
GLOBAL, CIVILIZATIONAL, AND REGIONAL POLITICAL DIMENSIONS

POWER, JUSTICE, AND FREEDOM. THE LINKS BETWEEN GLOBAL DEMOCRACY AND HUMAN LIBERATION

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This essay explores the relationships between power and justice in human political affairs, and explicitly in terms of our conception of the state and its governing responsibilities. This topic is vital to humanity at this point in time because our human future is in great danger and it is crucial to be clear about how we conceptualize that future. The essay distinguishes 'power-over' from the empowerment or 'power-from' that characterizes legitimate democracy and human freedom. It explores the interlocking meanings of the concepts, 'liberty, equality, and community,' that serve as an ideal for governing human affairs and shows that the fragmented system of territorial sovereign nation-states structurally defeats that ideal. It argues that legitimate government requires a world governing system such as that envisioned by the Constitution for the Federation of Earth that is premised on the dignity and equality of all persons, and that this is fundamentally different than the threat of totalitarianism under a global 'new world order.' We need to reverse our thinking about freedom in its relationship with necessity. We require authentic democratic empowerment from the people of Earth if we are to actualize the common good of present and future generations.

Keywords: *justice, freedom, democracy, power-over, empowerment, violence, nation-state sovereignty, war-system, totalitarianism, legitimate government, global common good, human dignity, human rights, Constitution for the Federation of Earth.*

Introduction

The first subsection below, 'Power-Over and Violence,' examines the pervasive character of the 'power-over' relationship in human affairs, a relation that can be *institutionalized* within political and economic systems. It argues that this relation requires a concept of *justice* that limits and controls the power-over relationship. The second subsection on 'Development of the Concept of Justice' elucidates the development of this concept of as today embracing personal, economic, and political dimensions each of which is centered on the freedom and dignity of persons. Drawing especially on the thought of Alan Gewirth and John Finnis, it argues that this concept of justice is essential for cri-

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tiquing and restraining unjust power-over personal, economic, and political arrangements. It argues that the legitimate role of governmental power involves actualizing justice in economic and political affairs, that is, by promoting the common good of all citizens equally before the law. In the face of our planetary endangered future, it has become imperative to properly institutionalize justice directed to the common good.

The next two subsections, 'The Governments of Nations and the Global Common Good' and 'The Sovereignty of Nations' argue that today's fragmented world system of territorially sovereign nation-states makes impossible actualizing the common good of human beings through focusing on their freedom and dignity. The very fact of militarized territorial fragmentation defeats all attempts to establish justice universally or address the lethal 'global problems' facing humanity, such as the danger of apocalypse from weapons of mass destruction or the on-going threat of climate collapse. The first of these subsections cites philosophers John Finnis and Errol E. Harris who question the legitimacy of territorial sovereign nations on precisely these grounds. The second examines the concept of nation-state 'sovereignty' to reveal that its present commonly recognized form is hopelessly outdated and counter-productive to fostering the common good of humanity.

The final subsection, 'Conclusion: Power on Behalf of Justice and Human Liberation' argues that creating a credible future for humanity requires uniting under a global federal government such as that envisioned by the *Constitution for the Federation of Earth*. Perhaps the most fundamental objection to this idea is the fear that great power centralized in a global government might lead to totalitarianism. However, drawing on Hannah Arendt's distinction between power and violence, this section contends that this objection is not valid. Power, Arendt argues, means democratic empowerment, justice, and liberation, and it is precisely lack of authentic power that manifests itself in violence or in unjust forms of power-over. What we need is just, globalized political and economic power, predicated on the freedom and dignity of every citizen, which is exactly the focus of the *Earth Constitution*. With this clarification, in conjunction with the insight that the system of territorial sovereign nation-states is incapable of promoting our planetary common good, the essay concludes by affirming the urgent need to promote the unified sovereignty of the people of Earth under the authority of this *Constitution*.

Power-Over and Violence

Power-over is an inescapable feature of human existence. Parents have *power-over* their children. Husbands in some societies have *power-over* their wives. Employers typically have *power-over* their employees. Prison guards have *power-over* prisoners. Military commanders have *power-over* their subordinates. Police have *power-over* citizens. Banks and debt-holders have *power-over* debtors. Wealthy people (or wealthy corporations) have *power-over* poor people in many ways: through bribery, deceit, intimidation, or their ability to manipulate the law in their own interests. Masters have *power-over* slaves. Landlords often have *power-over tenants*. Criminals often gain *power-over* their victims to accomplish their crimes. Nation-states have *power-over* their citizens through the means of enforceable laws. Strong nation-states have economic, military, and political *power-over* weaker nation-states. The list goes on. Human freedom potentially lies in ruins.

By contrast with 'power-over' as used in the above examples, 'justice' has a number of meanings that purport to *limit* what can be done in situations of power-over, or, indeed, entirely undermine the legitimacy of some situations referred to as 'power-over.' For example, justice can be said to abolish the master-slave relation entirely as

illegitimate and unjust. Some relationships of ‘power-over’ are unjust, not morally right in the sense that they violate human dignity. Unjust relations of power-over violate human freedom and dignity.

Other relationships are *limited* by justice. For example, what employers can command their employees to do is so limited. Can male employers of females in corporate settings expect sexual favors from female employees? Notice that, in both these examples, the positive law can and should embody principles of justice. The law in some countries prohibits slavery and in other countries prohibits sexual harassment and exploitation of employees. Human freedom and empowerment is actualized to the extent that unjust power-over is diminished.

Many scholars have shown that the ‘power-over’ that violates justice and dignity can be *institutionalized* in the form of economic, social, or legal relationships such that the relation of domination is masked by the superficial accoutrements of the law. Karl Marx pointed out that much of the law within capitalist societies was of this nature: legalized exploitation and domination. Mexican Marxist thinker José Miranda declared, for example, that ‘99 per cent of all exploitation is legal’ (1974: 12). If we seek human freedom, then unjust exploitation (including much of capitalism as we know it today) must be abolished. Under capitalism, Mahatma Gandhi observed, ‘a few ride on the backs of the millions’ (1972: 115).

Capitalism requires governments that design and protect economic institutions that foster the interests of the rich at the expense of the poor. Hence, violence of one form or another is required. Brazilian theologian Dominique Barbé writes concerning the international debt coming from consortiums of first-world private banking institutions such as the World Bank and the IMF: ‘Yes! It is institutional violence. The cheap sale of our raw materials, our natural wealth, has paid for the debt... This type of institutional violence kills millions of persons, many more than a world war’ (1989: 167).

For the power-over relation to maintain its relationships of domination and exploitation, of course, more violence is necessary than simply the legal relationships of debt and debtor. What is also necessary is the violence of the lie, another aspect of the system of power-over that Marx has already described. The mass media, along with the governments of such nations, require *propaganda* to legitimate the system in the eyes of the people. This often includes activating people's fear of official enemies. People must be made to feel that the government is there to protect them, and that there is no alternative, that their wealthy rulers in the congress or parliament or statehouse are doing their best by them. Here again, freedom lies in ruins.

This system of exploitation must appear legitimate both in the eyes of the debtors and in the eyes of the many around the world who believe that they somehow live in ‘democracies.’ Below we examine the concept of justice more fully to reveal that neither of these ideas is true. No people within today's system of sovereign nation-states live in authentic democracies, and none live under legitimate governments. For human beings to survive and flourish in freedom and justice, we need to rethink the concepts of *democracy and legitimacy as truly universal concepts*, not limited by geography and nation-state fragmentation.

Development of the Concept of Justice

In much of Western philosophy through the time of the Renaissance the concepts of justice and right were widely discussed in relation to hierarchical social arrangements

that were taken to be 'natural,' given by God or nature. The concept of justice was top-down (as it had been going all the way back to Plato and Aristotle) and was thought to be compatible with inherited, customary, or divinely ordained hierarchical social relations. You should treat a slave or a serf justly, as Aristotle envisioned it, and you should 'give each is due.' But this did not mean abolishing the order that made this person a slave or a serf. What is due to the slave and to the master are two very different things.

However, by the seventeenth century, Johannes Althusius in his book *Politica* (1995), along with others in that era (such as Grotius), began to challenge this hierarchical conception of justice in which the positive laws of hierarchical society were made compatible with the 'natural moral law' justifying the status quo. Authority, the justification and source for social arrangements, now came from the people, not from a social order preordained by God or custom. The people were 'sovereign,' and the rulers of society who did not serve the common good of the people could be recalled by those very same people over whom they ruled. Born out of the cradle of the Renaissance, the dream of free human beings governing themselves, first articulated in the West by Thucydides on behalf of the ancient Greek polis, now stirred within the infancy of modernity.

Justice and right could now be conceived as arising from the common dignity of persons, that is, from below, and not from hierarchical decrees of anthropomorphically imagined deities (see Bloch 1986). The eighteenth century saw the democratic revolutions in France and the North America along with elaboration of the revolutionary ideals of liberty, equality, and fraternity (*liberté, égalité, fraternité*) embracing the concepts of human dignity and human rights. The eighteenth century gave birth to the Enlightenment, 'enlightenment' defined by Immanuel Kant as the capacity 'to use one's understanding without guidance from another' (1983: 33). The maturity of thought and understanding undergirding the democratic concept was beginning to animate the human project.

By the nineteenth century, the social sciences had developed to the point where it was possible to understand that justice was not simply a category of personal human morality but could be embodied in social institutions as well (Hick 2004: 304). Hence, social and economic institutions could face a critique based on the ways that they institutionalized injustice, inequality, and lack of right. Systems of hidden violence could be laid bare even in the face of the propaganda designed to cover them from the common sight. It is no wonder that, as mass literacy and education began to develop, along with the technologies of mass-media, the rich took pains to join with governments to own and control the media and all systems of dispensing ideas and information. The 'capacity to use one's understanding without guidance from another' had to be stopped.

By the twentieth century, the system of unjust power-over had reached such proportions that 1 per cent of the world's population owned 50 per cent of its wealth, while the bottom 50 per cent lived in agonizing poverty and misery. The twentieth-century philosopher John Rawls (2001) made famous a notion of 'justice as fairness,' which included both liberty and equality. People must be free, he argued, but this 'freedom' cannot be such that it trumps equality and leads to conditions in which the 'least advantaged' are hurt or forgotten. The principle of equality, of equal dignity, had become a foundation stone for discussions of justice in our time.

The great vision that Karl Marx expressed at the end of *Capital, Volume 3*, has not been realized. The 'realm of necessity,' as Marx puts it, still dominates human thought and action. Our human potential must develop to the point where the 'realm of necessi-

ty' is mastered and globally coordinated productive synergy solves the basic problems of producing human necessities for living. When this point is reached, we enter the 'realm of freedom' where production serves the human ends of growth: of love, justice, creativity, and joy in living (Marx 1981: 959). The revolutionary ideals of liberty, equality, and fraternity then become paramount. 'Fraternity' becomes community, a human community conscious of our common 'species being,' living together in peace and justice on the Earth.

The great vision of the Enlightenment that blossomed from the radical beginnings of Althusius and Grotius spoke of 'freedom, equality, and fraternity.' It was a vision of human dignity, and with dignity, as philosopher Leonard Nelson (1956) points out, always come human rights. If a person has dignity, then they intrinsically have rights to be treated as such and others have responsibilities to respect those rights. It is not the vision of human rights and human dignity that was the flaw behind the rise and triumph of a capitalism that has dominated everything and has nearly destroyed our planetary ecosystem, as Ernst Bloch 1986, points out: it was the inclusion of unlimited accumulation of 'private property' among those rights. Let us look at the way the principle of human rights and human dignity has been applied by another important philosopher: Alan Gewirth. I described the work of Gewirth in the following few passages from my 2008 book *Ascent to Freedom* (sect.7.5):

In his books *Human Rights: Essays on Justification and Applications* (1982) and *The Community of Rights* (1996), Alan Gewirth grounds human rights on the fact that every person is an actual, potential or prospective agent who acts for purposes they regard as good. This 'generic purposive feature of human action' – that persons act for purposes they regard as good (which is implicit in rational freedom) – presupposes certain necessary conditions that make such human action possible: freedom and well-being.

Without external (political) freedom, Gewirth argues, persons cannot act for purposes they choose, and without well-being (sufficiency of goods, security, and health) persons similarly cannot act. If I am sick, or starving, or in extreme poverty, I cannot act in my life-project for purposes I regard as good. These two together are the necessary conditions if our human agency is to have even the possibility of successfully pursuing or achieving its goals.

The objects of human rights are not these human purposes, which may of course be mistaken, foolish, or unjustifiable. People act from purposes they believe are good (in some sense) but their goals may involve merely apparent goods.... For Gewirth, the objects of human rights are the freedom and well-being that are the necessary conditions of having any chance of success in the pursuit of aims and purposes, whatever these purposes may be. He writes:

Human rights are of supreme importance, and are central to all other moral considerations, because they are rights of every human being to the necessary conditions of human action, i.e., those conditions that must be fulfilled if human action is to be possible either at all or with general chances of success in achieving the purposes for which humans act. Because they are such rights, they must be respected by every human being, and the primary justification of governments is that they serve to secure these rights.... And the Justifying Basis of the rights is the moral principle which establishes that all humans are

equally entitled to have these necessary conditions, to fulfill the general needs of human agency (Gewirth 1982: 3).

Human beings, as rational freedom capable of acting for purposes, have intrinsic dignity and intrinsic rights that are the necessary conditions of being able to act with any purposes at all that have a chance of success (Gewirth 1982: 5). Each person must recognize these rights to freedom and well-being in his/her self, and logically must also recognize them in every other person by the logical principle of universalizability. Power need not only be a 'power-over' limited by principles of justice. Political and governmental power can mean *empowerment*, a powerful framework supporting human freedom and dignity. Human beings acting together constitute power, and precisely this solidarity can empower each individual person. We will see below that, at this point in history, it is precisely necessary to activate this solidarity at the planetary level.

For Gewirth (1996), the *common good of society* involves those arrangements that make possible both the freedom and the well-being necessary to live a fulfilling life. 'Generic consistency' requires that these rights apply equally to all people, which is the basic feature of justice. Both of these aspects of a viable life-project require rights articulated and protected by the state: freedom-rights of information, speech, publication, participation, assembly, habeas corpus, *etc.*, and well-being rights of a healthy environment, social security, health care, housing, and a decent income. These two together constitute the 'common good' that is the responsibility of the state.

Human dignity means we have the right to the conditions that make possible our free development in pursuit of the good as each of us envisions it within the framework of a community respecting the common good of all. For Gewirth this means that the state must provide the freedom and well-being conditions that make personal aspiration and growth possible. It is a principle of justice ensuring the equal opportunity for each. We understand our interdependence and interrelatedness, yet the point of life is the synergistic development of both the community and the individual, the two now inseparably connected. Similarly, for philosopher John Finnis (1980), the state must provide a framework in which our personal aspirations are not blocked but enhanced, protected, and encouraged. For both thinkers, government is responsible for the common good of citizens. It is precisely this *power of solidarity* that makes possible justice and liberation in human affairs.

Governments of Nation-States and the Global Common Good

The legitimate role of government is that it grounds the common good of the community of free and equal persons before the law. As Jürgen Habermas and others have shown, our individuality and common 'species being' arise together (2003: 10–11). Individual and community self-realization go together. Democratic government (hence all legitimate government) must be understood as the constitutional or legal matrix that not only empowers human freedom in many ways but provides the limits and guidelines on human interactions that abolish certain forms of power-over and regulate others with respect to maintaining freedom, equality, and universal human dignity. Our dignity and our 'species-being' may be *a priori* in the sense that they are not affected by contingent circumstances (we remain human no matter how degrading our circumstances), but government is *necessary* for specifying the nature and limits of individual human rights.

The authentic human community has yet to arise. The ideas of *tolerance* and the distinction between one's external obedience to the law and one's personal beliefs and thoughts that arose with some seventeenth-century thinkers and came to fruition in the democratic visions of the eighteenth century assumed the common dignity of the human beings as an *abstract* idea. Under the bourgeois constitutional democracies of the nineteenth and twentieth centuries, freedom (falsely understood to include the right to unlimited accumulation of private property) trumped both equality and fraternity, with unimaginable wealth for a few and a world of scarcity for the rest. The notion of a genuine common good and authentic human freedom had not yet arrived within the class-dominated sanctuaries of governments, but only the spurious notion of an 'invisible hand' that would somehow address the needs of the exploited and dominated at some time in the future – if only we keep embracing the 'power-over' the concept of unlimited private property.

But today the world finds itself faced with a climate collapse (in addition to its monumental justice crisis) directly caused by this obsession with perpetual growth fostered by the ideologues of private accumulation. Today we are forced to rethink the self-indulgent assumptions of the bourgeois constitutional democracies undergirded by the ideology of national sovereignty. Today we realize that the concept of private property is built into the concept of sovereignty as much as it is built into the legal systems *within* those territorial island fortresses. The UN Sustainable Development Goals document, for example, positing standards for all nations between the years 2015 and 2030, declares in item 18: 'We reaffirm that every State has, and shall freely exercise, full permanent sovereignty over all its wealth, natural resources and economic activity.'

So much for equality and fraternity. Under the ideology of sovereignty, the nation has *ownership* of all the wealth and economic activity within its absolute borders. The 'free nation' of Brazil has the right to cut down the lungs of the Earth. The 'free nation' of the USA has the unrestricted right to pollute the atmosphere of the Earth that all human beings have to live within. Saudi Arabia has the right to pump all the poisonous fossil fuel it wants into the economic veins of our planet. The system of sovereign nation-states not only gives the nations with 'power-over' the capacity to imperially dominate and exploit the weaker (without protections from any enforceable laws), it gives each nation the 'freedom' to do whatever it wants within its borders, even if that brings down the entire ecosystem of the Earth.

World systems theories, often found within issues of the *Journal of Globalization Studies*, have made this point very clear. Yet a number of articles in the journal also point beyond a world system of 'power-over' to a transformation of human consciousness that must accompany fundamental reorganization of outdated human economic and political forms. For example, Dmitri M. Bondarenko (2011) addresses the concept of 'second axial age' (a new transformation in human consciousness) as this bears upon 'more general and inclusive transformations in all the spheres of societies.'

The concept of 'private property' exists, nearly *una animo*, even with regard to sovereign nation-states, each state relating to resources and activities within its borders as its own 'private property.' The 'freedom' given by the regime of private property is rapidly leading to the extinction of humanity, but the UN embraces that 'freedom' without significant qualification. Equality (our common human dignity) and fraternity

(that all people must be part of a common human community) remain *abstract unrealized concepts*. A transformation in human consciousness is indeed necessary.

Human beings are embodied creatures, living within our material bodies and a material environment, and we, of course, must deal with this reality and its causal necessities (as Ernst Bloch has observed, 1986: chap. 19). In the face of this, to many dignity and rights appear merely abstract, merely symbolic. But the vision of human beings as free and equal citizens within a universal human community will never be actualized *until we reverse the relationship* (as Karl Marx has already pointed out). Rather than making ourselves slaves to the production process (and in *the Holy Family*, Marx pointed out that both owners and workers are slaves of this process in different ways), we must make the production process serve the concrete embodiment of equality, freedom, and community. This is the goal of human history, subordinating the realm of necessity as far as possible to the realm of freedom (*cf.* Martin 2018: Chap. 3).

For philosopher John Finnis (1980), we have seen, the obligation of government is to serve and ensure the common good. He argues compellingly that our universal human practical reasonableness (ethical rationality) can conclude both that we have responsibilities to the community to promote the common good and that the community has responsibilities to its citizens to organize things in such ways (including government) as to promote this good. We see here again that it is the democratic power of people operating through their government that is the legitimate protector of the common good. This is in accord with Gewirth's insight that the structure of human life is the same for all persons and hence our rights to freedom and well-being exist as universal human imperatives, obliging governments to actualize these imperatives.

For Finnis, a fundamental dimension of a genuine community is that it be a 'legal community,' that people operate under a common constitutionally framed rule of law (*Ibid.*: 154–56). But the nation is not the ultimate community. Our common dignity is universal, and the rule of law should likewise be universal:

We must not take the pretensions of the modern state at face value. Its legal claims are founded, as I remarked, on its self-interpretation as a complete and self-sufficient community. But there are relationships between men which transcend the boundaries of all poleis, realms, or states. These relationships exist willy-nilly, in manifold and multiplying ways, ... If it now appears that the good of individuals can only be fully secured and realized in the context of international community, we must conclude that the claim of the national state to be a complete community is unwarranted and the postulate of the national legal order, that it is supreme and comprehensive and an exclusive source of legal obligation, is increasingly what lawyers would call a 'legal fiction' (*Ibid.*: 129–130).

What would a universal (constitutional) human community look like, assuming that people might become more than 'lukewarm' in their commitment to the good that embraces liberty, equality, and community. Do we need a government for the world that is founded on human dignity and human flourishing? Here is not the place to enter into a critique of the more limited aspects of Finnis' thought but rather to emphasize the positive features that contribute to our understanding of the problems of 'power-over' versus justice.

Finnis declares that the modern sovereign nation-state is becoming a 'legal fiction.' He declares that international justice is threatened by our 'lukewarmness about the common good' (1980: 177). He affirms that the common good is universal, not limited to a nation-state. Why is the nation-state a legal fiction? Because it cannot realize the universal common good within a world of some 200 competing, mostly militarized fragments concerned with national security, self-defense, and their own spurious 'freedom' from the whole. The common good, for Finnis, requires recognizing our community as planetary and that a 'complete community' requires effective government.

Sovereign nation-states can never comprise a universal human community. They comprise, rather, a planetary 'war-system.' As Bloch points out, the 'free competition' that is supposed to characterize capitalist relations 'internally' within nation-states is mirrored at the international level by 'free competition' among the nation-states themselves: 'It is the same free competition that leads to another very different generality: total war, which in the relations between states produces judicial anarchy with pure power on one side of the scale' (Bloch 1986: 137). In the relations between states, it is not the common good of justice and right that dominates but the 'pure' competition for the power-over relations of militarized sovereign territorial fortresses.

Philosopher Errol E. Harris, nearly three decades after the publications by Finnis and Bloch, makes the same point:

National sovereign states at the present time can no longer ensure to their own peoples the security that they originally promised and that was the essential justification of their *raison d'être*... As the sole condition on which sovereign power can be legitimized is that it can maintain the conditions of the good life, strictly speaking, the nation-state is no longer the legitimate bearer of sovereign authority. As long as national states remain sovereign, such democracy as exists (whether only professedly or more genuinely) is endangered internally by the extreme measures adopted to meet exceptional global menaces (such as terrorism and war), and externally by those dangers themselves, as well as others arising from global warming... Only if the dangers currently overshadowing the human race can be removed and the associated world problems effectively tackled will there be any prospect of regenerating the democratic idea (Harris 2008: 131–32).

Democracy, the idea that government and society must be founded on the universal equality and dignity of human beings, can no longer be realized at the national level. At the national level government is concerned with national security, secrecy, self-defense, arms races, and an entire multiplicity of threats stemming from climate collapse, global warming, the danger of pandemics, catastrophic climate events, terrorist attacks and the rest. How can government frame the common good providing the freedom and well-being making growth (both personal and communal development) possible for citizens when the common good no longer resides at the national level?

Philosopher Leonid Grinin's theory of state development from early to developed to mature states (2008) needs to be extended to a civilizational maturity that transcends the sovereign state entirely and makes national boundaries administrative units within Earth Federation in which people, not states, become the ultimate sovereignty. The 'second axial age' in which people become conscious of their common humanity as the *primary*

reality results in a transformed economic-political maturity beyond the anachronistic level of sovereign nation-states.

The common good of freedom, well-being, and conditions making possible our pursuit of the free actualization of our life-prospects have transferred to the global level. Only democratic world government can provide the framework for the actualization of liberty, equality, and community. Only democratic world government, having overcome the war-system of sovereign nation-states, will be able to reverse the relationship between necessity and freedom.

As Buckminster Fuller (1972) declared, only in a united world can the synergistic cooperative productive capacity of humanity will be directed toward human freedom, equality and community rather than 'the effect of sovereignly operating separate systems': 'As a consequence Earth planet-based humanity will be physically and economically successful and individually free... in the sense that they will not struggle for survival on a "you" or "me" basis, and will therefore be able to trust one another and be free to co-operate in spontaneous and logical ways' (Fuller 1972: 88 and 95).

People today sometimes respond to this proposal for world democracy by expressing a fear of 'totalitarianism.' Will democratic government, they ask, so powerful at the world level, become totalitarian? They hardly notice that their freedoms in the present world are rapidly reducing toward zero as the chaos of militarized, economically competing nation-states fails to achieve peace, justice, security, or environmental sustainability. They hardly notice that their claims to solidarity with the oppressed, starving, and immiserated masses around the world are truly 'lukewarm' and hypocritical.

They hardly notice that their own dignity is seriously diminished by their selfish retraction from world affairs into their own little bourgeois set of concerns and preoccupations. They may not notice that their economic and political 'freedom' to explore their own self-development is predicated on the humiliation and enslavement of others around the world. The dream of free and equal human beings governing themselves will have to wait for the advent and ratification of the *Constitution for the Federation of Earth* (Martin 2010).

The Sovereignty of Nations

Those who claim that a loose confederation of sovereign states is possible, all of whom are coordinating and concurring on their freedom and equality (hence, global justice), *falsely imagine* a nation-state by analogy with persons. Just as a collection of persons can and must be treated as free and equal, they say, so the collection of some 200 nation-states should be treating one another as free and equal. The idea of equal sovereignty is based on this illusion. A nation is not a person. A nation is, in the words of anthropologist Benedict Anderson (2006), an 'imagined community.' Each is a chaos of internal forces and cultures. There is little about them that can be termed a community. We have inherited this way of speaking from Hegel and others going far back in Western history to the advent of this 'Westphalian' system of sovereign nation-states in 1648.

In the nineteenth century, Hegel spoke of nations as sovereign 'wills' that confronted one another in competition admitting no higher authority above themselves and in which the only ultimate arbiter of this conflict of wills was 'war.' Each nation is 'the absolute power on Earth; each state is consequently a sovereign and independent entity in relation to others' (1991: paras. 331 and 334). This collection of 'absolute

powers' on Earth, within such a war-system, will not become just if they become connected in a loose confederation like a reformed United Nations. This idea of territorial sovereign powers must be abolished if we want to achieve human liberation. The united people of Earth alone are sovereign.

Under the present world system, every nation (which is in reality a collection of social, cultural, and political forces) has a government that chooses some ambassador or spokesperson to represent the nation beyond its borders, who represents this this arbitrary, often turbulent, collection of forces and opinions as if it were one will. 'The government of the United Kingdom has such and such a view.' The language makes it appear as if each nation were a person. And so-called international law, that, under the UN charter, provides in Article 42 for going to war against violators of the peace imposed by the five imperial nations of the Security Council, carries this false analogy with persons to a supremely unjust extreme: that an entire people can be economically punished or made war upon because of the crimes of a few that run its government.

Legitimate government involves a sovereign relationship over *individual* persons, and its legitimate function is to protect freedom, equality, community, and dignity so that people can pursue whatever they find meaningful and valuable in life within an empowering community framework. The proper function of government is justice, to curtail or abolish unjust 'power-over' relationships, that is, protection of the common good, the freedom and well-being of citizens. Much of so-called international law attempts to regulate the behavior of *governments* on the false analogy that a government is like a person.

Real positive law can indeed regulate organizations and groups (*e.g.*, corporations), but only through holding the *individuals* running these organizations accountable. You cannot hold an entire nation accountable as is attempted under much international law. For this requires collective punishment in the forms of economic blockades or war. This approach is simply barbaric and is today manifested in the continuing barbarism of the so called 'international order.'

That is why the idea of a collection of some 200 equal 'sovereign' nations with no enforceable laws over themselves is a total illusion. Not only is it based on a false analogy with persons. It also fails to understand that all external human activities (as opposed to thoughts and beliefs) must be under the rule of law. Many of those external activities are empowered or protected by the law: the law ensures us the rights of citizens (*des droits de l'homme et du citoyen*). Any collection of free and equal *persons* requires democratic government to protect, empower, and regulate their freedom so that power-over does not become unjust and undemocratic.

However, sovereign nations, by definition, recognize no enforceable law above themselves. The concept of a collection of 'equal' lawless sovereign entities is bizarre. It makes no philosophical sense. It violates the most elementary concept of justice that declares that freedom and equality can only be empowered and protected by democratic government with *enforceable laws* over *all* individuals. It is precisely government that protects the human rights and well-being of all individuals equally. That is why among nations, human rights do not count except as rhetoric and propaganda. That is why among nations, some nations can be desperately poor, and the system does not see this as a problem. As world systems theorists have made clear, it is a system of unjust power-over exploitation and domination (*cf.* Boswell and Chase-Dunn 2000).

The freedom and equality of nations as unique cultural, linguistic, or regional groupings can only be protected if they are integrated into a federation with enforceable law over all individual persons. As units within the federation, they preserve relative (delegated) sovereignty over their *internal affairs*, and they are free to represent themselves externally in the World Parliament (as parts of a community, not as autonomous atoms independent of the world community). However, the idea of collective punishment of entire nations must be abolished as the barbarity that it is.

This barbarity reflects the war-system of the current world-disorder. Instead, all *individuals* within each nation become accountable to the democratic laws of the whole. I am not talking about ‘Geopolitical Conditions of Internationalism, Human Rights, and World Law’ as advocated, for example, by Randal Collins (2010). Compromising with the concept of national sovereignty will not suffice. The concept of national sovereign has created a falsified reality blocking direct awareness of our common humanity.

Conclusion: Power on Behalf of Justice and Human Liberation

The above mentioned concern about the danger of ‘totalitarianism’ is not justified with respect to the *Constitution for the Federation of Earth* as I have shown at some length in Chapter 7 of my book *One World Renaissance* (2016). Some people may assume with Thomas Hobbes (1963) that all power is an egoistic ‘power-over’ of domination and exploitation. But a moment's thought shows that institutionalized justice does often curb or nullify unjust power-over relations.

Similarly, people often fail to distinguish power-over from *empowerment*, the fact that just relationships of freedom, equality, and community can and must be institutionally embodied and empowered from below. Effective democratic government is *empowered by the people* whom it serves. Without the support of the population, politics simply reverts to the attempt to seize power-over relationships (as in the United States today in which the concept of authentic democracy has been significantly lost).

In addition, people who fear totalitarianism under a world government, often confuse power with violence. But the two are fundamentally different. A powerful government, empowered by the people from below, has little, perhaps no need of violence. Its legislative processes can represent the common good of all the people on Earth (not, for example, the good of some race, or some dominant nation, or some capitalist class) and its legitimate power to legislate, enforce, and adjudicate the laws will be unquestioned by the vast majority. Legitimate democratic power will be its backbone. There will be little or no violence.

Philosopher Hannah Arendt has written extensively on the nature of violence and its relationship with power. She points out that laws and institutions cannot be reduced to merely coercive structures or institutionalized violence. The institutions of violence are found where there is no law or judge to deal with disputes according to principles of equity and fairness, and when unjust ‘power-over’ is substituted for justice, for example, in the case of the Nazis, or in the relations between militarized nations recognizing no effective authority above themselves (Arendt 1969: 5).

All government, she points out, involves power, but all government does not require violence. Only totalitarian governments require this. All political institutions involve power, but under authentic representative democracy the power comes from the people's support and respect for the authority of the laws, not from violence or the threat

of violence: ‘Power needs no justification, being inherent in the very existence of political communities; what it does need is legitimacy’ (*Ibid.*: 51). The more the government is affirmed by the people as legitimate, as effectively promoting the common good, the more power the government has. The more a government resorts to violence to maintain its domination, the less ‘real power’ it has. Its rule is then only that of the dictator with the help of the few willing to implement and enable his violence.

The *Constitution for the Federation of Earth* does not offer us some minimalist government, incapable of effective action in governing our planet democratically. Such minimalist ‘global governance’ represents the false ideas and fuzzy thinking of so-called world federalists nearly everywhere who believe (falsely) that the savagery of militarized sovereign states can be somehow mitigated by minimalist governmental institutions at a higher level than the nation-states. Rather, democracy under the *Earth Constitution* is designed to represent the common good of the people of Earth effectively and legitimately through global electoral districts and protocols mandating unity in diversity for all governmental functions. The minimalist view of many world federalists represents an attempt at *evolution* within a fictitious world system towards something better. It does not *reverse the realm of necessity to the realm of freedom*. Only nonviolent revolution can do that.

If the common good of the people of Earth is to be established, if climate change is going to be dealt with effectively, if the nations are going to be disarmed and converted to authentic democracy, if radical inequality is going to be remedied, if multinational corporations are going to serve the common good, then power is required, a power that is effective precisely because it is democratic and demonstrably actualizing the common good of humanity, that is, providing the conditions for the freedom and well-being of all persons within a framework of equality, universal community, and justice.

Totalitarianism is the opposite of authentic democratic power. The issue is not power but violence. Power from the people has no need of violence. Wherever there are lies covering up injustice, Mahatma Gandhi affirmed, there is also violence. A truthful and transparent world system that has no need for ‘national security secrecy’ has no need for violence, institutional or otherwise.

The civilian World Police (and all other agencies provided by the *Earth Constitution*) are explicitly tasked to continuously reduce violence in human affairs, and the Earth Federation Government will have no military, no war-making capacity, precisely because its power is legitimate. Nations may claim to retain their militaries for ‘self-defense’ purposes only, but this covers up the lie of sovereignty, the lie that they are somehow legitimately separate from the rest. They as yet fail to take seriously the truth that we live in one human community where all persons have dignity. The common good is universal and can only be implemented and protected universally.

Can we create a world with ever less of the violence now protecting unjust relationships of ‘power-over’? Can we create a world premised on human dignity and freedom rather than exploitative power-over requiring lies and violence? By abolishing the war-system of militarized sovereign nation-states (a system of institutionalized global violence), the *Constitution* gives us back the compelling, justice-founded power of democracy, that is, it restores legitimate government. No nation-state government today is legitimate, and none is democratic, since the common good is now planetary and no longer within the capacity of any nation to achieve.

Democratic world law under the *Constitution for the Federation of Earth* is now the only legitimate form of government, for it is the only form of government that can foster our common good, protecting the environment, establishing economic and political justice, and ending the war-system by replacing it with a peace system. Human dignity takes center stage and the ‘realm of necessity’ is subordinate to human flourishing. A peace-system is one in which peace is guaranteed by enforceable laws and no longer expected to rest on voluntary nation-state treaties. That is, it gives us legitimate power without violence. Power arises from the people to the government. Democratic world government alone, in human history to date, has the power to demilitarize the nations, promote authentic justice and equality, and rescue our planetary environment from collapse.

The people and nations of Earth all participate democratically in electing the members of the World Parliament. Only real globalized power that is informed by justice and right is capable of disarming the nations, ending the absurdity of militarism, establishing just economic relationships worldwide, and restoring and protecting the planetary environment. Study of the *Constitution* reveals that *everything* in the Earth Federation government is predicated on the principles of liberty, equality, and community for all human beings. The *Earth Constitution* envisions powerful government precisely because it is deeply democratic and represents the common good and common dignity of all the peoples of the Earth. It alone has the capacity to address our potentially lethal global problems and create a decent future for humanity.

Now is the time for authentic solidarity, for creating an authentic human community focused around the concept of unity in diversity, which is the fundamental concept of democracy. Democracy can only be actualized and restored at the global level. The power of the Earth Federation comes from the people of Earth. At the nation-state level democracy is increasingly a ‘legal fiction.’ Justice and Right show up as universal planetary values that can only be fully actualized at the global level through authentically powerful government. It is only here that the ‘realm of necessity,’ at last, can be converted to the ‘realm of freedom.’ It is all of us or no one. It is one world or none.

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