participator, working with others to enhance the emergent well-being of all. We are internally related with one another and with the whole of humanity. The principle guiding action should be that of harmony, operating at all levels, from the personal to the family to the nation to the world.

The traditional expressions of the Golden Rule, found in all the great world religions (see Hick 2008), could form an early expression of this principle. But the ethics of holism would need to go deeper: it is not only a matter of doing to others what you would want done to you, but also the realization that what you do unto others you are doing to yourself. Mahatma Gandhi, in seeing every person as an expression of the Atman, lived from one understanding of this principle. Nonviolence is mandatory because the other person in a very real sense is me and I am him or her. Gandhi’s ultimate goal was to actualize this awareness in the world. Satyagraha (clinging to truth) was his principle of action for creating ever-greater wholes and ever-deeper harmony on Earth.

Something similar is expressed by Socrates’ famous principle that “it is better to be a victim of evil than to do evil.” For Socrates, if I harm you I am simultaneously harming myself, since both of us exist in internal relationships with one another, mutually participating in the “Good” (Agathos) that transcends us both. If I do evil to you, I am violating my own selfhood as well as yours, for we are united in deeper ways that transcend our apparent differences. There are some excellent contemporary formulations of a “global ethics” that articulate implications of these first principles, for example, the universal ethics suggested by Leonard Swidler and Paul Mojzes in their book The Study of Religion in the Age of Global Dialogue (2000: 288-294). They correctly speak of both the Golden Rule and the “inherent equal dignity” of all persons and derive from this the Kantian principle that each person always be treated as an end, never merely as a means. These are various expressions of an ethics of holism.

Since nothing is excluded from the ethics of holism, it is clear that political life within democratic societies, international relations between nations, as well as economic and business relations, must be guided by ethical principles of holism and harmony. Harris compares the ethics of holism to the universal principle of love (agape) taught by Jesus: “Genuine rational love, therefore, must extend to the entire human race.... Love of neighbor, in the full sense, transpires as love of the entire community and devotion to the ideal Kingdom of Ends” (1988: 163-64). Jesus taught the bringing of the Kingdom of God to Earth. Similarly, Kant taught that the social implication of the
categorical imperative (that every person be treated as an end in themselves) is the ideal of the “Kingdom of Ends,” the ideal of a union of all human beings in a community of moral relationships. Harris is stating that the ethics of holism, of rational love, implies the ideal of a moral world order of freedom, peace, justice, and harmony. Holism thus points to the vision of one world system organized around the principles of peace, harmony, and sustainability (Harris 2005).

Implicit in the new holistic paradigm is the vision a cooperative and participatory world order in which war and exploitation have been abolished and replaced by peace, cooperation, and mutual economic and political efforts for the common good. And, indeed, it must be a world order, rather than one fragmented into warring economic and political units. The world of the early-modern paradigm, fragmented into conflicting national power interests and a multiplicity of conflicting economic interests, is gone forever from the most advanced conceptual and scientifically confirmable levels. A true world order emerges that has truly emergent properties due to its higher level of wholeness and integration.

The Present World Disorder as the Denial of Internal Relationships.

Yet the nightmare of conflict and disharmony remain very much with us today in the form of the system of militarized sovereign nation-states and the exploitation and domination of global capitalism. Right from the very beginning of this system, Western thinkers have pointed out that the nation-state system is inherently a war system. It is not that nations sometimes go to war to promote their interests. Rather, the system is structured to make strategic manipulation, deception, and ultimately war inevitable in the relations between nations. Thomas Hobbes maintained that all nations confront one another in the “posture of Gladiators.” Baruch Spinoza pointed out that “Two [sovereign] states are enemies by nature.” G.W.F. Hegel saw the relation of states as a conflict of wills that, ultimately, “can only be settled by war.” Immanuel Kant concluded that sovereign nation-states were in a perpetual condition of “war” even when they were not fighting one another (in Martin 2010a: 73-74).

The international structure is premised on an absolute atomism of sovereign nation-states engaged in an amoral and immoral struggle of conflicting interests and power politics. So also, the global structure is dominated by transnational corporations with conflicting interests and competing with one another for control of cheap resources, markets, and cheap labor. Both sovereign nation-states and capitalist corporate entities claim to stand primarily in external relationships to their competitors and to their victims. We have seen that this idea of the primacy of external relationships is a delusion of the early-modern paradigm. But this paradigm is still defended around the world by outdated positivists, academics, and pundits who place their professional lives in the service of arbitrary power and wealth.

Indeed, there have been many attacks on the tradition of liberal social democracy in recent decades. The tradition of social democratic liberalism (which has many links to holism) tends to assume, first, that politics is and should be an extension of morality and, second, that government should regulate the economy in order to promote the common good and benefit as many citizens as possible. These attacks on social democracy have come from both directions, political and economic. On the one hand, theorists of unfettered capitalism, like Joseph Schumpeter and Friedrich von Hayek, have argued for a free market ideology, removing government interference as much as possible from what they claim as truly free markets. They affirm a competitive world animated by external relationships.

However, as Christian thinker Enrique Dussel points out in his 1986 book Ethics and Community, the rich, under the capitalist system try to deny their internal relationships with the poor, internal relationships that should be and are expressed within genuine “communities.” In their insistence on external relationships, on their “right” to enjoy the wealth they have accumulated at the expense of the poor, they deny the human community, even though ultimately they cannot deny their responsibility for this horrific situation:
The life of the poor is accumulated by the rich. The latter live the life of the rich in virtue of the death of the poor. The life of the sinner feeds on the blood of the poor, just as the idol lives by the death of its victims. The strength, wealth, beauty, culture, and so on, of the dominant group to which one belongs is consciously known, enjoyed, and affirmed. Humiliation, weakness, cultural deprivation, serfdom, and so on, are consciously known and consented to by the despised poor. Thus it is that, day by day, dominators take on personal, individual responsibility for their sin of domination. After all, they daily assert the privileges and the potential (the opportunities) accruing to them in virtue of this inherited sin. And never again will dominators be able to claim innocence of that of which they have the use and enjoyment. (22-24)

Capitalism has been institutionalized as a system that supposedly operates according to objective, impersonal, amoral economic laws. Those who benefit from this system hide behind the ideology of impersonal economic laws to deny their personal responsibility for living off the blood, misery, and death of those whom the system uses to produce their wealth. The system emphasizes external relationships, embodied in the blind, mechanical operation of economic laws, behind which the rich take shelter. It denies the real internal relationship at the heart of capitalism. Dussel makes this relationship explicit: “the life of the poor is accumulated by the rich.” Their wealth is the condition of your poverty. Liberal social democracy (brought now to a global vision through the new holistic paradigm) takes issue with this deception. It insists that both economics and politics fall within the scope of universal morality, the morality of social justice, peace, and universal harmony. Government and politics fall within the scope of morality and they are responsible to see that economics is also regulated by moral principles.

Attacks against liberal social democracy not only come from the advocates of an unfettered “free market” but also from political theorists like Carl Schmitt and Hans Morgenthau, who argue that there are major differences between morality and politics. Schmitt (who was the chief legal theorist for the Nazi regime) makes the argument that the democratic ideal of rational discussion among informed parliamentarians concerning the content of laws, the common good, and the best way to proceed into the future involves a false ideology obscuring what is really going on: the struggle among the parties for power and influence. Morality therefore plays no part in politics. Since law is inevitably general, Schmitt declares, its specific applications require an arbitrary decision by some authority, whether judicial, legislative, or executive. Thus dictatorship, the development of “the total state,” he asserts, is more realistic and preferable to democracy. It effectively actualizes the inherently indecisive character of the law through issuing commands, enforceable by the authorities (1988).

Morgenthau also asserts the primacy of power in his “six principles of political realism” developed in his 1948 book Politics Among Nations: The Struggle for Power and Peace. Morgenthau’s theory involves a form of positivism claiming that political realism derives from objective laws of human nature, not from moral ideals. The objective laws of human nature, when applied to international politics, reveal that the interests of nations are defined in terms of power. Moral ideals do not apply in international relations, only power politics: the strong dominate the weak, might makes right. The system of sovereign nation-states constitutes the objective structure of world order through which the struggle for power in the service of national self-interest takes place. This is the human situation, according to Morgenthau, and the attempt to moralize this situation only leads away from objectivity toward subjective relativism and skepticism.

The many followers of such political realism today (as manifested in the worldwide relationships among nations) show that the fragmented early-modern paradigm is far from dead. On the other hand, holistic thinker Errol E. Harris writes:

The notion of the field is holistic, for every variation in the field is determined by the pattern of the whole and is necessarily and inseparably connected with every other, and the field in principle extends over the whole of space-time. In wholes such as this, whose parts determine one another mutually and are interrelated in an ordered system, all relations are internal to their terms, a condition firmly established by the theory of relativity. (2000b: 77-78)

Ethics and politics have never justifiably been separable, for the common good of the whole is as much a political as a moral end. Hence political obligation has a moral source which is not just the obligation to fulfill a contract but is the
universal duty to serve one another and the good of the social whole…. It follows that the determinant of personality and its rights is the sociopolitical whole, and the result of thinking holistically in politics is far different from that of the individualism of the seventeenth century. (104 & 106)

The economic health and success of every country is dependent on that of all the others, so the world economy has to be seen as a single system and must be treated as a whole. Further, the conception of profit must be transformed: It must be socialized rather than individualized. Production and supply have to be viewed as a cooperative enterprise rendering service to the community, rather than a venture undertaken for personal gain. (107)

Morality is no longer considered a mere subjective feature of human emotions operating within an objective, value-free material world. It is an aspect of the internal relationships that all things have with one another. The absolute mind-body dualism has disappeared, as well as the reductionism of mind to matter, and with these the value-fact dualism. Out of the new, holistic scientific paradigm there arises a new ethics, a new politics, a new economics, and a new conception of human life and civilization.

A fundamental feature of our global crises today is that both capitalism and the system of sovereign nations institutionally deny this contemporary scientific understanding of holism, and, as we have seen, they have many articulate followers and spokespersons. Our future depends on rapidly converting to the new paradigm of holism and harmony: personally, culturally, ecologically, and institutionally. The institutional conversion is crucial. It will not avail us if people personally and culturally embrace holism while remaining globally organized according to capitalism and the system of sovereign nation-states. We need new global institutions with a new, global government and universal rule of law. In the third part of this paper I try to elucidate these new holistic concepts of government and law.

Part Three: Government, Law, and Education for Harmony

The fundamental issues with respect to the nature of government in relation to citizens have been elucidated at length within the tradition of political philosophy, especially from the time of Spinoza, Hobbes, and Locke in the 17th century to the present. What is the source and justification for the authority of governments to make mandatory, binding laws for their populations and to claim a monopoly on the use of force in the administering of those laws? What rights do people retain with respect to the monopoly of authority and force claimed by the government, and where do these rights come from? What is the relation between the will of the people, or the common good of the people, and the authority claimed by governments? Where does sovereignty lie and how is it manifested? What is the relationship between ethics and politics?

Although the new ethics, politics, and economics goes beyond traditional liberal social democracy in some ways, that tradition, we have seen, is a good place to begin, both because of its understanding that ethics universally applied to both politics and economics, and because of its emphasis on the role of government and law in relationship to social harmony. One key to understanding the relevance of this tradition involves its concept of “positive freedom.” Positive freedom derives from the understanding that society is not simply a collection of atomistic individuals as 17th century political thinkers of the early-modern paradigm (like John Locke) would have it. Rather, personality, individuality, is a product of society. You cannot separate particular individuals from the whole (claiming they have a priori, natural rights prior to society), for the whole and part mutually actualize one another and parts are only made possible by their relation to the whole.

Forerunners of Legal Holism.

British philosopher Thomas Hill Green, for example, repudiates class society arguing that “no body of men should in the long run be able to strengthen itself at the cost of other’s weakness.” The end or goal of society “is what I call freedom in the positive sense; in other words, the liberation of all the powers of men equally for contributions to a common good” (1964: 53). This means that society should be organized to maximize my freedom to develop my
personal potential within a flourishing life, but this level of freedom can only exist when persons develop “the conception of a well-being as common to self and others” for “the right is one that belongs to every man in virtue of his human nature” (1964: 139).

For Green, as for Hegel, Ernest Barker, John Dewey, Jürgen Habermas, and others in this tradition, the inseparability of human society from individual persons, that is the holism of humanity, means that government is only legitimately founded and maintained as a vehicle for maximizing positive freedom. We are in a holistic situation in which the maximization of my liberty depends on the common good of all humanity and a social order organized so as to promote the maximum of everyone’s liberty. The liberty of all and my liberty mutually empower one another. My internal relations with all other human beings make this conclusion clear and decisive. Barker writes:

So far as the society of selves exists by formal rule, it exists as a scheme for the adjustment of relations...; and while each is thereby limited for the sake of the freedom of all, each is also secured in a guaranteed freedom of action which he would not otherwise possess. This involves a system of law, intended to secure free agency and the conditions of such agency.... (1967: 18)

But no organization is absolutely justified even if it promotes the freedom of all its members—but promotes their freedom only. It may do that, and yet be inimical to a broader liberty. That is why each partial organization needs the criticism of some higher organization, and why, ultimately, all other organizations of men come to the bar of the organization of all men, if that can ever come to pass. We can imagine a high measure of general liberty under a system of national societies and national States. We can imagine a perfect liberty only in a world society and a world State. (1967: 28)

Barker here recognizes two essential features of the legitimate rule of law. First, law must serve human freedom in the recognition that the social whole (the organization of society as a whole under democratic government) is the true source of the liberty of all the individuals within society. Second, any territorially bounded society will be necessarily limited in the freedom that it can provide to its members by external relations of competition, scarcity, war, mistrust, economic pressures, etc. We can only conceive of a truly maximized and perfect liberty if government is organized to ensure the freedom of all human beings everywhere. The function of law (for all human beings) is to maximize liberty, and this function cannot be fully actualized within limited, territorially bound states that structurally and institutionally deny the wholeness of humanity.

For American philosopher John Dewey, the concept of democracy is equivalent with the actualization of our potential as human beings. Just as each person is a “personality” with a potential for actualizing his or her capacities for free flourishing, so the human species has the capacity for creating a world in which freedom, peace, justice, basic equality, and individual flourishing have been institutionalized for all of civilization. Dewey writes:

For Democracy signifies, on one side, that every individual is to share in the duties and rights belonging to control of social affairs, and, on the other side, that social arrangements are to eliminate those external arrangements of status, birth, wealth, sex, etc., which restrict the opportunity of each individual for full development of himself.... As an ideal of social life in its political phase it is much wider than any form of government, although it includes government in its scope. As an ideal, it expresses the need for progress beyond anything yet attained; for nowhere in the world are there institutions which in fact operate equally to secure the development of each individual, and assure to all individuals a share in both the values they contribute and those they receive. Yet it is not “ideal” in the sense of being visionary and utopian; for it simply projects to their logical and practical limit forces inherent in human nature and already embodied to some extent in human nature. It serves accordingly as the basis for criticism of institutions as they exist and of plans of betterment. As we shall see, most criticisms of it are in fact criticisms of the imperfect realization it has so far achieved. (1963, pp. 497-498)

Democracy, in a word, is a social, that is to say, an ethical conception, and upon its ethical significance is based its significance as governmental. Democracy is a form of government only because it is a form of moral and spiritual association. (1993: 59)

From this central position of personality result the other notes of democracy, liberty, quality, fraternity,—words which are not mere words to catch the mob, but symbols of the highest ethical idea which humanity has yet reached—the idea
that personality is the one thing of permanent and abiding worth, and that in every human individual there lies personality.... Equality, in short, is the ideal of humanity; an ideal in the consciousness of which democracy lives and moves. (1993: 62-63)

The notion that organized social control of economic forces lies outside the historic path of liberalism shows that liberalism is still impeded by remnants of its earlier laissez faire phase, with its opposition of society and the individual.... Earlier liberalism regarded the separate and competing economic action of individuals as the means to social well-being in the end. We must reverse the perspective and see the socialized economy is the means of free individual developments as the end. (1993: 151)

Because Dewey's starting point is the holism of humanity, the ideal of democracy is a planetary ideal, implicit in human intelligence and personality. Democracy, he says, is "equivalent to the breaking down of the barriers of class, race, and national territory which kept men from perceiving the full import of their activity" (1993: 110-111). It involves seeing "the secondary and provisional character of national sovereignty" and emphasizing the superior value of the democratic ideal in which "the fuller, freer, and more fruitful association and intercourse of all human beings with one another must be instilled as a working disposition of mind" (ibid.: 120).

Government and the rule of law arise from this planetary ideal. Government starts from the social whole, the wholeness of humanity in which each human personality participates. From this it derives its moral character (it must maximize positive freedom for all persons) and its treatment of economics as an extension of this moral character (it must socialize economics for the benefit of all and end privatization for the benefit of the few). As with T.H. Green and Ernest Barker, Dewey's holism elaborates into a holistic ethics, politics, and economics. Governmental and social harmony does not eliminate personal freedom or development of the human personality. Rather, the harmony arising from the recognition of internal relations makes this development possible.

The wholeness of humanity demands that it be actualized in a planetary democratic government. At the same time that government expresses the holism of civilization, government is itself also an emergent principle of wholeness that must be actualized. Government binds people together within a common legal framework that is more of a cohesive whole than a society, culture, or civilization without government.

German philosopher Jürgen Habermas presents a contemporary version of social holism that sees human autonomy, personality, and moral capacity as arising from language: our distinctively social matrix in which all human beings share (1971: 314). His theory of communicative action and his prolific writings spelling out the implications of this theory result from this insight. Language itself carries the rudimentary requirements for a universal ethics independent of human subjectivity. Here is another way in which the is-ought dichotomy is overcome. Human equality is presupposed in the communicative structures of language itself and results in universal ethical principles that include both politics and economics. Habermas writes:

"A universalistic understanding of law and morality rests on the assumption that there is no definite obstacle to egalitarian interpersonal relations. Of course, our societies are marked by manifest as well as structural violence. They are impregnated by the micropower of silent repression disfigured by despotic suppression, deprivation of political rights, social disempowerment, and economic exploitation. However, we could not be scandalized by this if we did not know that these shameful conditions might also be different. The conviction that all actors, as persons, obtain the same normative status and are held to deal with one another in mutual and symmetrical recognition rests on the assumption that there is, in principle, a reversibility to interpersonal relationships. No dependence on another person must be irreversible. (2003: 63)

The fact that "all actors, as persons" have the same normative status (namely moral and communicative equality), echoes similar conclusions made by Green, Barker, and Dewey and forms the basis for universalistic conceptions of law and ethics. The logic of holism moves beyond the system of territorial states. Both law and morality are universal, and it is this universality that lays the groundwork for global harmony.

The concept of structural violence introduced here by Habermas goes back to the social scientific work of World Systems Theory of the past half century and work such as Johan Galtung's 1971 essay "A Structural Theory of Imperialism" (in Barash 2000: 42-45). The overt military and terroristic violence of the world is just the tip of the
iceberg. The world is structured according to a hierarchy of “center and periphery” in which the center dominates and exploits the periphery through economic and political institutions (deriving from the nexus of capitalism and the system of sovereign nation-states) that impose violence in the form of deprivation, misery, and early death on the vast majority of persons living on our planet. Being born within one of the peripheral territorial nation-states is like being born under a prison sentence. There is no easy way to leave, for the rich nations will not give you a visa even if you could afford transportation, and your life-opportunities are so vastly restricted that you will likely live in deprivation, with malnourishment, and facing an early death.

But this harsh reality, Habermas argues, is not an indication of the failure of universalistic understanding of law and morality but, rather, our very capacity to be outraged by this institutionalized system of injustice is indicative of the universality of law and morality that exists in our awareness, deriving from the universal structures of language (1998). In attempting to deal with the problem of implementing decent regimes of democratic law and morality into the world since the democratic revolutions of the 18th century, countries developed as “welfare states,” Habermas observes, in which mechanisms for redistribution of wealth, such as progressive taxes, were implemented through the 20th century. But we are at the end of the line now, for the territorially bound welfare state is no longer a viable option in the globalized world system:

The welfare-state mass democracies on the Western model now face the end of a 200-year developmental process that began with the revolutionary birth of modern nation-states. We should recall this beginning if we want to understand why the welfare state has fallen on such hard times.... The phenomena of the territorial state, the nation, and a popular economy constituted within national borders formed a historical constellation in which the democratic process assumed a more or less convincing institutional form. And the idea that one part of a democratic society is capable of a reflexive intervention into society as a whole, has, until now, been realized only in the context of nation-states. Today, developments summarized under the term “globalization” have put this entire constellation into question. (2001: 60)

As with Green, Barker, and Dewey, Habermas envisions a world transcending the system of autonomous sovereign nation-states with its complementary system of class-based capitalism. This cannot but be the case for those who understand the implications of holism. These implications include not only universality but, as we have seen in the above thinkers, particularity: the value of the human personality and each individual. This is because, we have seen, the holistic world order that constitutes “a seamless web” is simultaneously a world of diverse parts that make up the strands of that web. There is never a whole without parts, and the wholeness of humanity is made up of diverse nations, races, genders, cultures, ethnicities, and individual persons—all of which are evolving and out of which are emerging higher levels of consciousness and freedom.

The principle here is often expressed as the principle of unity in diversity. Unity in diversity derives from the set of internal relations: you cannot separate individual persons from their “humanity” and you cannot have “humanity” apart from individual persons. By contrast, the system of sovereign nation-states and the system of capitalism, assuming, as they do, the primacy of external relations, deny in principle the unity of humanity. They represent the fragmented early-modern paradigm because they claim to discover incommensurable differences: your nationality and your nation are incommensurable with ours because both are “sovereign,” that is, both are autonomous and recognize no enforceable laws above themselves. If there is a fundamental clash of their apparently incommensurable interests, we may go to war and destroy your country. There is no one and nothing to stop us, for there is no law above the sovereign nation-state. The world system at present is a system of external relationships and of institutionalized structural violence.

Similarly, if I own capital and you live in a forest that your ancestors have occupied for generations, our interests may appear incommensurable. If I wish to purchase the forest as an investment in order to cut it down or mine its minerals, and you wish to continue living in your home as your ancestors have for hundreds of years, your interests and my interests appear to directly clash. However, my “right of private property” trumps your interests. I can buy the forest and force you to leave your home forever. My relationship to you is an external one. I have the capital and
it gives me the external prerogative to do what I wish with that capital regardless of most human or environmental consequences. Here again we encounter the structural violence engendered by the assumption of external relationships. Mexican thinker José Miranda speaks of “that mechanism of violence which we call the market, whether the consumer market, the wage market or both,” which is predicated on the fact that, in today’s world, “99% of all exploitation is legal” (1974: 12).

Legal Holism.

The paradigm shift from fragmentation to holism has clearly not yet reached the dominant institutions of global society, and the institution of the territorially bound nation-state remains a fundamental assumption in much of today’s philosophy of law. We have not yet achieved that global social contract that can institutionalize political and economic holism. The vision of transformative hope emerging from the new paradigm is not yet fully actualized. Nevertheless, contemporary philosophy of law has made great strides in moving in the direction of holism, and some of its formulations, even though developed within today’s framework of territorial states, implicitly claim a universality applicable to all humankind.

In this, much of today’s philosophy of law is similar in its situation to the philosophy of human rights developed at great length and in a wide-ranging literature since the ground-breaking formulation of the 1948 UN Universal Declaration of Human Rights. Human rights are said to be universal, to be “equal and inalienable” to all persons, to derive from the inherent dignity of every person, and to be “the foundation for freedom, justice and peace in the world.” Yet the system of territorial nation-states has rendered their universal recognition and application nearly impossible.

The philosophy of law has become immensely more nuanced and sophisticated since its early systematic versions as found, for example, in the 19th century works of Jeremy Bentham or John Austin. Bentham and Austin focused on the apparently unique feature of law as an imperative issued by a recognized authority designated as the “sovereign.” They concluded that the essential nature of law is that it is the “commands of a sovereign.” One person (such as the king) or a group of persons (such as a legislature) issue commands that are binding on the subject population. These commands are backed up by the sovereign (which assumes for itself a monopoly on the legitimate use of force), by the power to judge, and by the police to apprehend and punish those who violate the law.

H.L.A. Hart, for example, in his highly regarded 1961 book, The Concept of Law, shows that Bentham and Austin had focused only on one feature of law, that law in actuality has multiple functions and dimensions that cannot be reduced simply to the relationship of a commander to one who is commanded. For one thing, it looks as though Bentham and Austin were privileging criminal law, with its arrest and punishment features, as the essential nature of law. However, Hart points out, the law has a multiplicity of functions that are just as much part of the law as is criminal law.

Property law, for example, defines what is to count as private property or public property, how this is legally obtained (through a paycheck or return on an investment, a legislative act, etc.), how property is transferred, how it is inherited, maintained, etc. The law here provides rules by which people can operate. It empowers and protects people by conferring on them rights with regard to property, its acquisition, transfer, etc. Secondly, there is the domain of tort law. The law not only regulates relations between government and the people, but also regulates those that take place directly between people. Tort law governs my rights to be secure and to function without interference from others and defines the occasions when I can claim I have been interfered with or injured by others and the procedures I can take for redress of such grievances. Thirdly, there is also the domain of contract law, which again can be seen to empower and enable people to function within society. What is an agreement? When is it binding? How is an agreement altered, broken, or annulled? What are the implicit but nevertheless legal agreements, for example, between buyer and seller?
The essential insight provided by Hart and other contemporary philosophers of law is that law does not merely command, prohibit, threaten, and punish. The law is not simply “power over” a subject population. The law also empowers and enables human living across multiple dimensions. It enables me to marry and have children, to get an education and have this legally recognized by society, to vote or to claim social security benefits, to become legally certified to practice some specialty (such as doctor, lawyer, architect, engineer, or accountant), and to practice in that specialty governed by legal rules that enable and guide its operation. The law is not a contingent feature of human societies (that somehow might operate without it) but is a necessary feature of human civilization for all societies beyond the most primitive and elementary.

Hart analyses the law into primary and secondary rules. The primary rules are the rules and regulations that enable and guide human living within society. The secondary rules are the rules by which society confers power on those who make up its government who are then enabled to make and enforce the primary rules. Hart divides secondary rules into those of recognition, change, and adjudication. What are the rules by which we can recognize who has the authority to make laws (e.g. election laws)? What are the rules by which those with executive power must step down so that others are chosen to take their place (e.g., term limits, office qualifications)? What are the rules by which judges decide cases in the courts? Hart also makes clear that authority may have multiple dimensions to it (checks and balances, etc.) and need not be located in a “unitary sovereign” such as Bentham and Austin appear to have had in mind.

Hart’s pointing out the complexity and multiplicity of functions of the law helped the philosophy of law make great strides in the late 20th century. However, like Bentham and Austin, he remained a positivist who viewed the law as a set of social facts that did not include the moral dimension as a necessary feature of the law. In contrast to this, a number of prominent philosophers of law have insisted that moral principles are fundamental to the very nature of law. I will consider several of these thinkers briefly in order to show that much contemporary thought is tending toward a rejoining of the dimensions of fact and value that were so radically divided by the early-modern paradigm. I will mention David Luban, in his 2007 book, Legal Ethics and Human Dignity, Lon Fuller, in his 1964 book, The Morality of Law, John Finnis, in his 1980 book, Natural Law and Natural Rights, and Ronald Dworkin in his 1986 book, Law’s Empire.

David Luban argues that the very existence of law in human civilization is inextricably interwoven with the value of human dignity. He writes: “Law enhances human dignity by knitting together thousands of details that make it possible for ordinary people to accomplish ordinary business smoothly” (2007: 4). He conceives of human dignity, not “as a metaphysical property of individuals” but in a “naturalized” way “as a relationship among people in which they are not humiliated. Non-humiliation plays a key role in my understanding of human dignity” (2007: 6). I want to suggest that Luban’s idea of human dignity coheres well with a holistic conception of human life and law. Like T.H. Green and the philosophers of “positive freedom,” outlined above, individual persons are not seen by Luban as the bearers of a priori rights prior to being members of society, but rather their individual rights and dignity are integral to society itself. Dignity and non-humiliation arise from the social matrix with which our individualities are inextricably intertwined. The law is part of this holism intrinsic to human dignity and cannot be reduced, as positivism argues, to a set of social facts independent of that dignity.

Luban asserts that his own views are very much in accord with those of Lon Fuller (2007: 6). For Fuller, the law is about “the morality of duty,” which he distinguishes from “the morality of aspiration.” Human beings owe basic duties to one another and those who govern have basic duties toward those governed. These duties are the proper sphere of law and lawmaking. They provide the baseline for people living and working together in complex societies. The law makes possible human flourishing in the sense of enabling free pursuit of goals, goods, and plans to make our lives fulfilling. The area of freedom that the law leaves up to us, however, is the sphere of the morality of aspiration, where citizens are free to pursue what they take to be good in life, including human excellence.
Fuller emphasizes that law-making and law-enforcing are activities engaged in by people who are placed in these roles. As such, their activities, like those of all human beings, are governed by moral principles. As people engaged in these activities, they have a duty to do them well, and they have a duty to the people affected by their actions to do them morally. Fuller’s list of features that the law will have if its makers have done their duty properly is well-known: the law will be general, it will not be retroactive, it will be promulgated so that it is known among the citizens, it will be clear and non-contradictory, it will be constant and not frequently changing, there will be the possibility of compliance, and there must be a coherence between the declared law and official action.

The key concept here is that, again, the morality of law is not separable from the moral responsibilities of those who make the law. There is a holistic relationship between the law, the law-makers, and the citizens of any society. This holistic relationship includes the moral dimension of duty. The law is not a set of social facts independent of morality. It involves a moral relationship between the governed and the governors as well as a morality of duty for everyone to relate to one another in good faith within the framework set by the law. In addition, the function of the law is to free citizens to pursue the morality of aspiration in their personal lives. Fact and value appear intimately related to one another.

Ronald Dworkin elaborates the philosophy of law through focusing especially on the work of judges. Positivists, we have seen, hold that the law is a set of objective social facts, independent of morality or values. When judges are confronted with a unique and difficult case that does not appear to have any clear historical precedent to appeal to in their decision, therefore, a positivist appears forced to conclude that the judge’s decision must be merely subjective and arbitrary. Dworkin argues that this is not the case: the responsible judge appeals to moral principles that are behind the law and that embody the intention and spirit of the law.

Dworkin examines specific cases, as well as the various arguments regarding the nature of law, with a view to showing what he calls “law as integrity”:

The adjudicative principle that governs our law enforces inclusive integrity: this requires a judge to take account of all the component virtues. He constructs his overall theory of the present law so that it reflects, so far as possible, coherent principles of political fairness, substantive justice, and procedural due process, and reflects these combined in the right relation.... He will therefore be aware of a different, more abstract calculation: pure integrity abstracts from these various constraints of fairness and process. It invites him to consider what the law would be if judges were free simply to pursue coherence in the principles of justice that flow through and unite different departments of law.... This purified interpretation speaks, not to the distinct duties of judges or legislators or any other political body or institution, but directly to the community personified. It declares how the community's practices must be reformed to serve more coherently and comprehensively a vision of social justice it has partly adopted.... (1986: 405-407).

As with Luban and Fuller, Dworkin invites a holistic interpretation of the human situation, transcending positivism with its absolute division between fact and value. The law is part of this holistic situation and cannot be separated from philosophical considerations and reflection on values as this reflection should be and is practiced by judges, legislators, and administrators. The law gives rise to the vision of “the community personified.” What is the nature of our human community and what should it be? Philosophical reflections, moral values, conceptions of our fundamental humanity, the principles of interpretation, and our existing institutions all become relevant to the law and intrinsic to the law as part of our integral human wholeness.

The “is” here cannot be coherently separated from the “should.” Under the emerging scientific paradigm of universal holism, we have seen, the human mind, with its reason, values, and desires, is not considered some accident of the blind forces of evolution that contingently engendered in Homo Sapiens a spurious subjectivity. Rather, the reflection on values, on the principles by which we should be acting, is as fundamental to the evolving universe as is the universal law of gravitation or the principle of entropy. Dworkin rarely ventures beyond British and American legal traditions in his reflections and examples, but, like Luban and Fuller, the presupposition of his
philosophy of law is that it applies to the entire human situation. For Luban, law is universally a fundamental aspect of human dignity; for Fuller, law-makers universally have moral duties toward the governed; for Dworkin, the “integrity” of value considerations is universally behind the worldwide phenomenon of law.

John Finnis is another prominent contemporary philosopher of law whose thought has made a huge impact. Finnis accepts the value-fact distinction but argues that the fundamental principles of practical reason (ethics) are immediately evident to our reason and do not need to be claimed as either facts (deriving for example from human nature) or values (subject to endless debate about what they are). Our practical reasoning power is based on immediately recognizing the basic elements that constitute human flourishing (the human good). Finnis formulates seven principles that fit into this category, all of which are primary goods and some (variable) combination of which constitutes human flourishing: life, knowledge, practical reason itself, sociability (friendship), play, aesthetic experience, and religion (that is, some coherent relation to the ground of existence) (1980: 81-90).

He argues, with great sophistication and knowledge of the relevant literature, that these primary goods are all intrinsically valuable in human life and participation in them (in various combinations) is what constitutes human flourishing. These intrinsic values, are, therefore the basis of both ethics and law. The function of law is to organize society to make human participation in these goods possible. It provides a framework both of freedom and opportunities so that citizens can pursue these goods in various combinations as part of a flourishing life. Unlike Austin, who conceived of law as the imperious commands of a sovereign, law for Finnis provides a framework for cooperative and common action for empowering the lives of citizens.

Finnis argues that it is especially important to recognize that these goods are incommensurable with one another. They cannot be amalgamated into some conception of “the good” that can be pursued by individuals or society as a whole. This is why any form of utilitarianism or consequentialism is false, because such an ethical stance requires that we envision the ways in which our actions “promote the greatest good of the greatest number.” But there is no such general good apart from the multiplicity of intrinsic goods that make up human flourishing. These intrinsic goods also form the basis for human rights, which are articulated as primary or secondary principles derived from these goods and are formulated to identify and protect our basic right to flourish as human beings.

Here we also find the basis for law and government. The nature and justification of law cannot be separated from the intrinsic goods known to our practical reason. The purpose of the law is to create the nexus of conditions that maximize our ability to pursue the variety of intrinsic goods that constitute human flourishing. The goal of the law is the “common good” in this sense. Just as with the principle of utility, the common good cannot be amalgamated into a unitary good that government uses as an excuse to interfere with the rights and freedoms of its citizens. Therefore, the common good of society is “the various aspects of individual well-being in community” (1980: 214). That is, law and government must develop and maintain the conditions for humans to pursue the variety of goods within a framework that recognizes everyone’s equal rights to these goods, and for which the law provides the rules and duties for the common action and cooperation that maximizes opportunities to pursue these goods for everyone.

Finnis’ philosophy makes the important point, discussed above, that must be understood as part of the holistic view of law. Holism, unity, and universalism do not entail the abolition of diversity and differences. And when it comes to human beings and human rights, the diversity may be considered incommensurable in the sense that you cannot legitimately violate one innocent person’s life in order to protect another person or for some overriding “common good” determined by government. There is no overriding general good that trumps the individual’s rights and these rights are diverse and related to a variety of goods intrinsic to the human situation. The 30 different rights listed in the UN Universal Declaration by and large illustrate this diversity (1980: 214). Holism, on the other hand, enters when we consider that the individual does not hold these intrinsic goods, nor any a priori human rights, apart from being a human being and part of the human community. Our relations with other persons and with government
are internal relations. We are part of one another and must communicatively and nonviolently work together to create universal harmony rather than war, conflict, and violence.

Consequences of this Paradigm Shift in the Concepts of Government and Law

We can learn the principles of the new paradigm not only from the scientific revolution that has taken place throughout the 20th century, but also from the critics of the old paradigm as well as the most advanced contemporary thinkers concerning government and law. I have brought some of this literature together in this paper so that the following brief summary will make sense in terms of its background and larger context. Holism in government and law, therefore, exhibits the following general characteristics:

1. Government and law are the expression of internal relations among human beings. Governments need to be designed and laws enacted with this in mind.
2. Law arises from these internal relationships. It harmonizes, empowers, enables, and regulates human activities in complex societies. It is not reducible to the commands of a person or group having governmental powers. It is not incidental to human harmony but essential to it.
3. Government and law are, therefore, universal to human beings. However, they are incapable of fulfilling the goals inherent in law if divided among absolute, incommensurable territorial states. The principle of emergent holism demands that the nations of the world become administrative regions within a holistic Earth Federation government, establishing harmony through binding themselves into a larger whole.
4. Holism in government and law, therefore, requires world government in the form of planetary social democracy, a global social contract. Once realized, as Dewey points out, human life will be brought to an entirely new level, since the impediments to the functioning of democracy imposed by today’s global institutions will have been removed.
5. The ultimate end or goal of law is to empower human flourishing, that is, a free world society in which every person has genuine opportunities to pursue a life of fulfillment and well-being. It is also harmony: human beings flourishing within a framework of peace, justice, and sustainability.
6. Human flourishing entails a variety of incommensurable, but humanly universal goods. These goods include economic rights, political civil liberties, and the rights to peace and a protected environment. These goods are not reducible to one another and cannot serve as a justification for government to violate the fundamental human rights or dignity of innocent persons in the name of an amalgamated “general good.” Within the holistic paradigm, the common interest will most often coincide with the individual interest, and the perceived need of government to claim priority for the general interest against individuals will be minimized.
7. Effective empowerment of human flourishing requires “positive freedom,” the enacting of laws that facilitate human cooperation, mutual understanding, and social harmony on a planetary scale. Unity in diversity mutually enhances both unity and diversity.
8. Holism requires both a global cooperative civics and a global cooperative economics, for politics and economics are both based on the moral principles and internal relationships that exist among all persons.

Let me briefly elaborate some of these principles. The first consequence of the paradigm shift to holism with respect to government and law is recognition of the illegitimacy of the global political-economic system that is rapidly shredding the possibility for any viable future of human beings on the Earth. Both the dominant political and economic systems of the world today violate wholeness, and, focusing as they do on external relations, violate the possibility of harmony. For every nation today, national and sectarian interests take priority over planetary interests, but planetary interests are those of the whole of humanity and future generations. They arise from our holistic situation and require a holistic perspective and set of institutions to address them.
People today are recognizing their rights to peace and a protected environment, and the system of sovereign nations is intrinsically incapable of providing these rights. As Harris expresses this:

National sovereign independence therefore has proved fatally inimical to the solution of world problems. Yet it is on the resolution of these global difficulties that the welfare of peoples and the very survival of humankind depends. The national sovereign state can no longer effectively protect its citizens from devastation in war, nor can it protect their living standards and maintain the amenities of life in the face of environmental deterioration.... In short, the national state now lacks the one and only justification for the exercise of sovereign power, the fostering of national prosperity and security. Its ethical character has been undermined, and its title to be juristically supreme is no longer valid. (2000b: 70-71)

Nation-states can no longer function as the ultimate vehicles of government and law because they are incapable of actualizing the good for human life. Luban characterizes that good as protection of human dignity. Fuller sees it as the actualizing of a morality of duty on behalf of human flourishing. Dworkin sees it as actualizing human integrity throughout society, especially in the work of judges and government officials, and Finnis sees it as the promotion of the seven fundamental aspects of human flourishing. In every case, the nature of law and the role of government is universal: human dignity, the morality of duty, integrity, and the goods of practical reason apply to all governments everywhere and to all human beings. A fundamental implication behind the thought of all these thinkers is that human beings (everywhere, as a world community) have the rights to peace and a protected planetary environment (see Wacks 2006: 58). Without democratic world government, which alone can provide peace and truly protect the planetary environment, no government anywhere can fulfill its functions as identified by these philosophers.

The holistic paradigm of law and government identifies a new common good which is a planetary common good. It recognizes that the fate of all people is linked together, both because we are all human beings and because a globalized world has forced awareness of these rights to peace and a protected environment upon us all. Engendering a new global democratic order will establish government and law directed toward making the world a decent place for all its citizens, not just the one percent, not just those in the global north, and not just those in North America, Europe, or Japan, and not just those within my particular nation. The very nature of holistic law demands this: the purpose of government and law is intrinsically moral and intrinsically demands universal application.

As we have seen, the units of the world (its diversity) are not abolished by holism but rather relegated to their proper places as elements within the whole. It is this proper functioning within the whole that constitutes harmony. You cannot have harmony among autonomous units that recognize no enforceable law above themselves, only war. The new world system, therefore, will convert the world from being an intrinsic war-system to an intrinsic peace system. Peace is the proper functioning of whole and parts together within their common worldwide civilization. On the level of individual human beings as parts of the human whole, proper functioning is the realization that my flourishing (in dignity, freedom, and peace) is linked to the flourishing of all others.

Given the emergent principle mentioned above in which, in the course of evolution, wholes emerge that are not reducible to simply the sum of their parts, it is likely that the establishment of a global social contract uniting humanity will exhibit emergent properties: a peace-system will not simply involve a toleration of the semi-autonomous parts for one another. Rather, it will be a genuinely new emergent level of human flourishing: the uniting of humanity in mutual respect, cooperation, and love. The synthesis of the parts results in a new, emergent level of wholeness.

This new world-peace system will not abolish national administrative and governmental units but will substantially remove the conflict of national partisan interests. National governments will then function more like states within the US or Pradesh within India. Holistic law recognizes that the cooperative regulation of everyone together engenders “positive freedom,” a freedom for each that is so much greater than the so-called “freedom” of isolated units trying to serve egoistic interests while in conflict with others and while resisting governmental
authority. The nations and peoples of Earth will begin working together in ways deemed unimaginable during most of modern history since the Renaissance.

War and conflict may or may not have something to do with the so-called weaknesses of “human nature,” as popular thought believes, but they clearly have much more to do with the kind of institutions that encompass our lives and the kind of paradigm that we presuppose in our thoughts and actions. Capitalism and sovereign nation-states as institutions bring out our potential for fear, greed, and lust for power. They lead people to thoughts and actions presupposing external relationships. A social democratic world government will bring out our potential for cooperation and mutual participation.

Hence, the social democratic world government will provide a key element in engendering a new, holistic human civilization, in which every person is recognized as a world citizen with all the rights and duties that this entails. People will begin literally to think globally as universal citizens, not as violent defenders of this or that sovereign territory. This will mean that the universal rights identified in the UN Universal Declaration will finally be actualized and universally protected—because the one key right (Article 28) that has never been fulfilled anywhere on Earth has finally come to pass: “Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.” The present world order of global capitalism and sovereign nation-states institutionally defeats the entire set of human rights precisely because it does not actualize the holistic world peace system that makes their actualization possible. The very existence of these global institutions violates Article 28.

The holistic system of government and law will naturally and peacefully disarm the world and make all war-preparation, incitement, production, and investment illegal. People investing in, transporting, or building bombs need to be arrested and prosecuted, not rewarded through a lucrative return on their investments. The conversion of the world to a holistic paradigm, which necessarily includes holistic government and law, converts human civilization to harmony across the board. Hence, human rights are substantially protected for the first time, war and war-preparation are abolished and a peace-system established, and universal moral principles such as integrity, trust, respect, justice, compassion, truth, and brotherly love are recognized among all peoples and taught to younger generations.

Holism will protect and restore the environment, something impossible within the current fragmented world system. Government, research universities, and citizens will monitor the environment in all its complex, interrelated aspects and scientifically address the process of restoration. The many people worldwide formerly employed in military activities can now be employed in vast projects of replanting trees, reclaiming deserts, restoring potable water supplies, and converting to clean energy sources. As economist Herman E. Daly expresses this:

One rather subtle yet very powerful moral force can be enlisted in support of the steady-state paradigm. That is wholeness. If the truth is the whole, as Hegel claimed, then our current splintered knowledge is so far from the truth that it is hardly worth learning…. Ecology is whole. It brings together the broken, analyzed, alienated, fragmented pieces of man’s image of the world…. Unless the physical, the social and the moral dimensions of our knowledge are integrated into a uniform paradigm offering a vision of wholeness, no solutions to our problems are likely. (1993: 357)

Holism integrates, as Daly asserts, the physical, social, and moral dimensions. Physically the planet and its ecosystem form a whole; physically the social democratic world government will be a whole. Socially, the planet is and should be a whole, and morally, we have seen, the planet is most certainly a whole. By embodying social and moral wholeness, the world government will transform people’s attitudes, and the law will be liberated to fulfill its primary function of providing the matrix for all people everywhere to live flourishing lives. The law will, of course, address the structural violence of poverty and social injustice and will establish a reasonable prosperity for all the citizens of the Earth.
One important function of the law in any society is its power of conflict resolution, binding mediation, and impartial adjudication of issues before the courts. Democratic theorists have always claimed that democracy is the one form of government that minimizes violence, making it possible for people to nonviolently address their problems, conflicts, and desire for change through procedural, due process methods. A holistic world government will necessarily set up worldwide mechanisms for conflict resolution, mediation, and dialogue directed toward mutual understanding among people to promote peaceful living among the world’s diverse groups. Much of the current hatred, fear, and misunderstanding now rampant throughout the world will be rapidly mitigated. For the first time in human history, the real import of democracy will be actualized, since under the economic and political system of sovereign nation-states the real transformative potential of democracy has been systematically undercut.

Finally, the social democratic world government embodying the new holistic paradigm will itself be a place of dialogue directed toward mutual understanding for the people of Earth. Historically there has been no such thing. At the beginning of his 2005 book, Earth Federation Now! Tomorrow is Too Late, Harris states that “as we enter the twenty-first century C.E., humankind is threatened with extinction from numerous angles.... But, as human beings are intelligent animals, once they have been appraised of the menacing facts, they should be able to seek ways of countering the impending dangers, and, it is hoped, to find effective remedies” (9). The book continues investigating in detail the many “threats to human survival,” showing that human intelligence has, indeed, failed to counter the dangers. But perhaps the chief reason for this failure is that we have never had institutions that allow human intelligence to effectively dialogue about these lethal issues and take effective steps to address them. Sovereign nation-states and global capitalism impede, rather than promote, our planetary intelligence.

The League of Nations was supposed to be a place for nations to talk out their differences and the world’s problems rather than go to war, but such a non-binding framework for militarized sovereign nation-states in aggressive economic competition with one another will necessarily fail to fulfill that purpose. The same thing is true of the United Nations with its undemocratic and powerless General Assembly and Security Council veto. Under the system of sovereign nations, the General Assembly becomes little more than a forum for ideology, posturing, and recrimination, not a forum for genuine dialogue, and clearly not a public space for effective use of human intelligence to address global problems.

But the functioning of a holistic democracy for the Earth will give the people of Earth the necessary conditions for promoting genuine dialogue, communication, not only among one another, but among those from every corner of the Earth who are participating in the world government. For the first time ever the Earth will have a “brain.” We need not only revolutionary, transformative hope, but a brain to guide us into that transformed future. Our planet will have a group of people from every corner dialoguing with one another about the human situation, about our future, the common good, and how to deal with our lethal planetary crises, people who have the authority to take effective action as representatives of the human project itself. Human intelligence will be focused and activated through real government, making real enforceable world laws. Through this process, it will be able to effectively deal with the lethal global problems that go unaddressed under the current fragmented world disorder. Moltmann writes:

The era of the mechanistic world picture was also the era of subjectivity and of the sovereignty of human beings over against nature. The subjectivity of human existence and the reification of natural being conditioned each other mutually. If this bifurcation of the world we share is not to lead to the destruction of both nature and human beings, we must replace it by a new paradigm of a communicative community of culture and nature resting on reciprocity. (2012:68)

With the shift to the holistic paradigm in government and law we will finally be able to say: “the global brain awakens” (as Peter Russell put it in his 1986 book). A “communicative community resting on reciprocity” represents a level of wholeness fundamentally different from a system of private subjectivities dominating one another and the natural world. We will then be able, as a planetary civilization of dialogue directed toward mutually recognition and understanding, to engage in “conscious evolution” (as Barbara Marx Hubbard put it in her 1998 book). As long as we
live under fragmented, disharmonious global institutions, there is little hope for the future. A global brain needs to awaken that will provide a higher level of integration and holism for humanity than has been hitherto known. Under democratic world government, human intelligence will be directed to securing planetary peace and harmony. Under a holistic conception of government and law, which necessarily will be world government and world law, political, economic, and educational institutions will inevitably give birth to a new civilization.

The Earth Constitution as Blueprint.

In my view the best and most practical blueprint for establishing a holistic political and economic system for the Earth is found in the Constitution for the Federation of Earth (see Martin 2010b). Its Preamble explicitly invokes holism in a number of ways, including emphasis on the principle of unity in diversity, and its design establishes a matrix of holistic institutions cooperating with one another and the people of Earth in a planetary regime of harmonious and sustainable economic and political democracy. This constitution is the most important document produced in the 20th century and should be studied in every school, college, and university in the world. My 2013 book, The Anatomy of a Sustainable World: Our Choice between Climate Change or System Change, studies the holistic design of the Earth Constitution in some detail.

The Earth Federation government itself reflects the structures of holism: interdependency, internal relationships between its parts, as well as a conscious orientation for unity in diversity. This is fundamental to establishing a sustainable world civilization based on an efficient and morally responsible world economic and political system. As we have seen, institutions influence and condition people. If we want people to act sustainably in their lives and economic relationships, these principles must permeate the institutions of which they are part. The Earth Constitution does exactly this. It functions as a global social contract in which people institutionally agree to forego war and live in peace according to the rule of enforceable laws.

The Constitution was written with the participation of hundreds of world citizens meeting in four international constituent assemblies between 1968 and 1991. It can be found online in many places, including at http://worldparliament-gov.org/constitution/the-earth-constitution/. Since 1991, it has been considered a finished document, ready for ratification by the people and nations of the Earth. Its conditions for ratification are divided into three distinct stages, making universal ratification both practical and possible, and its Article 19 allows the people of Earth to begin Provisional World Government in anticipation of, and preparation for, its final ratification. Indeed, the Provisional World Parliament has been meeting since 1982, with its 14th session scheduled for Kolkata, India, in December 2015. It has passed more than 50 provisional world legislative acts that spell out, and empower, the kind of holistic world system that will be actualized under the Earth Constitution.

Above we observed that a holistic world government will eliminate war and militarism and convert the many employed in these pursuits to a non-military civilian environmental and civil service corps. The world government will also end severe poverty and misery, employing millions of the underemployed in these same environmental and social service jobs. It will move rapidly to end reliance on fossil fuels and non-renewable resources. Where will the new global social democracy get the money to do all these things? I have already published accounts, in several places, of the holistic economic system written into the Earth Constitution and the new global economics that it engenders. The next few paragraphs quote from the account in The Anatomy of a Sustainable World (2013). The ending of global capitalism and the conversion to social democracy will also end the scarcity of money and the systemic tendency of the economic system to funnel most of the world’s wealth into the hands of the top 10%. The key to the conversion to a holistic economics is the ending of the global debt-based system and the conversion to truly public banking. There is no need to socialize all production or ownership, for banking is the key to converting all the rest to a cooperative and harmonious economics.
Under the *Earth Constitution*, the World Financial Administration is established in Article 8.7 with the directive to create a Planetary Accounting Office that makes cost/benefit studies and reports on the functioning of all government agencies including their “human, social, environmental, indirect, long-term and other costs and benefits.” It is also directed to create a Planetary Banking System and make the transition to a common global currency, valued the same everywhere. Such a stable and reliable currency will be fundamental to both human prosperity and the ability to create a sustainable civilization. Bernard Lietaer, a European central banker who helped design the single European currency (the Euro), in his book *The Future of Money*, writes:

> Your money’s value is determined by a global casino of unprecedented proportions: $2 trillion are traded per day in foreign exchange markets, **100 times more than the trading volume of all stocks in the world combined.** Only 2% of these foreign exchange transactions relate to the “real” economy reflecting movements of real goods and services in the world, and 98% are purely speculative. This global casino is triggering the foreign exchange crisis which shook Mexico in 1994-5, Asia in 1997 and Russia in 1998. (In Brown 2007: 213)

Sustainability means, we have seen, a world community with the sense that we are all in this together and must work together to preserve and restore our planetary home. A system in which the well-being of people and their ability to operate sustainably is subject to the casino conditions of global financial speculations cannot be allowed to continue. Such a necessary step as the creation of planetary public banking with a single stable earth currency is clearly a near impossibility for the system of militarized sovereign nation-states, with some of them relying for their wealth on the huge banks located within their domains, nor for the U.N., which is largely subjected to this present system.

Article 8 of the *Constitution*, sections 7.16 and 17, establish the new economic model that will be absolutely essential for a sustainable civilization:

7.1.6: Pursuant to specific legislation enacted by the World Parliament, and in conjunction with the Planetary Banking System, to establish and implement the procedures of a Planetary Monetary and Credit System based upon useful productive capacity and performance, both in goods and services. Such a monetary and credit system shall be designed for use within the Planetary Banking System for the financing of the activities and projects of the World Government, and for all other financial purposes approved by the World Parliament, without requiring the payment of interest on bonds, investments or other claims of financial ownership or debt. 7.1.7: To establish criteria for the extension of financial credit based upon such considerations as people available to work, usefulness, cost/benefit accounting, human and social values, environmental health and esthetics, minimizing disparities, integrity, competent management, appropriate technology, potential production and performance.

First, these articles establish for the Earth Federation the authority that all governments have—the power to create money. However, in the case of most governments and the present world monetary system, this power has been co-opted by private banking cartels to make most governments and people think that they can only create money as debt, by going ever-deeper into debt, as is the case with the 17.5 trillion dollar national debt owned by the people of the United States to the consortium of private banks known as the Federal Reserve. Under the Earth Federation government, there will be no shortage of money to create jobs to hire people for restoring the environment, nor to pay for planetary conversion to sustainable energies and technologies. For the money is to be created “debt-free.” Bernard Lietaer, by contrast, describes our present system:

> Greed and competition are not the result of immutable human temperament. . . . Greed and fear of scarcity are in fact being continuously created and amplified as a direct result of the kind of money we are using. . . . We can produce more than enough food to feed everybody, and there is definitely enough work for everybody in the world, but there is clearly not enough money to pay for it all. The scarcity is in our national currencies. In fact, the job of central banks is to create and maintain that currency scarcity. The direct consequence is that we have to fight with one another in order to survive. (In Brown 2007:31)
Global public banking will end this “system of scarcity” and put people and their needs before private profit through establishing global public, debt-free banking. The second major reform is found in section 7.17 quoted above. The purpose of the planetary banking system will not be to make money for the rich but to empower people to create businesses, jobs, social projects, and innovations that eliminate poverty, establish peace and harmony, and actualize sustainability. To this end credit will no longer only be available, as today, only to those with prior assets that serve as collateral. Credit will now be available based on “people available to work, usefulness, cost/benefit accounting, human and social values, environmental health and esthetics, minimizing disparities, integrity, competent management, appropriate technology, potential production and performance.” Every responsible adult or organization will have access to credit to be paid back at low or no interest rates, since the purpose of the credit is a sustainable and prosperous planetary community not the private wealth and power of a few.

Our global monetary system today is 99% composed of privately created debt-money (Brown 2007). Because of this, we live in a world of global scarcity and desperation requiring, as we have seen, massive military training for counter-insurgency warfare and massive military interventions by imperial nations designed to protect and promote the present world domination by a tiny corporate and financial elite. The Earth Constitution is explicit that money must be created by the Federation as debt-free money addressed to the common good and planetary prosperity.

This debt-free, interest-free money is used to promote the prosperity, free trade, and well-being of the people of Earth while protecting the planetary environment. Individuals, corporations, state and local governments may all take advantage of very low cost development loans and lines of credit that are not premised on exploitation of the debtors in the service of private profit. In addition, primary created (debt-free) money will be judiciously spent directly for global infrastructure needs by the World Parliament. Money and banking are now used in the service of the common good of the people of Earth and in protection of the “ecological fabric of life” on our planet. The rich can no longer exploit the poor through a system of World Bank and IMF loans and debt that has so far created such misery for the peoples and nations of Earth.

The Earth Federation will coordinate the international actions of demilitarized nation-states through world laws legislated by the World Parliament. Conflicts are settled through the world court system and violators are subject to arrest and prosecution by the World Attorneys General and the World Police. Similarly, transnational corporations are regulated through the democratic legislation of the World Parliament. Their expertise and organizational infrastructures can now be used to promote universal prosperity while protecting the environment.

Three features of the corrupt oligarchy that now dominates the world economy are eliminated from the start. First, military Keynesianism (or militarism used to artificially pump up the economies of nations) is eliminated, since under Article 2 all militaries worldwide become illegal. Second, legal corporate personhood is abolished, something which has turned the once beneficial corporations of the world into monstrous, immortal super-humans, who use their billions of dollars and super-human legal rights to dominate the economy of our planet. Third, the Constitution also removes the ability of these corporate entities to influence politics, judges, and government officials through massive campaign contributions or other forms of monetary influence. Hence, the key steps necessary to founding a truly democratic and prosperous world order take place with the ratification of the Constitution: the hold of the militarized oligarchies now dominating the planet is broken along with the hold of their associates, the banking, corporate, and massive financial oligarchies, and the monetary system of the world is placed in the service of the people of Earth. The founding of world social democracy under the Earth Constitution accomplishes all this from the very beginning.

In the face of the ever-worsening planetary crises that threaten the future of human civilization on the Earth, our best option is to ratify the Earth Constitution. The many valuable agencies of the UN are to be integrated into the Earth Federation government, and empowered with adequate funding and staff to really do their jobs. The
Constitution, therefore, will only substitute for the UN Charter, not the UN in its entirety. The Charter, as is well-known, is undemocratic and unworkable, and structurally denies the holism of the Earth and humanity, even though certain other UN documents, such as the Universal Declaration of Human Rights, affirm this holism. We have seen that Article 28 of the UN Universal Declaration declares that “everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.” The Earth Constitution is the living blueprint for that social and international order.

Under the Earth Constitution, there is a place for everyone and every nonviolent organization. NGOs, UN agencies, global citizens, nation-states, cultures, and the diverse races of the Earth will all be empowered through its fundamental principle of holism. The people of Earth will soon begin thinking holistically, and the economic and social institutions of the Earth will immediately begin to gravitate toward holism. The future requires a deep existential and scientific recognition of our wholeness, of the oneness of humanity, our Earth, and its biosphere. Both the ethics and politics of holism demand this fundamental paradigm-shift. Our best hope for actualizing this future is ratification of the Constitution for the Federation of Earth. The Earth Constitution serves as a living embodiment of these transformed practical possibilities that are the living source of hope for the people of Earth.

Education

Every human being lives in the dynamic present, that is, every human being lives within a pervasive process of recalling and synthesizing the past within the ever-changing present in a process of projecting a future on the basis of perceived possibilities. We live only in the present, a present synthesizing its past and envisioning its future in an ever-changing and ever-renewed process of projecting itself toward that future. This same dynamic holds true of families, groups, societies, nations, and cultures. With the development of a universal consciousness of human beings and our common history upon the Earth, the dynamic of a synthesized past, in a lived present, projected toward future possibilities begins to operate for humanity itself. We can ask about human destiny, human opportunities, human possibilities, our common human future: about the gigantic hope for a transformed human future.

Education is about enhancing, refining, articulating and enlivening this process both for individuals, for groups, and for humanity as a whole. Education draws upon history and human knowledge in a dynamic interaction between the older generation and the younger generation directed toward a future of enhanced or transformed possibilities. In this process the educators can educate for a stability of the present world order, for preserving the status quo as we move into the future, or even for a future understood as restoring a lost or diminished past.

Yet the past, perhaps for most people most of the time throughout human history, and for humanity in general, has been a nightmare of scarcity of resources, experiences of domination, slavery, exploitation, war, hate and fear, and clinging to a precarious and uncertain existence in the face of horrible possibilities of disease, suffering, death, and destruction. We may want to preserve some values, insights, and wisdom from the past, or an understanding of sacred scriptures, or some ideals of culture, but these preserved remembrances are invariably in the name of a better future, a future transformed in the direction of peace, justice, truth, love, community, and freedom.

But however this takes place, it is the future that education is about, for the structure of human temporality, moving from a recalled past through a dynamic present toward an imagined future, is always about some future, always projecting toward some set of imagined possibilities. Some contemporary Christians, such as Paul Tillich, Enrique Dussel, and Jürgen Moltmann, have understood the future in terms of God: the power of God and the call of God into a transformed future. Moltmann writes:

*When we speak in such an absolute and dominant way of “the” future which defines all history and therefore itself does not pass away, God is meant as the power of the future. The power of the future affects people in such a way that they are liberated from the compulsion to repeat the past and from bondage to the givenness of what is already there. To speak of*
the history of the future means to speak of the history of human liberation. That is the basic thinking of the eschatologically oriented hermeneutic of history. (Italics in the original, 2007: 106)

Human history can also, of course, be understood as the story of the struggle for human liberation apart from a Christian framework. Other religions have understood history in similar ways, as did Karl Marx who criticized religion as a fetter on the process of liberation. Since the Axial Period in human history 2500 years ago, there have been religious and philosophical thinkers who have seen humanity as one reality and history as the actualization and articulation of that one temporalized reality. By the 20th century the unity of humanity has become widely recognized and articulated in documents such as the UN Universal Declaration of Human Rights. Education is about human liberation into a decent future for everyone on the Earth.

Law has also been a feature of most human societies throughout these past 2500 years. And thinkers have reflected on the nature and foundations of the idea of law in human societies. Is the law simply the expression of the arbitrary power of rulers or a ruling class or is there a moral basis behind the idea of law that makes arbitrary power illegitimate and other systems of law morally legitimate? Ronald Dworkin (1978), for example, argues that the power of the law (legal coercion) only has moral legitimacy if it arises from a “true community,” if the members of the community consider that obligations to the law that is the expression of the community as specific to their community, as personal obligations binding them to other members of the community, and as directed toward the common good or welfare of the entire community.

If a community of people operates according to these principles, then it will be a system of ‘integrity’ based on fundamental moral principles and the equally recognized human rights of all. In such as society, the common understanding of the citizens creates a social and moral harmony that is bound together and enlivened by the rule of enforceable laws. It is clear that the conflict and chaos of the world as a whole today is linked to the fact that the world is not a community in this sense and that there is no morally legitimate regime of enforceable law over all nations and citizens that could establish and institutionalize a community of peace and harmony for the entire Earth.

The story of the human project as an emerging global community has only come to real prominence in the 20th century, and we have seen through Swimme and Berry that we can integrate the human story into that of the evolving universe itself. Yet the story of the rule of law within this emerging global community has yet to be fully told. How can the rule of morally legitimate enforceable law establish, enhance, and undergird a world of peace, justice, freedom, harmony, and sustainability? How can the human community as a whole appropriate a common past within a dynamic present of reflection and decision-making and project itself toward a future characterized by moral legitimacy and harmony?

Education, which clearly bears on enhancing the future possibilities of individual students, can also be about creating a transformed future for humanity. It can be about creating a harmonious civilization for all humanity on the Earth. Indeed, every aspect of human knowledge, when taught, operates within this dynamic of a recalled past synthesized in a dynamic present with imagined possibilities for the future. If we study war, military training and strategy, we are similarly recalling a past and defining or imagining certain future possibilities. However, it is dawning on people worldwide that we do not have to study war, we can study peace and in doing so establish and articulate long suppressed possibilities for human liberation and a transformed future.

In this sense education is not simply about the transmission of knowledge from one generation to the next through classrooms, books, and lectures. Education becomes a universal process by which each of us and society as a whole engages reason and imagination in a dynamic process of learning from the past, and the horrific failures of the human project throughout the past and present, and exploring the immense possibilities for a future beyond war, poverty, injustice, and oppression. Reason and imagination do not stand as opposed faculties, but rather as complementary powers through which the process of growth and transformation are energized. Reason here is not
the tired positivist reason that erroneously constructs the world as a collection of facts and maintains that the future must be merely an extension and continuation of these depressing facts.

Rather, reason, with the power of imagination, opens up a world of possible alternative futures, understanding the immense creative and transformative powers flowing through human beings that can bring very different futures into existence. Positivism fails to understand the creative power of values, principles, and imaginative vision within human life and history. The tired and unimaginative study of war brings with it a future of war. The creative and hopeful study of peace and harmony draws with it a future of peace and harmony.

Education is also about moral, cognitive, and spiritual growth. Across the board, psychologists and spiritual thinkers show broad agreement about stages of growth, the higher stages being essential to universal harmony. It is understood that perhaps a majority of persons remain at the lower stages of growth throughout their lives. In Abraham Maslow’s “hierarchy of needs” (1970), people are understood to have a primary need for “belongingness” that often binds them to their local community and its conventions. Psychologist Lawrence Kohlberg (1984) and philosopher Jürgen Habermas (1979) call this lower stage “conventional.” Carol Gilligan (1982) calls this stage “ethnocentric” and James Fowler (1981) calls it “synthetic-conventional.” If one’s identity is defined by local religion, local conventions, national customs, and regional mores, then global harmony is not likely, since it appears from this level of growth that the other religions in the world, and other national customs and perspectives are simply wrong or misguided.

These thinkers posit the higher stages of moral, cognitive, and spiritual growth as fundamental to global harmony. Maslow speaks of self-transcendence, and Kohlberg of harmony with nature and the cosmos (embracing all people and cultures). Habermas speaks of developing the capacity for dialogue directed toward mutual understanding, which assumes the equality of the other and makes possible the harmony of mutual understanding. Fowler speaks of “conjunctive faith” in which truth is recognized as multidimensional and found in all faith traditions.

Philosopher of human consciousness Ken Wilber (2007) articulates a number of developmental stages applicable both to individual persons and the historical development of the human species. Lower stages include the “mythic self” and the “achiever self,” neither of which can harmoniously embrace the diversity of humankind. Higher stages move through the “sensitive self” to the “holistic self” to the “integral self” where people are now able to more and more fully embrace and affirm the vast unity in diversity of humanity. The educational process directed toward harmony must address the need for development toward these higher, more universal, moral and spiritual stages of growth.

This third part of this essay considered the role of law, and law education, within this process. We examined the relation between law and harmony with respect to at least three dimensions. First, the function of the rule of law to establish a unity in diversity that frees human beings from naked power relationships and establishes the primordial harmony of the social contract. Second, within the framework provided by the global social contract, a dialogue directed toward mutual understanding is made possible through which racial, cultural, religious, and other forms of harmony can be pursued. Third, within the framework provided by the social contract, freedom can develop from a mere “negative freedom” into an empowering matrix of “positive freedom” in which society as a whole pursues the common good of universal harmonies of peace, justice, freedom, and sustainability. People begin to understand that cooperation and mutual support give much greater freedom to all than do fragmentation and conflict.

All three of these functions of good law are educational for the citizens who find themselves within the embrace of this law. The fact of a global social contract, establishing democratic world law for the Earth, alone helps lift people from ethnocentric and partial perspectives to universal, more all-embracing perspectives. The making possible of a dialogue directed toward mutual understanding by the law lifts people out of their parochial, strategic, and instrumental patterns of speech and helps them actualize the maturity of genuine openness to the other through authentic dialogue. The actualizing of positive freedom similarly helps bring citizens to a more and more universal
understanding of what it means to be human and the role of a diverse global community in supporting freedom and the roughly equal capacity of everyone to live a decent human life.

The rule of democratic law is essential to this process. As Harris declares: “If the implications of this scientific revolution and the new paradigm it produces are taken seriously, holism should be the dominating concept in all our thinking.” Holism is revolutionary holism, the source of our gigantic hope for a transformed future, for the emergence of new, holistic levels of human existence on the Earth. Education concerning the law must carefully study today’s law—its nature, strengths, and limitations. It must reveal the law’s role in our current conflicted and endangered human situation. It must also study the relation of law to the new holistic paradigm. It must show the potential of that law for contributing to a transformed and harmonious human future.
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