

V

CONCLUSION to:

The Constitution for the  
Federation of Earth

With Historical Introduction, Commentary and  
Conclusion

Glen T. Martin

Our Great Hope at the Dawn  
of the 21<sup>st</sup> Century

*For the demand calls for something that does not yet exist but should exist, should come to fulfillment. A being that experiences a demand is no longer simply bound to the origin. Human life involves more than a mere development of what already is. Through the demand, humanity is directed to what ought to be. And what ought to be does not emerge with the unfolding of what is; if it did, it would be something that is, rather than something that ought to be. This means, however, that the demand that confronts humanity is an unconditional demand. The question "Whither?" is not contained within the question "Whence?" It is something unconditionally new that transcends what is new and what is old within the sphere of mere development.... The breaking of the myth of the origin by the unconditional demand is the root of liberal, democratic, and socialist thought in politics.... The demand that separates from the ambiguous origin is the demand of justice.*

Paul Tillich  
(1987: 143-44)

**T**he system of so-called sovereign nation-states and its corresponding global economic system has lost its legitimacy, and all nations within that system are now illegitimate. This system has put humankind in danger of extinction through nuclear holocaust, exhaustion of the planetary resources necessary for life, pending climate collapse, and perpetual war. As we saw in the Introduction, it is intrinsically a war-system coupled with a system of domination and exploitation.

Under the militarized nation-state system and global capitalism human relationships and ideals are prostituted to a system of scarcity and deprivation for the vast majority and concomitant corrupting luxury and wealth for the tiny few. Everything is commodified, everything for sale, even our most precious needs for a protected environment, community, human dignity, love, and justice. Under this system even our most vulnerable human beings, primarily women and children, are bought and sold in a multi-billion dollar industry worldwide for sexual, slavery, and exploitation purposes.

Those who struggle to resist the horror of this world disorder under the system of sovereign nations and global monopoly capitalism have in the *Earth Constitution* something much greater than the often vague and controversial ideals of justice, dignity, and freedom that inspire their struggle. They have a concrete, countervailing system of justice and peace to whose authority they can appeal in their struggle. No longer need those who love the Earth, peace, and justice operate from an anarchism that simply insists that we must resist the present horrific world system with every ounce of our strength and commitment.

True as it may be that there comes a time when we must place our very bodies, our minds, and our lives in the way of this machine of death and injustice, there will be no success without embracing a concrete, viable alternative. Activists now have that specific, authoritative alternative in the form of the *Earth Constitution*. They have a roadmap, a specific course of action, to creating a just and peaceful world order. And the *Constitution* serves as a genuinely legitimate and global authority under whose protection they can struggle for an authentic rebirth of civilization and the realization of the highest ideals of our humanity.

### ***1. Legitimacy and Authority of the Earth Constitution***

Within the present world system, the focus of governments necessarily rests on defense and promoting ruling class self-interests rather on the common good of citizens, let alone the common good of humanity and the Earth. Ineffectual and unenforceable U.N. sponsored attempts at climate treaties or peace treaties necessarily fail within this system, which is intrinsically fragmented and in violation of the fundamental moral principle of the *unity and diversity* for all humankind. Professor Errol E. Harris concludes:

So the national sovereign state is clearly no longer competent to secure the welfare even of the community over which it rules, for that is obviously dependent on the conservation of the planetary ecology and the maintenance of world peace, both of which are also interests common to the whole of humanity. It follows that the national state is no longer rightfully entitled to wield sovereign power. By its inability to serve the common interest it forfeits its authority and thereby its legitimacy. (2005: 84)

Criteria of legitimacy in government, as affirmed by many thinkers today, include effective democracy, ability to promote the common welfare of citizens, the provision of social stability and good order, due-process of law protecting citizens' rights, and ability to ensure the safety and security of citizens. None of these elements of legitimacy can be reasonably accomplished by sovereign nation-states within an inherently fragmented and endangered world that is simultaneously economically, ecologically, and socially interdependent. There is an inherent contradiction between our outdated, centuries old, economic and political world system and the realities of our human situation.

As 20<sup>th</sup> century Christian theologian and philosopher Paul Tillich states in the epigraph at the head of this chapter, the fact that the nation state system had its origin in the 17<sup>th</sup> century and has dominated the governments of the world for the past several centuries does not alone lend legitimacy. What ought to be cannot be derived from the origins of something. *What ought to be* demands the unconditionally new that "transcends what is new and what is old within the sphere of mere development." Advocates of the *Earth Constitution* understand this fundamental distinction very well. The demand of justice "at the root of liberal, democratic, and socialist thought in politics" supersedes the positivist defense of what is and what has been. The legitimacy of so-called sovereign nations has been negated by the legitimate demand for what ought to be.

We have seen that the legitimacy of nation-states can only be restored if they are united within a common framework that can effectively restore democracy, the common welfare, economic justice, social stability, and the safety and security of citizens everywhere. The *Earth Constitution*, as the only document that has developed through an immense worldwide process of dialogue and discussion by world citizens, bespeaks this legitimate authority premised on unity in diversity. Legitimate authority no longer resides with the nation-states.

Discerning the illegitimacy of their own nation-states within the current fragmented world order, tens of thousands of citizens have personally ratified the *Earth Constitution*, thereby recognizing it as the supreme law for the Earth superseding in authority their localized national constitutions. On moral and practical grounds, the grounds of the prior dignity, freedom, and integrity of human beings and the need to embody this in a concrete world order, they affirm that the *Earth Constitution* is the only legitimate law for planet Earth.

Government is constituted to serve the governed, to serve the dignity, freedom and integrity of persons, not the other way around. And all people everywhere possess the same dignity, freedom and integrity that legitimate government must serve. In other words, the people are sovereign. It is their Earth, their planetary ecology, their natural resources, and their children's future that are now being sacrificed to the twin false gods of national sovereignty and unlimited accumulation of private wealth. As Emery Reves declares: "There is not the slightest hope that we can change the course into which we are rapidly being driven by the conflicting nation-states so long as we recognize them as the supreme and final expression of the sovereignty of the people" (1945:115). The *Earth Constitution* represents the true sovereignty of the people of Earth, their freedom, dignity, integrity, and *unity in diversity*.

Morally and practically speaking, therefore, the *Constitution* constitutes legitimate world law and provides the framework necessary for creating new laws through a duly constituted World Parliament. The work of the Provisional World Parliament, since 1982, enhances and undergirds this legitimacy, elaborating, for the entire world to see, the kinds of intelligent, *universal laws* that stem from the sovereignty of the people of Earth. The *Earth Constitution* has not only been created through a global participatory process, it has been further validated by the participation of tens of thousands of citizens in the campaign for ratification and the sessions of the Provisional World Parliament.

As we have also seen, the fact that the *Constitution* is not yet enforceable constitutes a secondary issue, since the enforceability of most national constitutions is little justification in the face of the fact that none of these are morally or practically legitimate. Brute force, naked power, does not lend legitimacy. That the *Constitution* is not yet ratified simply means that, as citizens of this planet, we are under a binding obligation to do everything in our power to affect this ratification. The great 18<sup>th</sup> century philosopher Immanuel Kant correctly affirmed that the fundamental obligation of citizens within the “war system” of sovereign nations is to exit that system as quickly as possible through creating “republican government” over all the nations.

Our primary duty as individuals is an *act of civil obedience* by which we exit the illegitimate system of sovereign nations through pledging allegiance to the *Earth Constitution* and, secondarily, begin the work to restore the legitimacy of our respective nation-states by bringing them into the Federation of Earth. It is a tragic error to maintain that some new constitution for the Earth must be developed in the future: to want to reinvent the wheel, when the wheel has already been invented. The mechanism for the flourishing and protection of humans and nature has already been invented, and whatever details we might wish changed within it become insignificant in the face of its capacity to *prevent planetary death* (Mr. Kevin Edds): to save human beings and nature from imminent destruction, which can only happen through its rapid ratification and implementation ([www.preventplanetarydeath.org](http://www.preventplanetarydeath.org)).

A constitution is a framework in terms of which people who recognize its legitimacy think and according to which they operate. The global recognition of the *Earth Constitution* will mean that people will begin thinking and operating differently. Its premises of unity in diversity, comprehensive human rights, the common good of all, the illegitimacy of militarism, the promotion of universal prosperity and equality, and the ecological preservation of the Earth will have a profound influence on the thinking and acting of the people of Earth. It constitutes our fundamental hope for a transformed world order.

This is why the *Constitution for the Federation of Earth* is the most important document of the 20<sup>th</sup> and 21<sup>st</sup> centuries. It represents the legitimate authority of democratic government for the Earth and restores the legitimacy of the nations who join the Earth Federation. It constitutes law and government under the sovereignty of the people of Earth, with democratically legislated laws binding over all individuals, which is the

only legitimate source of governmental authority, resting, as it does, on the freedom, dignity, and integrity of each.

The time is past when the free citizens of the Earth need be cowed and intimidated by the arrogance and insolence of the illegitimate collection of national security states. The time has come for citizens of Earth to assert their freedom, dignity, and integrity through ratifying the *Earth Constitution*. We may indeed bring our national governments to work with this process, perhaps even to lead it, but that is all.

We have seen that *the consent of governments is not necessary to the process of ratification*, for these governments are only legitimate as members of the Earth Federation, and the only true source of true governmental authority is the people. We have seen that government is constituted to serve the people, not the other way around. The sovereignty of the people of Earth, recognized by the *Earth Constitution* is, therefore, the only legitimate source of government (whether local, national, or planetary). This means that the power of recognizing legitimate government lies in the hands of each one of us. For each of us exists as, first and foremost, a human being and, therefore, a law-making citizen of planet Earth, morally obligated to live under effective planetary democracy.

The process of ratification set out in Article 17 of the *Earth Constitution*, therefore, wisely allows for either nation-state ratification, or direct citizen ratification, or some combinations of the two. The *Constitution* states that people may ratify it directly, both as individuals and through referendums. It also recognizes that people may wish to enter into the Earth Federation through their nation-states, which may give preliminary ratification, subject to referendum by the people of that nation. But the fact remains, that approval of nation-states alone is not the ultimate criterion for ratification. Those who believe that the only possible route is through U.N. reform, often fail to see this.

## ***2. The Earth Federation Movement since 2003***

We have seen that the fundamental moral and existential principle of human life is the universal brotherhood and sisterhood of all human beings. One can only affirm the wonderful diversity of humankind when established in a more fundamental unity. The new WCPA that emerged out of the crisis of 2001-2003 grounds itself more firmly than ever in this paradigm shift. In addition to the two basic initiatives of the older WCPA,

four newer initiatives have been added that strengthen and undergird the power of this new, holistic paradigm.

(1) *The first and most fundamental principle remains ratification of the Earth Constitution.* As stated in the Introduction, the work of WCPA members worldwide to actualize the demand inherent in our human situation for a world of justice, equality, and freedom did not end with the creation of the *Constitution for the Federation of Earth*. The great accomplishment of those thousands of world citizens led by Philip and Margaret Isely, Terence Amerasinghe, and Reinhart Ruge, was the creation of the most important document of the 20<sup>th</sup> and 21<sup>st</sup> centuries. However, with the retirement or death of these leaders, new leaders have come to the fore equally committed to the great task of civilizing human life on Earth under the equitable rule of justly legislated laws for everyone.

Ratification of the *Earth Constitution*, under Article 17, may involve one several possible combinations of two criteria: grass roots support for, and ratification of, the *Constitution* and/or a group of leaders of nation-states coming together in a founding ratification convention. WCPA continues to work in both areas. Through our WCPA chapters, we promote community involvement and a growing mass movement toward ratification of the *Constitution*. We also continue to contact political leaders, justices, parliamentarians and prominent citizens to promote the possibility of a founding ratification convention of national leaders.

(2) The second principle remains the *promotion of provisional world government and sessions of the Provisional World Parliament*. Since 2003, the new WCPA has successfully organized the 6th session of the Provisional World Parliament in Bangkok, Thailand, the 7<sup>th</sup> session in Chennai, India, (both in 2003), the 8th session in Lucknow, India in 2004, the 9th session in Tripoli, Libya in 2006, the 10<sup>th</sup> session in Kara, Togo in 2007, and the 11<sup>th</sup> session in Nainital, India, in July 2009. At the 11th session, the delegation from Bangladesh presented the Parliament with the *Constitution for the Federation of Earth* newly translated into its 23rd language: Bengali, also known as Bangla (the language of at least 160 million people). This work was spearheaded by Dr. Mujibur Rahman and Mr. Mabubul Islam, WCPA leaders also associated with the largest youth and environmental organizations in Bangladesh.

These Parliaments have also created, to date, a body of very sophisticated and visionary provisional world law that models for the world the possibility of a truly alternative world of peace with justice. The parliament has also studied the *Constitution* for strengths and weaknesses and has undertaken legislation to implement and strengthen its

democratic intent. For example, we saw in Chapter IV above that the Parliament created the Global People's Assembly to supplement the House of Peoples. This body of law and its implications will be detailed in the three volume edition of *Emerging World Law*, edited by Eugenia Almand and Glen T. Martin. The first volume appeared in 2009. The provisional world law passed to date can also be found at [www.worldproblems.net](http://www.worldproblems.net).

These two broad initiatives remain at the heart of the WCPA mission. However, the new WCPA has expanded and developed implications found in these initiatives in four additional ways: (3) *Loving service to humanity*. As detailed below, we are developing service projects in poor countries under the auspices of WCPA. We sponsor schools, environmental projects, permaculture development, and other projects that directly address the needs of people in poor countries.

(4) *Study and learning projects*. The WCPA had earlier created the Graduate School of World Problems under the leadership of Dr. Amerasinghe. The new WCPA sponsored creation of the non-profit Institute on World Problems (IOWP), as a successor to the Graduate School, to emphasize study of world problems and their means of solution under the *Earth Constitution*. To this effect, we have become an educational organization promoting worldwide thought and study concerning our endangered future.

(5) *Collaboration and dialogue with other world federalists and their organizations*. This is a truly new feature of the WCPA-IOWP mission. We have developed relationships and contacts around the world with world federalist movements and organizations, collaborating as far as possible without compromising the vision of establishing a truly new, holistic paradigm under the *Earth Constitution*. Some of our supporters advocate a "two-track strategy." They simultaneously support, for example, U.N. reform and ratification of the *Earth Constitution*. WCPA does not deny that good work, for a better world "has many kingdoms," many possibilities for dedicated work in the service of a decent world order.

(6) *Modeling and conceptual development of the world order deriving from the Earth Constitution*. The 48 world legislative acts of the Provisional World Parliament, and its many declarations and resolutions, have articulated a vision of an alternative world order deriving from the *Constitution* that can be studied, modeled, concretely envisioned, and analyzed. This work has been spearheaded and systematized by Dr. Eugenia Almand, Secretary of the Provisional World Parliament.



These documents together concretize the world order implicit in the *Constitution* and show, for all the world to see, how things can genuinely be different. We *can* establish a peace system, a debt-free economic system of reasonable prosperity for all, an environmentally sustainable system, and a system in which diversity is empowered and protected precisely because it is constitutionally affirmed and legally grounded within the unity of the Earth Federation.

The legislation of the first five sessions of the Provisional World Parliament did not consciously follow professional legislative drafting rules, nor was this legislation conceptualized as part of a coherent body of integrated world law. Delegates at these sessions, rather, addressed what they took to be the world's greatest needs, such as making all nuclear weapons illegal (World Legislative Act number 1). Since the sixth session of the Parliament in Bangkok in March of 2003, under the leadership of Dr. Almand, there has been a professionalization of the parliament, its procedures, and its legislation.

In pursuit of these goals, the new WCPA has continued to hold regular Executive Council meetings and recently appointed new and energetic leaders to the Council. With the death of Dr. Amerasinghe in 2007, WCPA headquarters for Asia was moved from Colombo, Sri Lanka to the active WCPA offices in Chennai, India, under the direction of Professor Ramanujam Ananthanarayanan. Dr. Preeti Shankar of Lucknow has become Deputy Director for Asia.

Dr. Phichai Tovivich, President of the Office of the World Peace Envoy and of WCPA, Thailand, has become a Vice-President of worldwide WCPA, and Dr. Santi Nath Chattopadhyay, who is also Director of the International Society for International Study and Research (ISISAR) in Kolkata, India, has also become a WCPA Vice-President. Dr. Dauji Gupta, former Mayor of the City of Lucknow, India, and Sri Jagdish Gandhi, founder/manager of the City Montessori School system of Lucknow, remain long standing, important Vice-Presidents.

In Bangladesh, Mr. Mahbubul Islam has become WCPA World Youth Director. He has worked for years with Dr. Mujibur Rahman in developing WCPA for Bangladesh. International arrangements are currently under way for the 12th session of Parliament in 2010 or 2011, perhaps hosted in Croatia by Dr. Slavko Kulic and Dr. Marija Pavkov. Every session of the Provisional World Parliament since 2003 has been deeply indebted to WCPA activists in the host countries who have facilitated numerous local arrangements, including food, transportation, housing, publicity, etc. Justice A. P. Misra, former Supreme Court Justice of India, and

Saraswathy Devi, prominent international lawyer from Malaysia and head of the International Women Lawyers' Commission on Human Trafficking, are both new Honorary Sponsors of the Provisional World Parliament.

In Costa Rica, we have established a vibrant WCPA chapter known as the "Rodrigo Carazo Odio Chapter," named after the great peace leader and former President of Costa Rica, Rodrigo Carazo. Lic. Celina Garcia, Director of the Costa Rica Center for the Study of Peace (Fundación CEPPA) and principle founder of this chapter, has become a Vice-President of WCPA worldwide with the goal of developing Costa Rica as a center for the Earth Federation Movement throughout Latin America.

The WCPA has also had an official presence at every one of the ten annual, international conferences of Chief Justices of the World and corresponding Global Symposiums that have taken place in Lucknow, India, for the past ten years. These huge, events on behalf of world peace through law are sponsored by the City Montessori School of Lucknow and its founder/manager, Sri Jagdish Gandhi. At the 10th session in December 2009, the *Constitution for the Federation of Earth* was distributed to these Chief Justices from around the world in any one five languages: English, French, Spanish, Hindi, and Esperanto. These international conferences of Chief Justices are particularly important because justices understand the need for the rule of law and, within nations, are often above the political fray of party politics. Many justices at these conferences have affirmed the need to ratify the *Earth Constitution*.

Leaders of the Earth Federation Movement have established the Institute On World Problems (IOWP) as a 501c3 educational institution in the United States to work closely with WCPA in our worldwide educational efforts. During this period, the IOWP has held international seminars for WCPA members and other interested people in Chennai, India (twice), Lucknow, India (three times, hosted by Mr. Gandhi), Takoradi, Ghana, Kara, Togo (twice), Dhaka, Bangladesh (three times), Tepotzlan, Mexico, Kameoka, Japan, Bangkok, Thailand, Colombo, Sri Lanka, Radford, Virginia, Toronto, Canada, and San Jose, Costa Rica.

In doing this, seminar participants are empowered and educated on the basic principles of the *Earth Constitution*, democratic world law, and the Earth Federation Movement. In 2004, IOWP also published the *Manifesto of the Earth Federation* which has been widely distributed in English and Spanish. At present, WCPA-IOWP is also mounting a mailing

campaign in the U.S. with brochures and information that will be going to thousands of organizations and individuals.

Thousands of copies of the *Earth Constitution* have also been distributed in French, English, or Spanish in all of these places and WCPA leaders have met with key political officials, giving them copies of the *Constitution*. From WCPA offices in the USA, Togo, India, and Sri Lanka, we have corresponded by email and surface mail with WCPA members and chapters all over the world. The huge chapter in the Tamil Nadu state of India has moved into new, larger offices and has had a late model automobile donated to facilitate its work. A number of prominent businessmen there support this work.

Supporters in Kolkata, India, have been raising support and funds for a separately constructed World Peace Center there, which will have separate offices for WCPA and IOWP. A working relationship has been developed with the Sri Aurobindo Movement and with the World Prout Movement, both of which are worldwide movements that support the idea of democratic world government. For many years, we have also had a strong relationship with the Oomoto religion, based in Japan, and its Universal Love and Brotherhood Association (ULBA).

The office of the World Peace Envoy in Thailand (that has operated there for 40 years under the direction of his holiness, Ariyawanso Bhikku) has been re-empowered and reorganized under the direction of Dr. Phichai Tovivich to lead a movement for a WCPA-sponsored World Peace Envoy designated for every country. Supporters in Togo, Africa, under the leadership of WCPA Coordinator for Africa, Dr. Dominique Balouki, have acquired donated land in two cities for WCPA permaculture projects and have begun farming these projects as models for a future sustainable world. They are also working on developing a "World University" there that will house WCPA and IOWP and be organized around truly universal principles of democratic world government.

In Liberia, a substantial WCPA chapter has been flourishing for more than 20 years. They are currently involved in establishing a new chapter in neighboring Sierra Leone. In Ghana, the WCPA chapter, led by Reverend and Mrs. Tawiah, has renovated a building that has become an international school, following in the tradition of WCPA chapters worldwide doing beneficial social projects in the service of ordinary people, for the entire Earth Federation Movement is grounded in the moral power of what *ought* to be, expressed so well by Paul Tillich in the Epigraph at the head of this chapter. WCPA South Africa is presently distributing and promoting the study of the *Earth Constitution* in that

country. In Nepal, the long standing WCPA chapter is in the process of developing and revitalizing itself.

During this period WCPA leaders have met with two African Heads of state, many members of various parliaments, many supreme court justices and world peace leaders, as well as the Vice-President of the European Union, promoting the uniting of the Earth under its only viable, practical *Constitution*. They have been working to meet with South American leaders such as President Hugo Chavez, and have been making efforts through contacts to get personal meetings directly devoted to Earth Federation work.

WCPA and IOWP have also designed and developed a model Earth Currency in several denominations that has been mailed to many heads of State, heads of national banks, etc., by IOWP sociologist, Dr. Bob Blain. On behalf of IOWP and the *Earth Constitution*, Dr. Blain continues to send samples of currency and descriptions of truly empowering economic principles to heads of state and key people around the world, along with graphs and charts showing them the way out of the world's current economic imperialism and slavery. A transformed, debt-free economic system is already explicit in the *Earth Constitution*, and this new world currency has been integrated into the emerging Earth Federation under the *Constitution* through carefully designed acts of the Provisional World Parliament.

During this period WCPA and IOWP have come to a permanent agreement with the Institute for Economic Democracy (IED) Press, an established progressive publishing house in the U.S., to serve as an Earth Federation publishing house. The Press has published *World Revolution through World Law*. It has published my *Ascent to Freedom: Practical and Philosophical Foundations of Democratic World Law*, and, in spring 2009, came out with the first of the three volume publication *Emerging World Law: Key Documents and Decisions of the World Constituent Assemblies and the Provisional World Parliament*, edited by myself and Dr. Almand. Most recently it has published my *Triumph of Civilization: Democracy, Nonviolence and the Piloting of Spaceship Earth*.

The Press has also published *Earth Federation Now!* (2005) and *21st Century Democratic Renaissance* (2008), by renowned British Professor Errol E. Harris (a Vice-President of WCPA until his recent death): both books argue for the necessity of world democracy under the *Earth Constitution*. This press has had a great productivity in the past six years of first class publications devoted to the conceptual and practical

foundations of the *Earth Constitution* as the only viable option for humanity, as well as to genuine economic democracy.

There are a number of websites that represent our work, such as: [www.wcpa.biz](http://www.wcpa.biz), [www.worldproblems.net](http://www.worldproblems.net), [www.radford.edu/gmartin](http://www.radford.edu/gmartin), and [www.earthfederation.info](http://www.earthfederation.info) (developed by Dr. Roger Kotila, a WCPA Vice-President from the U.S.). These continue to be under development even though they already contain an immense amount of information. There are several other WCPA related websites that were established by the old WCPA under Philip Isely, but we do not have control over them and they remain dormant and still contain the out of date contact information. Since 2003 our headquarters has been in Virginia, USA.

As should be clear from the above account, WCPA and IOWP do not simply exist as electronic mirages (web sites or email lists), which is the case for some international NGOs advocating world federal government. WCPA chapters and members around the world are working concretely to establish the foundations and infrastructure of the coming Earth Federation. The moral and existential principle that all human beings are brothers and sisters animates our dedication to ratifying the *Earth Constitution* and creating a decent world order for all of the Earth's creatures as well as future generations.

### ***3. Love, Justice, and the Rule of Law***

The apparent hopelessness and helplessness of the human situation is due in significant measure to our lack of universal laws predicated on the most fundamental principles of moral and legal right. There are two functions of government operating in every so-called democratic nation-state that must be distinguished. The first is the function of government and law to protect the wealth and power of the few from the many. Government and law have always been manipulated to serve the interests of the ruling classes of the world. Police and military are instruments in the hands of these classes for repressing protest and protecting the system of exploitation and injustice.

In his *Discourse on the Origins of Inequality* (1754), Jean-Jacques Rousseau studies the origins of governments from out of that "state of nature" that existed when there were no governments and the Earth belonged in common to all persons. Rousseau recognizes that governments were originally instituted by those who had appropriated land and resources for themselves and now wanted the collective force of society to legitimate and protect their stolen wealth. Governmental

power, in this sense, has existed since earliest times and has nearly always been appropriated by the wealthy and unscrupulous as the most efficient means for protecting their criminal use and exploitation of the Earth and other people for their own selfish gain. Indeed, in 1776 Adam Smith wrote: "The necessity of civil government grows up with the acquisition of valuable property." He also wrote: "Till there be property there can be no government, the very end of which is to secure wealth, and to defend the rich from the poor" (in Parenti 1995: 140).

In this conception, government is a consolidation of power that uses the aura of legitimacy in the service of the private wealth and power of a few. It is, therefore, by and large a criminal enterprise that violates the ethical and spiritual principles of communicative reason, democracy, common morality, *unity in diversity*, and community. We understand these latter principles very well, for they are part of the experience of most people's lives in one way or another. Many people today also understand government as a criminal enterprise, often based on personal experience: since most governments today have been thus colonized. Karl Marx understood this as the primary function of government in all class societies. He understood the "superstructure" of government and law as a reflection of the property relations separating the exploiting from the exploited classes.

However, there is another function of government that is expressed by Rousseau in his *Social Contract* (1762) and developed by Immanuel Kant, T.H Green, Ernest Barker, Errol E. Harris, and a host of other thinkers. In this understanding of government, the people are sometimes said to join together as equals in a "social contract" to form a community of citizens under government that magnifies and ensures their freedom and equality. The first principle of good government is that it must represent the whole community, rather than special interests. A genuine community involves a set of relationships that bind people together in a variety of ways that substantially abolish the use and exploitation of some for the advantage of others. A genuine community is a universal community of rights and responsibilities. Law then becomes the underlying "integrity" of a society. As contemporary philosopher of law Ronald Dworkin writes:

Law as integrity accepts law and legal rights wholeheartedly . . . It supposes that the law's constraints benefit society not just by providing predictability or procedural fairness, or in some other instrumental way, but *by securing a kind of equality among citizens that makes their community more genuine and improves its moral justification for exercising the power it does.* (In Wacks 2006: 49-50)

In *21<sup>st</sup> Century Democratic Renaissance* (2008), Errol E. Harris discusses the tradition in political theory extending from Nazi legal theorist Carl Schmitt to neoliberal guru Leo Strauss that understands government as revolving fundamentally around the greedy struggle for control of power and the manipulation of power by various groups. Harris contrasts this tradition with the mainstream tradition of democratic Western thinkers who have linked the legitimacy of government to the degree of freedom, equality, and community made possible for citizens. Harris shows the tremendous significance of the concepts of the community as a whole and the “common good” of the community that have been emphasized throughout the history of democratic theory.

One meaning of the concept of *community* involves a group of individuals beyond the level of the family who extend the relationships of communicative reason, democracy, fundamental moral principles, mutual concern, and respect to larger and larger social groupings. In larger social groupings, we may no longer live in face-to-face personal relationships as within a family. Nevertheless there can be bonds, customs, mores, feelings of solidarity, and traditions of communicative reasoning that permeate very large communities, as philosopher G.W.F. Hegel demonstrated at length. These become places where people can encounter strangers with a reasonable trust that one will not be used or manipulated but will be treated with respect and decency. A community in this sense *embodies a moral reality* permeated by a set of ethical, communal, emotional, legal, and rational relationships that fosters freedom, equality, dignity, and mutual responsibility among its citizens.

We can understand the social and moral reality behind genuine community as a relationship of *love*. Love here does not mean the attraction or repulsion of individuals toward or from one another. Love means something closer to the *agapē* taught by Jesus, a love that treats all persons equally, just as the sun and the rain fall equally on the just and the unjust (Matt. 5:45). In the authentic social contract, or community under law as “integrity,” this treatment of all persons as free and equal becomes embodied within a constitution and the law deriving from this foundation. The constitution, in large measure, *establishes* the community to be governed within its framework. An effective constitution establishes a paradigm that empowers and activates a community of equality, freedom, and mutual responsibility among its citizens.

Following Rousseau, Immanuel Kant (1795) understood this very well. He argues that the fundamental principle of morality, the categorical

imperative to universalize the maxim of one's proposed action to every human being, is also the fundamental principle of law. It protects the freedom, equality, and independence of all citizens and becomes the governing framework for their relationships. He asserts that treating every person as an "end in him or herself" in this way is equivalent to the love taught by Jesus (1964: 67).

Kant understood that every existing government is a mixture of these two functions of government: the immoral and illegitimate function of protecting injustice and the morally grounded function of empowering citizens within a framework of freedom, equality, and community. Only the latter is legitimate, and the duty of citizens working within this framework of a combination of justice and injustice involves moving government forward to actualize a truly moral and just community of citizens. Kant termed the regulative ideal guiding this struggle for ever-greater justice the "Kingdom of Ends," a society where every person treated every other as an infinitely valuable "end in himself or herself."

However, for Kant there is one condition that is absolutely unjust. He calls this condition "war." Kant understands that the condition of "war" is precisely what obtains between sovereign nation-states that recognize no effective democratically legislated laws above themselves, engaging rather in lawless power politics and endless mutual hostility and competition, whether or not actual war is taking place at any one time. "War" is the opposite of love as *agapē*. As we have seen, in his 1795 essay *Perpetual Peace*, he affirms that we are under an absolute moral obligation to quit this condition and create "a federation of free states" under a single republican constitution. Such an immoral condition of war obtains between all sovereign nation-states that refuse to join together within an Earth Federation bringing them under a single constitution that effectively legislates universal laws and enforces these laws over all individuals.

We find ourselves today reaping the inevitable consequences of this lawless condition with all the calamities of a chaotic world disorder, from global climate collapse, to pollution of our planet, to resource depletion, to worldwide militarization, to perpetual terrorism, to a global business in human trafficking, to massive poverty and starvation for a good portion of the human community. The *Constitution for the Federation of Earth* establishes a planetary community on the moral and legal principles of a global social contract. It takes our planet out of the utterly immoral condition of defacto "war" and empowers people the world over to



recognize themselves as citizens with the same equal rights and freedoms as every other citizen.

But our emergence from the loveless and lawless condition of war with one another, and the establishing of the fullness of the human community upon the Earth under the *Earth Constitution*, requires another kind of love as well: love as *eros* – a great desire for the fullness of life, for the transfiguration of life on our planet to one of justice, freedom, prosperity, and beauty. We need a great creative passion for the transformation of our corrupt and fragmented world disorder into that which we were meant to be – into the beauty of a peaceful, just, and creatively fulfilled world order. Behind the *Earth Constitution* lives a great passion for the divine-human image within us of what we are summoned and called to be. The Earth Federation is not one possible solution among others, it signals the actualization in us of great love of life, great passion, great affirmation.

Human beings need not wait for some miraculous spiritual transformation to take place before creating a just and free world order. The ratification of the *Earth Constitution* involves the *institutionalization of the principle of love* – human beings living within a universal, just community empowering everyone as free, equal, and responsible for actualizing the common good of the whole. These principles are embodied in the *Constitution* from the very start. Our task not only involves actualizing present day democracies to embody the ideal of good government. Our more pressing task involves ratifying the *Earth Constitution* and bringing humankind out of its barbaric pre-civilized mode of existence (war) into the empowering framework of democratically legislated laws applying equally to all human beings while protecting nature and future generations (love).

Religious insight agrees with philosophical insight. Pope Benedict XVI's June 2009 encyclical, *Caritas in Veritate*, emphasizes the truth that there can be no global economic justice unless there is a global sense of "community," of "the common good" (e.g., in sections 7 and 9). Christian philosopher Enrique Dussel concurs. In community, he writes "all individuals are persons for one another." The "sin" of turning people into "things" to be exploited, as instruments of labor or faceless consumers, is gone. "The community," he says, "is the real, concrete agent and mover of history. In community we are 'at home,' in safety and security, 'in common'" (1988, p. 11). Democracy can only be fully actualized within a genuine, universal community.

The universal human community can and must be *established*. Slow evolution is not only not an option (since our survival and flourishing on this planet is at stake). The choice of slow evolution can be seen as a profoundly *inappropriate choice* insofar as the framework for universal right and justice can be established through ratifying the *Earth Constitution*. For both justice and love are *moral* concepts, that is, they are products of free human choices, and they bind us as moral obligations.

They are not mere causal phenomena deriving from the “origin,” as Paul Tillich asserts in the epigraph to this chapter. They are demands “*for something that does not yet exist but should exist, should come to fulfillment.*” The moral demand inherent in our human situation needs to come to fulfillment in the rule of democratically legislated law upon the Earth. Only then, will we truly be able to say that the reign of love has begun – the beginning of a true human community premised on the protection of our planetary home within a framework of equality, freedom, and justice for all.

