

5 How to design an effective league of democracies

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One of [our] responsibilities is to be a good and reliable ally to our fellow democracies. We cannot build an enduring peace based on freedom by ourselves. . . . We have to strengthen our global alliances as the core of a new global compact—a League of Democracies—that can harness the vast influence of the more than one hundred democratic nations around the world to advance our values and defend our shared interests.

—Senator John McCain (R-Ariz), 1 May 2007

The main goal in this chapter is to explain how a United Democratic League (UDL) is feasible. The objection that it is impossible really summarizes the sense that there are no politically viable and morally acceptable solutions to several more specific problems that this league would have to overcome, such as that

- there is no fair way to structure representation within such a UDL that would be acceptable to enough prospective member nations;
- given their importance, we could not justify excluding China and Russia at the start, and
- if we did exclude China and Russia, this would restart the Cold War;
- there is no fair and objective way to decide which nations could join, and what the criteria for membership would be;

- we cannot give a coherent account of the UDL's enumerated powers without making it into a world government, an ultimate Leviathan potentially threatening all national sovereignty;
- there is no way of achieving sufficient solidarity among peoples in enough potential founding nations;
- non-western nations would rightly see a democratic league as pure western hegemony, another bid by the United States with Britain and France to control the world; and
- many nations would be very upset if the UDL threatened to replace the UN.

These and other related questions must all be answered to show that there is a politically feasible road toward a league of democracies that could be morally viable and effective in securing GPGs—especially those related to security that were reviewed in chapter four. Because answers to any of these objections depend in part on the responses to others, we have to consider the whole proposal to judge whether the potential costs and dangers of such a UDL are clearly outweighed by the GPGs that it can secure.

Answering these concerns corresponds to the final step in a global version of the federalist's consolidation argument (see chapter two). In the process, related proposals—some of which were reviewed in chapter one—serve as foils that help clarify my suggestions. The closest is Allan Buchanan's conclusion that in place of "UN-based law," humanitarian interventions and contested secessions should be decided by a "law-governed regime . . . consisting of the most democratic, rights-respecting states."¹ Buchanan thinks a treaty organization requiring supermajority votes for intervention might be the best alternative, and I will follow this suggestion,² combining it with ideas from Pogge and others. While space does not permit an analysis of secession crises, Buchanan is also right that the world needs an institution that could arbitrate such issues objectively and (unlike the ICJ) reliably enforce its rulings.

The paramount point throughout my defense and elucidation of the UDL idea is that it only has to be better than the current UN structure, or than any feasible reformed version of the UN, or proposed concert of a few leading nations such as a "Democratic 10" (D10);³ the league proposal does not have to be perfect to be worth serious attention. At many points throughout this book, I have contrasted what a democratic league could do with the potential of a UN Security Council hampered by CAPs. It is crucial that a UDL would be able to stop mass atrocities by carrying out preventative nation-building, armed

humanitarian interventions, and postwar reconstructions better and more legitimately than ad hoc UNSC-coalitions ever could. Without repeating prior examples, I will defend this claim with a more detailed institutional proposal that helps address the main objections. However, we should bear in mind that there are several possible ways of structuring a UDL; my version is only one illustration.

A United Democratic League: Outline of an institutional structure and functions

This section will fill out the earlier sketch of the league proposal emphasizing the need for a grand compromise between Europe, the United States, and non-western democracies, which sketched a plausible pathway toward a UDL (see the Introduction). Also see the summary of other recent versions of the league proposal, and my arguments against building the UDL out of NATO, or running it as a "D-60" coalition within the UN, or as a concert of democracies operating as a backup to the UNSC (chapter one). I will extend these earlier points when relevant.

Here I lay out a specific institutional proposal informed by the lessons of game theory and the American federalists (see chapter two). The next chapter then refines these ideas in response to the standard objections. The overall goal is to defend the most ideal design that is practically feasible. This structure is not a utopian world federation of perfect nations. On the other hand, deviations from the ideal articulated here may result in an institution that is adequate for some purposes, but less than it could and should be. The goal is simultaneously to satisfy (a) the CP, which demands the sovereign powers needed to secure many GPGs, and (b) the DP's demand that such powers be authorized by the originary sovereignty of a combined "people."

Design of the main bodies to represent both small and large nations

CP and DP, together with the list of the relevant GPGs (see chapter three), imply that we need to coordinate the sovereign powers of as many of the world's democratic nations as possible—especially including its leading economic powers—to solve global CAPs and secure the most vital human rights, in particular by stopping mass atrocity crimes. The UNSC lacks this capacity because it cannot draw on the resources of enough member nations via *binding majority votes*, or *enforce* its decisions with independent executive power (chapter four). To solve this problem, I propose five innovations listed as (A) to (E).

(A) The UDL needs a separate, strong executive branch to enforce its edicts. According to DP, both this executive power and the UDL legislature should be *directly elected* in an adequately deliberative and fair democratic process in order to be fully legitimate: because this executive and legislature may place burdens on individuals (e.g., through transnational taxes) rather than operating only through the intermediary of national governments, they need to be directly answerable to the individuals affected.⁴ Similarly, independent courts in this system need to become real courts of review, able to check the powers of the legislative and executive branches by interpreting the league's charter and list of basic rights. Such courts need to be answerable to the people through an executive that appoints them and a legislature that confirms them.

(B) Membership in a democratic league needs to be permanent in the sense that there is no unilateral abrogation: it requires approval from other members for any one nation to leave the league. Without this feature, as we saw, the precommitment needed to overcome many CAPs is missing; the problems this causes are now evident in the EU, whose members would work much harder to find full solutions to their immigration, fiscal, and tax policy problems if they were unable to exit by unilateral decision (chapter two).

In his work, James Yunker has argued that freedom to leave his proposed federation of democracies (FUDN) would be essential to persuading peoples that they had nothing to fear from the FUDN. He is certainly correct that sovereignty does not require extreme measures to prevent secession or to preserve "territorial integrity at all costs."⁵ However, low-cost exit would move a democratic league toward a confederation of convenience without sufficient stability to overcome assurance problems and similar CAPs among its members. The constant threat of exit can act almost like a veto power.

Still, Yunker thinks his FUDN could exclude any exiting member from its common market.⁶ However, the current brinksmanship between Britain and the EU shows that, despite leaving a confederal alliance, a nation may still manage to retain many benefits of its common market. At most, the UDL could allow a nation N to annul their membership after N's national referendum favoring exit by a two-thirds majority, with approval from at least two-thirds of the other member nations. Perhaps the league could allow easier exit terms within its first 20 years to reassure founding members; but after a short window, leaving should be much harder than joining.

In that sense, the UDL would be more than an ordinary treaty organization, committing member nations to significant responsibilities.

In joining, nations would hand over, in a semi-permanent way, a few of their sovereign functions to the league bodies; their powers to resist the democratic league on these few central issues would be quite limited. The league would also possess enforcement powers not dependent on particular nations volunteering for enforcement actions (see chapters two and four). This would be the UDL's most fundamental difference from the UN, i.e., a real consolidation of a handful of sovereign powers meeting the requirements of CP. In terms of DP, its basic superiority lies in the direct answerability of its chief officers to the peoples of all member nations.⁷

Such a *perpetually binding alliance* of many democracies would be far more legitimate and much more powerful than the UN Security Council, and could fulfill most of the promises that the UN has been unable to keep. Of course conflict between league members would still be possible; but nations guilty of severe and protracted violations of league terms could be expelled. It is also unlikely that nations invited to join the league would degrade to the point where they were on the brink of mass atrocities, because league support would help prevent this.

(C) I assume that like the UNSC, the EU's Council, and the North Atlantic Council, a Democratic Council (DC) would be the core of the UDL. The simplest model would give each member nation one seat on the DC; but this model is flawed for several reasons. First, state equality would carry the confederal implication that the UDL-DC is just another meeting of ambassadors or chief executives from each member. On the contrary, I have argued that UDL councilors should answer directly to their nation's people to emphasize their partial independence from their national governments. It would be even better if some councilors were elected at large by all the citizens of the member nations, but I will assume that this is impossible in the immediate future.

Second, national equality in the DC would greatly disadvantage nations with large populations, including India, Indonesia, and the United States as likely founding members. The numerical gaps between these nations and, say, Iceland or Luxembourg, are even more radical than between California and Wyoming in the US Senate, where state equality has become a grave injustice and hindrance to progress. We should not look to repeat this antifederalist error, which is now very hard to reverse, at the global level.

Thus I propose that nations should have a vote on the DC *partially* proportional to their populations, with upper and lower thresholds. Thus for example, nations with residents numbering between 1 and 10 million could have a weighted vote of 1 unit, while the largest nations like India could have a weighted vote of perhaps 30 units, with steps in between. At the next step down in population, the United States and

Europe (collectively) could have perhaps 25 votes each in the DC, with steps between populations of 320 and 1 million assigned votes between 25 and 1. This would prevent the largest nations from totally swamp-ing the others, while still giving them larger voting strength in the DC.⁸ The details are not crucial here, as long as there are upper and lower limits on the votes going to any one nation, with compression to account for the large population gap between India and the rest.

On the other side, large-population nations should be further protected by a lower house, or UDL Parliament, in which they would have nearly proportional representation, with some upper limit. This is crucial in my view to be fair to India, the United States, and Indonesia, and to provide China a strong incentive to become sufficiently democratic to join—which would give China a weight roughly equal to India's. The league could establish qualifications for these positions, perhaps allowing national governments some say on the field of candidates, and encouraging them to nominate elder statespersons for the DC in particular.

(D) Coming to the executive branch, I have argued that one of the greatest flaws with the UN, inevitable at the time of its founding, is its lack of any strong and independent executive agents. Hamilton saw this problem correctly in the American case, and our nation might not have survived if the convention had not largely taken his advice to create a strong presidency. The same seems essential for a democratic league: only a single directly elected leader, such as a chancellor, could enable the UDL, when necessary, to prevail *even in overruling the President of the United States*. To make such an option feasible, given the vast scope of peoples and nations to whom this chancellor would answer, it might be necessary at first to have some system of rotation—perhaps with all candidates coming from Asia for one term, from the Americas for another term, from Africa in a third term, and Europe and the Middle East in a fourth, for example. To allow a great chancellor to be reelected one time, another option would be simply to apportion candidates to regions, ensuring that enough are fielded from the Americas, Asia, Africa, Europe, and the Middle East each time.

In one attractive initial system, national governments would nominate one of their former or present councilors from the DC to stand each time, with the field to be narrowed in two runoff elections before the final election—perhaps with the first operating as a negative runoff to eliminate candidates who are too unpopular within any single region.⁹ I am assuming that at the start, candidates for chancellor would be running not as members of a particular political party, even if such parties exist in the league bodies. Inevitably party associations will arise; as the American experiment showed, they are a spontaneous

phenomenon. But it would be highly desirable in its early years if the league were led by chancellors who cared more about establishing the league's value and credibility.

(E) I suggested earlier that the UDL Charter could link with the ICC, relying in particular on the ICC's definitions of war crimes and crimes against humanity. While the ICC has state parties that might not be initial founding members of the UDL (see below), the UDL could still enforce ICC orders, subpoenas and indictments, as well as refer cases to the ICC, as the UNSC does. Still, the league would have its own bill of Basic Democratic Rights (BDR), which would include those implied in the ICC Statute along with fundamental rights necessary for popular sovereignty. The UDL also needs a League Court of Review (LCR) to interpret the consistency of league actions with its charter and BDR. Unlike the ICJ, this court could rule on disputes between member nations without their prior consent each time, and it would have greater enforcement powers. However, to avoid divisive problems the EU has experienced, the LCR should not rule directly on internal laws of its member nations; it should instead refer cases warranting censure or more dramatic penalties to the DC for judgment when needed. It would be the job of the DC to discipline members when their national laws violate the league's terms, and pass ultimate judgment on the fitness of a nation to continue as a member if it refuses to fix such problems.

The UDL armed forces: Rapid deployment and long-term volunteers

The UDL Chancellor's most important role would be to organize and direct nation-building and humanitarian intervention actions undertaken by the UDL. It is crucial that the chancellor can respond quickly and forcefully to humanitarian emergencies with council approval (perhaps by a three-fifths supermajority for combat missions, especially if ground troops are envisioned). For most purposes, the league would not need a very large military of its own—or more likely, military forces on semi-permanent loan from the member nations, as the UN Charter initially intended. The UDL only needs *rapid deployment forces* of perhaps 25,000 to 35,000 with roughly 40 to 50 larger ships, 150 to 200 fighter and bomber aircraft, hundreds of helicopters for rapid movement of material, and supplies commensurate to these forces. This is double the number that some scholars have suggested for a rapid UN force,¹⁰ because the UDL must be able to address three crises or humanitarian emergencies at once. However, it is hardly an unprecedented number. In 1992, Senator David Boren (D-Okla.) called for a UN "rapid

deployment force of 100,000 volunteers," and Boutros-Ghali's 1992 report, *An Agenda for Peace*, arguably implied a similar number.¹¹

As illustrated in Bosnia, Rwanda, and Somalia, casualties among soldiers on humanitarian missions are liable to produce public reactions that can undermine the whole mission. These reactions have weakened western resolve and given forces behind mass atrocities great incentives to inflict highly sensational deaths on intervening troops. US military commanders often oppose humanitarian missions to prevent such casualties—as Colin Powell's ignominious opposition to even small uses of US forces in Bosnia and Rwanda illustrated.¹² Such attitudes badly hamstringing coalitions and UN peacekeeping missions: retreating from a fight with bullies to avoid a bloody nose emboldens the bullies, as we have seen repeatedly in Bosnia, Rwanda, Darfur, Ukraine, Syria, and many other theaters of war.

To solve this democratic cowardice dilemma, I suggest that the UDL's "Humanitarian Guard" be an *all-volunteer elite*, drawn from members of regular national militaries who have specifically asked to be loaned for fixed terms to the UDL. No soldier on dangerous rapid deployment missions would be ordered by their national government into this role; they would choose this distinctive and honorable service. Moreover, unlike rapid forces proposed for the UN,¹³ the UDL's Humanitarian Guard volunteers would be deployed by a unified executive with approval by a democratic legislature. Without a doubt, national governments would not pledge the needed number of troops, naval vessels, and aircraft to the league military command without strong conditions on deployments: they would be placing great trust in the DC and chancellor. But as we have seen, this is the only way to solve the CAPs that dog any system that gives nations vetoes or makes executive control indirect.

Unlike the UN, a democratic league could also enforce a fair division of the burdens both in military combat and rehabilitation stages. This overcomes the free rider problems that so badly affect coalitions of willing nations and even NATO. For example, when ISIS started taking large areas of Syria and Iraq in 2014, Turkey was not willing to be the main (let alone sole) provider of ground forces to stop ISIS: Turkey wanted a larger coalition, but the United States and EU were unwilling. Thus the ground war was left to unmotivated Iraqi Shia forces, which ISIS quickly scattered before capturing Mosul. America eventually reconstituted Iraqi forces, and organized courageous Kurdish forces and a few Sunni militias to combat ISIS in Syria, but without trying to reconcile the Turkish government with Kurdish parties. Instead, during spring 2018, the Trump administration abandoned our Kurdish helpers to massive Turkish attacks in northwest Syria. The Kurds expected something in return for

their sacrifices, but we are letting Turkey spoil their reward. This series of debacles illustrates the price of discoordination between democracies.

Europeans and Sunni-majority nations in the Middle East won this chicken game by waiting for US commanders, Iraqis, and Kurds to act. A democratic league would have avoided this inequity by binding all members of the league to contribute a fair share to stop ISIS, and its rapid reaction forces could have surrounded ISIS fighters advancing towards Mosul. The UDL would also be able to offer incentives to other nations in the affected regions that either share responsibility for the problem or benefit from its remedy. For example, in this case, a UDL could have imposed sanctions on Saudi Arabia, Jordan, Kuwait, Qatar, and Egypt if they refused to make major contributions to the joint war against ISIS.

As noted, democratic states are also presently deterred from military cooperation to solve crises by fear of being stuck with most of the necessary postwar security and redevelopment. Just war theorists rightly stress these duties on intervening nations; but that only increases the incentive not to get involved when intervention is most needed. Like preventative efforts to strengthen failing states, *jus post bellum* rehabilitation often demands larger and longer deployments of troops, as well as civilian experts and major financial inputs (chapter four). For these cases, the UDL would need a better system for drawing on larger numbers of troops from its member states, and possibly partnership with UN peace enforcement missions. Thus the UDL should stand up a larger force distinct from its Humanitarian Guard, closer in style to UN peacekeepers (i.e., more lightly armed), trained in cooperation with humanitarian aid organizations and in winning hearts/minds, and recruited again on an *all-volunteer basis*. Despite the risks, the chance to prevent mass atrocities before they happen or prevent relapse into chaos after a civil conflict would motivate some of the best soldiers in democratic nations to volunteer.

Such a "Humanitarian Reserve" force could be drawn from the regular militaries of member nations, along with able retirees and reservists, and potentially citizens with police or security experience—who would be provided with full conflict prevention and resolution training. Given the history of UN peacekeeping missions, with more demands likely if all components of the R2P doctrine were taken seriously, I suggest a Humanitarian Reserve of no less than 80,000 personnel. Like UN peacekeeping missions, this force would include civilians who offer expertise of many kinds in medicine, infrastructure, and domestic civil services. At this level, one could imagine all sorts of partnerships with NGOs and programs of regional IGOs.

Together, the Humanitarian Guard and Reserve forces would quickly end global opportunities for absolute despotism in smaller states. Knowledge that their atrocities will motivate volunteers across democratic nations can help deter such crimes by tyrannical regimes and terrorist groups. As the UDL proved its worth, recruitment would become easier: serving in either humanitarian force would come to be seen, rightly, as a noble calling. We would beat terrorist groups by showing young people a far better alternative. Indeed, service in the Humanitarian Guard would quickly attain a status like that of elite commando units in the United States or British armed forces. For both the Guard and Reserve, the most likely problem is that, within a few years, eager volunteers will outnumber available slots by 10 to 1.

Member nations could also offer qualified young persons a chance for fixed terms of service in the larger UDL Reserve as an alternative to regular national service, or for a robust package of benefits—possibly even including immigration into UDL nations. A broad representation is crucial to show people on the receiving end that they are not being colonized by some small set of nations seeking to expand their power or corporate investments, and that the mission has wide support across the world. National diversity within the UDL forces also ensures that long-term solutions implemented in a war-torn nation can be sustained with buy-in from many nations.

Thus a strong and diverse UDL should be able to assure us that any humanitarian interventions undertaken to stop mass atrocities are followed up with sufficient postwar support, reconstruction and demilitarization. It would also prevent more crises from ever reaching that point (as the R2P doctrine intended). This is the solution to the dilemmas of Libya and Syria posed at this book's outset. Winning the peace is more than half the battle for a nation's long-term stability and capacity to protect rights; but single western nations or small coalitions are increasingly unlikely to justify the costs of such missions to their citizens. Thus we need an alternative system guaranteeing that particular nations will not be punished by unsustainable burdens if they are willing to participate when only military intervention can prevent mass atrocities.

Mutual protection and global financial oversight

The proposed UDL system has another advantage that the UN and even NATO do not: once the UDL proved effective in military operations, its member nations could reduce spending on their own domestic militaries quite significantly, relying on the *pooled strength* of the league to protect them. In particular, the need for US missions would be cut at

least in half. Beyond the tasks envisioned for the Humanitarian Guard and Reserve, the league's charter would contain a provision analogous to Article 5 of the North Atlantic Treaty, providing that an armed attack on any one member constitutes an attack on all, assuring mutual protection, and extending these terms to cover massive cyberattacks. Obviously a large ground invasion would require the regular forces of the UDL's members to counter it; but as we have seen, air assaults, attacks by satellites, or cyber-hacking are more likely.

The UDL Charter's enforceable limits on unilateral military action would also make massive national militaries less useful. By solving the problems at the heart of the UN's design, the democratic league would ensure that wars can be waged *only for just purposes, approved by a just multinational process*. Because the UDL would be a more legitimate authority to declare and wage such wars, all just nations could rely on it. But this great goal becomes achievable only if the UDL is not limited to acting solely when the UNSC fails to act, as Buchanan and Keohane proposed.¹⁴ An effective UDL cannot play second fiddle.

The UDL would also exercise significant *jus ad vim* powers (less than wartime military force). For example, it would protect league member nations and prospective democracies by taking on the tasks that Pogge proposed for a "Democracy Panel under the auspices of the UN." Pogge suggested creating a judicial body to approve military interventions if a young democratic nation is overthrown or threatened by a military coup (with preauthorization for such intervention in that nation's constitution); to deny international loans and financing to brutal dictators (especially those ousting a democratic regime); and to manage a "Democracy Fund" to help pay sovereign debts of developing democracies.¹⁵ Pogge also suggests that the panel enforce provisions in national constitutions that prohibit coup leaders from selling national assets,¹⁶ and I would extend this to any case (including long-running dictatorships) where rampant corruption is robbing an impoverished nation. These ideas are all on the right track, except that a panel operating under the UN would be far too weak to enforce them. By contrast, a wide league of democracies could perform all these tasks and more, instituting a much more robust version of Pogge's imagined anti-dictatorial world financial regime.

Enumerated powers of the United Democratic League

At this stage, we can restate the central functions envisioned for the democratic league, expanding the earlier summary (see the Introduction)

with the range of GPGs in mind. Yet this list of functions for the UDL is intentionally narrow in order to facilitate initial agreement, with the idea that a successful UDL could then take on other functions when it earns the trust to do so. For example, the idea of making the ICC part of the UDL framework would remain aspirational until most ICC members could agree to it as an amendment to the Rome Statute; likewise protection of global environmental resources and general poverty relief efforts would await amendments of the initial UDL Charter.

List 5.1 Enumerated powers of a United Democratic League

- 1 The United Democratic League will authorize and organize sanctions and military means to prevent and turn back aggressive wars, and to protect national boundaries against forcible change from outside. This includes the direct common defense of all democratic member nations and, on appeal, defense of prospective members from incursion or attacks, including likely imminent attacks, *irrespective of prior UNSC approval*.
- 2 The league will authorize various forms of force, including financial restrictions, trade embargos, travel bans, cyber-controls, and, as a last resort, military intervention to prevent attacks by terrorist groups. To defeat terrorists and prevent new arms races, the league must enforce new systems to control WMDs, weapons of moderate destructiveness, cyber-weapons, robotic weapons, microwave weapons, and space-based weaponry.
- 3 To the extent possible, the league will protect the most central and morally urgent human rights of all peoples in all nations. It will assume the responsibility to protect civilians from the war crimes and crimes against humanity listed in the statute of the ICC, from other mass atrocities listed in the ICISS report of 2001, and from protracted tyranny and extreme kleptocracy. This requires the power to levy sanctions, to restrict nations' sales of natural resources and banking privileges, to deploy armed forces in humanitarian emergencies, and to partner with international networks for reconstruction after the removal of tyrannical regimes.
- 4 For the three paramount ends listed above, the UDL would maintain (a) standing armed forces with rapidly deployable and experienced personnel, naval vessels, and aircraft, raised from all member states proportionate to their population and wealth, under direct UDL command; and (b) a larger reserve including experts in conflict prevention, nation-building, and post-conflict

disarmament and rebuilding (working with UN peacekeeping missions when appropriate)—both to be deployed only on approval of the Democratic Council and the high Chancellor of the UDL.

- 5 In dealing with entrenched dictatorships that are a long-term threat to the progress of democratic ideals (such as China), the UDL would have the power to create uniform sanctions regimes binding on all member nations, and when warranted, secondary sanctions on third-party non member nations who seek to profit from primary sanctions.
- 6 The UDL would also have the power to requisition financing from its member nations proportional to their economic means, measured by national average per-capita income and the wealth of the richest 2 percent of their citizens. It might also collect revenue directly from global taxes on international capital transactions or natural resources sales between league members.
- 7 The UDL would seek to provide a new, firmer foundation for international law through its BDR, its Court of Review, referral of cases to the ICC, and enforcement of ICC indictments. In the long run, ICC could become part of the UDL framework. The UDL would also create a standing body to promote national truth and reconciliation commissions for post-conflict resolution.
- 8 The UDL would aim to regulate global capital markets and banking systems to ensure stability in the world economy and to promote the paramount goals listed above, including making it impossible for tyrannies, kleptocracies, and other rogue regimes (harboring terrorists, people traffickers, and drug lords) to use sovereign debt and natural resource sales for financing. It would also use sanctions to force reform in any state operating as a tax haven or promoting money-laundering.
- 9 For weak or failing states, the UDL would undertake nation-building activities necessary to promote respect for basic human rights, a working independent legal system, a civil service free from corruption, an objective educational system free from fundamentalist indoctrination, and a decent standard of living in whatever economic system a people chooses to develop in accordance with their values.
- 10 The UDL would admit new member states according to collectively accepted criteria. This could include admitting them (a) as full and thus permanent member states or (b) as associate members on the way to full membership. The UDL would also (c) recognize friendly partner states that are not yet prospective members.

This last topic of membership needs further explanation to allay concerns about the breadth of the envisioned league and the intended forms of access to the privileges and protections it would provide.

Membership and founding of the United Democratic League

Critics have suggested that devising a fair process for membership in a democratic league might be impossible. For example, Daniele Archibugi responds to McCain, Ikenberry, and Slaughter by asking “Which countries deserve membership [in] a League of Democracies?” and he argues that this has been a difficult problem for the EU. He adds (against Robert Kagan) that if “the EU criteria were applied the United States would not be admitted” because the United States retains the death penalty.¹⁷ But Kagan remains correct that it is not “too hard to decide” which nations are sufficiently democratic for a UDL.¹⁸ In this section, I will argue that such objections about membership are not so difficult to answer.

Membership criteria

Archibugi’s objection is exaggerated; obviously a democratic league would have to compromise on some controversial issues on which human rights are not clearly settled, such as capital punishment, abortion, affirmative action, entitlement of minority groups to special protections via group rights, animal rights, a basic income and non-basic health care, gay marriage, and perhaps even on church-state separation and equal treatment of all religions. The UDL could never get off the ground if prospective founding nations insisted on making litmus tests of such issues. The point of the UDL is to unite democracies for mutual protection, to stop the most horrendous mass atrocities, to block the rise of terrorist groups and weapons trafficking, and resist the spread of Chinese and Russian soft despotism—not to foster bickering on questions of bioethics, animal ethics, and other social issues closely related to family life, which are the source of almost all the deepest disagreements between cultures about human rights.¹⁹ Focusing on such divisive issues at the start would be like shooting oneself in both feet, and the UDL founders should resist being co-opted by any special interest group that could alienate potential allies.

Of course, lines have to be drawn, because democratic rights are linked to other basic human rights: in particular, as Joshua Cohen

notes, equal political rights for men and women are now a *sine qua non* for democracy,²⁰ as are basic free speech rights, objective education for all children, and protections from gender-based violence and discrimination. But all such lines must be drawn in pragmatic fashion in order to ensure that the UDL can be broadly inclusive, without which it cannot serve its fundamental purposes. According to the linkage approach to human rights, the relevant political institution—in this case, the founding members of the league—would have to articulate the rights-standards in their charter that would govern admission of future applicant nations. But in doing so, they must obviously focus on standards that many nations can meet (perhaps with modest reforms).

When the lines are drawn at the most settled basic rights and requirements for deliberative democratic processes, the fear that there are not enough truly democratic nations proves to be exaggerated. In arguing persuasively against the idea that a just global government should have the consent of all national regimes, however corrupt, Daalder and Lindsay concede that most nations are not sufficiently democratic in the sense of representing

the interests or perspectives of [most of] the people they rule....

Real legitimacy, like real sovereignty, resides in the people rather than the states, which is why state decisions to confer international legitimacy must rest in democratically chosen representatives of the people, not in the personal whims of autocrats or oligarchs.²¹

This problem entails that admitted nations must hold “regular, free and fair elections,” which the government does not “stage-manage or heavily circumscribe,” e.g., by handpicking the candidates, as China does for Hong Kong. For this reason, Daalder and Lindsay would not invite some of the nations invited into the CDem in 2000, such as Qatar, Azerbaijan, Bahrain, and Jordan, “none of which can be called democracies under any reasonable criteria.” I agree with this assessment. The minimal criteria include “both fundamental political rights (not just to vote, but also to organize and participate in government) and basic civil rights (to speak, assemble, and freely practice [one’s] religion)—and those rights must be guaranteed by law.”²² They argue that even if the admission criteria demand that these rights are “so rooted in society that the chances of reversion to autocratic rule” are negligible, more than 60 nations would qualify—more than enough for a UDL to function well.²³

The number jumps by 20–30 nations if, as I would recommend, a member nation’s transition to democracy can be more recent and uncertain: for UDL membership would help stabilize such democratic regimes and

strongly deter potential coup-plotters. This would be one of the major benefits of the UDL for developing democracies: it would encourage political leaders who are considering democratic reforms that this step would win them a nearly invincible support network. As Lindsay and Daalder note, “as the Concert [of democracies] becomes more established and effective,” its very existence would serve as a powerful incentive to democratize—just as the EU and NATO have done in eastern Europe.²⁴

Together, these points suggest a fairly clear set of minimal conditions for membership in the UDL. Following Daalder and Lindsay, the EU criteria, Cohen, and other recent democratic theorists, I suggest the following preliminary list. These criteria are based both on the common core of political rights in long-standing democracies and on lessons of experience concerning the civil society supports that functioning democracy requires:

List 5.2 Democratic membership criteria

- 1 Equal rights of political participation, including universal equal suffrage (with allowances for federal arrangements); freedom of association and party-formation; freedom to run for and hold political office; as well as rights of free political expression limited only by substantial public interests (such as limits on campaign spending and political advertising, or limits on ultrafundamentalist and hate groups).
- 2 While the nation may run a parliamentary system or a separate legislature and executive, it must have a representative legislature with regular or sufficiently frequent elections. Supermajority requirements for changing constitutional law are highly desirable.
- 3 There must be judicial review and a sufficiently independent judiciary upholding due process of law in criminal proceedings, including the right to a trial by a jury of sufficiently impartial peers, and equal protection of the law for all, including members of minority groups (no discrimination by race, gender, or ethnic background, unless for temporary remedial purposes).
- 4 In criminal justice and foreign policy, there must be a modality constraint prohibiting use of torture, and other cruel or unusual modes of combat, interrogation, or punishment (as per the Geneva Conventions).
- 5 The offices of government must be sufficiently free from corruption, which implies effective limits on the extent to which political positions can be used to extract bribes or control business decisions in the private sector.

- 6 Freedom of the press must be preserved, especially regarding coverage of political issues and candidates. If there are government-funded media, they must be sufficiently independent of control by any administration in power (i.e., run by an independent civil service).
- 7 Because democracy should be understood as a deliberative process, all children must enjoy an equal right to basic education based on sufficiently objective and impartial sources not only building basic skills but introducing them to science, history, art, literature, and the comparative study of cultures, along with basic civics.
- 8 Hiring in the business and nonprofit sectors must be largely on meritocratic bases, with equal opportunity for people of all backgrounds (which implies equal opportunity for admission into higher education programs).
- 9 Rights to emergency medical care and subsistence must be recognized and secured.
- 10 Rights to privacy, bodily integrity, and personal property must be recognized and secured. It is assumed that member nations will allow some form of free market, albeit limited by regulation to secure public goods.
- 11 If the nation has an established religion or allows government funding of religious institutions, it must protect free exercise for all religious groups within the bounds of safety, strictly limit any preferential treatment for service in the police or armed forces, and prohibit religious discrimination in business and hiring (excepting only religious institutions themselves).

These protections are the most central or weighty ones within the scheme of human rights held together by the overarching right to popular sovereignty. This list does not attempt to develop in detail all the basic rights that any just democracy worthy of membership in the UDL should recognize and protect, because it is only a partial draft of the rights to be included in the league's BDR. Its limited purpose is simply to show that it is not that difficult to outline highly plausible and familiar conditions on which founding members could agree as a basis for their statement of basic democratic rights.

The UDL Charter would also include other conditions for membership implied by the powers and functions of the league, such as commitment to "peaceful settlement of any ... border dispute or other international conflict, minimum defense spending and military

preparedness," acceptance of the terms for the UDL Humanitarian Guard and Reserve forces, and promises to collaborate "on a range of multilateral agreements tackling security issues such as international terrorism, money laundering, and arms transfer"²⁵ through the mechanisms of the league parliament and council. Except in direct self-defense, member nations would commit to deploying armed forces *only* with UDL approval, including for humanitarian interventions.

Note that this list does *not* specify terms of economic union among the UDL member nations, although presumably something close to a free trade zone would be passed by the UDL legislature once the league existed. Close economic cooperation and alignment of central banks would probably be required for the league's financial accountability goals, and to incentivize new members. The UDL Charter would spell out conditions requiring member nations to comply with economic sanctions voted by the whole league to punish a particular member for violations of UDL law or to sanction non member nations for aggressions, massive totalitarian oppressions (e.g., North Korea), kleptocratic practices, facilitating money laundering, acting as tax havens, excessive free riding on the UDL, and so on.

But it is important to stress that the proposed UDL has very different goals than the OECD, which strives for globalized free markets and restricts membership based on economic strength. The UDL should not mandate a capitalist system with private ownership of large amounts of capital, or toleration of massive income and wealth gaps; members may legitimately differ in the values that inform such decisions on economic and tax policy. The UDL is thus clearly not intended to force libertarian policies onto developing nations. On the contrary, in joining the UDL, wealthy nations would agree to some minimal level of league governance over multinational corporations, the international sale of natural resources, and the sale of weapons—as implied by the enumerated power and functions described above. In time, we could expect the UDL to establish minimum anti-corruption, labor, and environmental standards for all companies doing business within the UDL. Eventually the league would help build a unified immigration system and procedures for fairly distributing and aiding refugees to secure the global right to asylum. But these decisions could be left up to the UDL's legislative processes rather than hardwired into its charter.

The admissions process and founding nations

Critics also ask who would decide the thresholds of sufficiency on the eleven conditions listed above for new member states. The obvious

lesson of history is that only the *founding members* can collectively apply the criteria to admit new applicants; this privilege is an incentive for getting in as a founder. Like the proverbial chicken-and-egg, any political institution run by law must get going before its own processes can be used to expand its reach or adjudicate conflicts between its parts. The peoples of the founding nations can operate democratically in first forming a league of democracies even if they exceed the bounds of existing positive law in doing so: that is the idea of originary sovereignty. Once the league is created, newly admitted nations could later have a voice in amending the UDL Charter, including the admissions process, if they see fit. The EU has been able to develop this way without being solely controlled in that evolution by its few founding members in 1958 or even its expanded membership of 1973.

The objection then becomes that the founding members cannot legitimately police themselves, because they will tailor the initial conditions to suit their interests. By this logic, though, no government could ever legitimately be founded, because no set of persons or groups can legitimately cooperate for a joint end unless they do so according to established impartial rules—which is manifestly absurd. Internal checks and balances will hold founding members to account, although initially, founding members can only police each other. No doubt some bias is inevitable in the initial membership; no one would expect a real political process to be a perfect product of Kant's Kingdom of Ends. But this should only worry Chomskian skeptics or Schmittian anti-moralists who will automatically interpret any new proposal as another stratum for US world domination, no matter what its content is. Despite all the evidence to the contrary in the last three decades, such critics are determined to see any event in maximally Foucauldian terms, erasing any possibility of a global order founded on objective rights.

Cosmopolitans must simply reject such dogmatic extremism and accept that the justice of the UDL's initial conditions would be proven in time by its operation. As long as the league's organs are sufficiently robust, the (population-weighted) majority of its members will be able to check particular founding members who try to game the system for unfair national advantage. Moreover, unlike the UN Charter, the league's charter should be practically amendable without vetoes by any particular nations.

The main answer to the worry about initial membership comes from the intended breadth of these founding member nations. A democratic league can only work if it is started by a group of stable democracies spanning the globe, including both wealthier and developing democratic nations. This very inclusiveness will ensure that the UDL cannot even appear to be designed to ensure that the United States and

Table 5.1 Potential founding members of a democratic league

<i>In Europe</i>	<i>In the Americas</i>	<i>In Africa, Middle East, & Asia</i>
Austria	Argentina	Australia
Belgium	Brazil	Bangladesh
Denmark	Canada	Ghana
Finland	Chile	India
France	Colombia	Indonesia
Greece	Costa Rica	Iraq
Germany	Dominican Republic	Israel (?)
Iceland	El Salvador	Japan
Ireland	Jamaica	Kenya
Italy	Panama	Liberia
Netherlands	Paraguay	Mongolia
Norway	Peru	Mozambique
Portugal	United States	New Zealand
Serbia	Uruguay	Nigeria
Spain		Philippines
Sweden		South Africa
Ukraine		South Korea
United Kingdom		Taiwan

Europe dominate the new global system. On the contrary, it will be *facially apparent* that this is not the case: together, India, Indonesia, and democracies from the global south would have a majority in both the UDL Council and Parliament. To show that such breadth is feasible, consider all of the nations that could be likely founding parties, even if their national laws and practices are slightly imperfect on some of the eleven measures outlined in list 5.2 earlier.

Clearly this group of nations listed in table 5.1 looks very different than the OECD, which has hardly any members from the global South, and only a few from Asia. The UDL could also include other smaller nations within Europe that are not listed here for brevity's sake.

My criteria remain slightly stricter than Daalder and Lindsay's, leading to 50 rather than 60 potential founders. Whether particular nations in Latin America, Africa, or Asia should be added or taken off this list is largely irrelevant to my point, which is simply to illustrate the possible breadth of the founding group, extending well beyond the NATO and EU nations. Similarly, I am aware that including Israel and Taiwan each raise special difficulties; perhaps their admission would best be left to the UDL process after its creation. But even if several nations on this prospective list were struck off due to serious objections, we would still have at least 40 likely founders. If merely 30 of these came together, including enough of the largest like Germany,

India, France, Brazil, and the United States, along with sufficient representation in Asia and the global South, a UDL could begin. Daalder and Lindsay explain the resources that such a group would have:

the world's democracies possess the greatest capacity to shape global politics. They deploy the greatest and most potent militaries; the largest twenty democracies are responsible for three-quarters of the resources spent on defense in the world today. Democracies also account for most of the world's wealth, innovation, and productivity. Twenty-eight of the world's thirty largest economies are democracies. The average annual income of people living in democratic societies is about \$16,000, nearly three times greater than the average income of those living in non-democracies. In the main, the people living in democracies are better educated, more prosperous, healthier, and happier than those who live under authoritarian and dictatorial rule. Harnessing the power that comes from this overwhelming military, economic, political, and social advantage would provide the necessary ingredients for effective international action.²⁶

In short, we should have organized such a league long before now. Obviously the list would be stronger if Russia were able to throw off the dictatorship descending on it, restore a free press and free elections, protect minority rights, and respect international boundaries under new leadership. The prospect of such a democratic league might catalyze such a Russian return to democracy. As I have stressed, the founding members should express their clear desire for Russia to join them at the earliest possible point, rather than aim to alienate Russia. With a reformed Russia, the UDL would be strongly enhanced. Still, the UDL can begin without Russia, and it must do so as long as Putin remains in control. The same goes for China's oligarchy, but a reformed China could have huge weight within the league.

Associate members and friendly nations

Even if it began with as few as 25–30 founding nations, a league of democracies could easily grow to 50 nations within two decades, given the strong incentives it would create for nations on the margin to improve their human rights records. The league's intention to be inclusive could be further signaled by establishing a category of associate member nations that are on the way to meeting the conditions for full membership. Associate members would gain some of the benefits of

the UDL—perhaps including a measure of protection and some economic benefits. This category would be analogous to “candidate status” in the EU admission process. There are many nations that might hope to achieve this status through various reforms, from small states such as Liberia, Armenia, Kyrgyzstan, and Lebanon, to larger nations such as Nepal, the Ivory Coast, Pakistan, Ukraine, Poland, Kazakhstan, Malaysia, and Ecuador. With associate nations, the UDL could quickly increase its fold by another 20 nations within a couple decades, giving it vast reach and authority. The largest global problems that have remained intractable, from environmental issues to the most grinding levels of poverty in the least developed nations, could find solutions within such a new order, as the pressure on kleptocratic regimes and malign dictatorships steadily increased.

Moreover, the UDL would also have an easily available method for recognizing the sort of “decent hierarchical” nations that Rawls, Beitz, and Cohen aim to tolerate in their accounts of international human rights, including benevolent monarchies and theocracies whose people have a little immediate need for more than the cultural forms of “consultation” already in place (e.g., perhaps Jordan and Morocco). The UDL could create a category of friendly partner nations with whom it regularly cooperates for mutual benefit, e.g. via trade relations. Such nations would not be under sanctions or major diplomatic pressure from the UDL. This category would make clear to all that the UDL is not set up to pressure the entire world to democratize, even though it claims that the right to popular sovereignty is a basic human right, and insists on this basis that it has greater legitimacy than the UN to stop mass atrocities and support revolutions against the most intractable totalitarian regimes (e.g., North Korea). The UDL could disagree with friendly partner nations on the questions of democratic rights and its own legitimacy in comparison to the UNSC while still working with such nations on many global issues.

In addition, several friendly partner nations could include democratic states such as Switzerland whose people (for whatever reason) judge it best to remain outside the democratic league for the present. One could imagine a democratized Cuba taking this path, for example. As long as nations in the friendly category do not intentionally free ride in substantial ways on the benefits that the UDL delivers, it should have no quarrel with them. This point further underscores my claim that there is nothing in the UDL's design that aims at world hegemony. The right to live outside the UDL's sphere of direct authority would thus be preserved, and everyone would be assured that leaders of the UDL are not trying to build anything like a world empire—which is probably

the most common and sophomoric of all objections raised against the idea of a democratic league.

In addition to these categories, the UDL could also name a group of hostile and belligerent nations on which it intends to maintain significant diplomatic, economic, technological, and even military pressure. This warning would be part of the league's efforts to legitimize its uses of force *ad vim*. As noted, target nations could include the most repressive totalitarian regimes even when they are not conducting mass atrocities, and could extend in time to nations operating as havens from banking regulation and as tax shelters. The UDL might expect associate nations and friendly nations not to support hostile and belligerent nations. However, as the effectiveness of the league's tools increased over time, the number and range of nations in the rogue category would shrink considerably.

This would leave a remainder category of nations classified neither as friendly or hostile, which would therefore not benefit from friendly partner status nor suffer from classification as hostile despotisms. These neutral nations would be affected by incentives not to become hostile and on the contrary to enter into friendly relations with UDL nations, but they could remain indefinitely on neutral terms with the UDL if they so wished.

The relations of the UDL to other transnational organizations and groups

The United Nations

These clarifications lead naturally to the issue of how the democratic league should relate to other global and regional institutions. I have emphasized that the UDL should insist on the right to take forceful action of several kinds without UN Security Council approval against entrenched totalitarian governments and tyrannical regimes. Thus the league would communicate its conviction that the UNSC has neither the democratic legitimacy nor the coordinative power to act as first-decider on crimes against peace, terrorist threats, mass atrocities, or totalitarian repression. Dictators would soon grasp that they could no longer hide behind UNSC inaction. The league's firm stance should be that the UNSC has forfeited its supposedly distinctive security functions; the United States, Britain, and France would continue their presence on the Security Council mainly to prevent it from misdeeds.

However, this emphatically does not entail abandoning the rest of the UN framework. James Lindsay has rightly stressed that a concert

of democracies should not seek to end the UN or replace groups like the G8.²⁷ On my proposal, the UNSC could even continue authorizing and monitoring UN peacekeeping and peace enforcement missions, which would remain necessary while the strength and reach of the league of democracies is growing. Like several other analysts, Stephen Stedman argues that the UN has generally done a good job in peacekeeping, helping to reduce civil wars by 40 percent since 1992: in 2008, it ran "18 peacekeeping missions with over 100,000 peacekeepers deployed," and has helped to end several wars through mediation and negotiation.²⁸ This trend has continued during the last decade, with almost as many missions and peacekeepers deployed in 2018 (see chapter four). So the UDL need not take over all peacekeeping and peace enforcement functions; it could work with the UNSC and other regional organizations such as ASEAN, the AU, and perhaps even the EU to coordinate nation-building operations and post-conflict resolution.

Yet what if other nations try to free ride on the UDL's nation-building capacity by pulling back their contributions to UN efforts? First, several nations that contribute UN peacekeepers would be good candidates for UDL founding members. Second, other large contributors such as Pakistan and Nepal would probably aim for associate status within the UDL. Third, several other contributing nations in Africa are mainly concerned about their region. If nations see that the UNSC runs effective peacekeeping missions in cases where it has consensus, contributors would have every incentive to continue. Given the UN's proven capacity in this area, the UDL might only need its Reserve forces for conflict-prevention and reconstruction efforts in cases where the UNSC would not approve intervention. In the worst cases, where a major nation reaps large benefits from a UDL reconstruction mission in its neighborhood but refuses to contribute, the UDL would have sanctions available.

Many other agencies and institutions within the UN organization play extremely useful roles that the UDL should support. These include the good programs and works of UNESCO, WHO, the Food and Agriculture Organization (FAO), the UNDP, the UN High Commission for Refugees (UNHCR), the International Maritime Organization, and the Postal Union—although the UDL bloc could pressure the UN to ensure that impartial experts measures progress toward the SDGs and similar UN targets (as Pogge has suggested). The UDL could support the work of UN-related agencies and IGOs such as the Telecommunications Union, the World Food Programme, World Bank, and IMF, and support coordination among IGO-based

development and poverty-relief efforts. Weiss notes that the Bretton Woods international financial institutions (IFIs) have received far more financial support than UN agencies trying to run projects to help the least developed nations meet SDGs.²⁹ But this is because funding the IFIs is an assurance dynamic, while UN agencies often face a chicken game instead: they must beg donors and conduct fundraising drives as if they were mere charities. A democratic league would be able to take votes binding all members to meet financial obligations to such programs, balancing IFI requests with development priorities. Although I have emphasized that poverty relief cannot be the UDL's primary mission, especially at the outset, it would have direct interests in development programs for its nation-building and conflict-prevention efforts.

Thus several UN agencies might be better funded and more effectively coordinated with other IGOs as a result of UDL initiatives supporting them. For example, while the UN Peacebuilding Commission can offer significant financial assets, it completely lacks the tools that a UDL would have for rooting out the corruption that wastes so much donor funding to underdeveloped nations. With UDL carrots and sticks supporting it, the Peacebuilding Commission might be able to achieve ten times more than it presently can. Similarly, IGOs focused on preventing terrorism and the spread of WMDs (such as the IAEA) would be directly supported by UDL actions, even while they continue operating formally under UN auspices.

The UN General Assembly could also continue meeting every fall, so that there remains a venue in which leaders and ambassadors from virtually all of the world's nations come together at least once per year. The General Assembly could continue its longstanding efforts to broker treaties that would reach beyond the scope of UDL nations. But naturally, with a working UDL, many such treaties might build on resolutions that are already binding on all UDL nations. Thus the UDL might make this central work of the UN much easier by taking many global treaty initiatives halfway toward their goal, after which the UN could encourage ratifying nations beyond the UDL members.

In sum, the UDL and UN could have a productive working relationship on many fronts. Most parts of the UN would work better with the UDL in place than they do now, and none need do worse. The democratic league would only reject the Security Council's monopoly on authorizing interventions under R2P and Chapter VII of the UN Charter.³⁰ In this, it would have many just war theorists on its side, arguably along with precedents in the Nuremberg Charter and the Genocide Convention.³¹

Of course it is possible that several decades after the UDL's founding, if half the world's nations were UDL members and another quarter were associate members, with most of the remaining quarter holding friendly nation status, it might make sense to move most remaining UN functions under the UDL. But that is hard to foresee, and replacing the whole UN this way should not be part of the UDL's founding aims.

NATO and the EU

Things are different with NATO: what happens with this Cold War institution involves much trickier prudential assessments. It might help foster broad acceptance of the democratic league if NATO were to be disbanded with the UDL's founding. This would especially make sense if most NATO nations had become UDL members (and right now, Turkey is the only NATO member that definitely could not join the UDL, although Hungary is problematic). Democracies from Asia and the global South would take this as further confirmation that western democracies were committed to working with them as equal partners. Perhaps promising in writing to disband NATO within ten years of the UDL treaty taking effect would persuade Russia to make the democratic reforms necessary to be approved as a UDL founding member: Russians would thus have a golden opportunity to replace NATO with an organization that they could help to shape.

On the other hand, some critics would doubtless argue that the league of democracies is simply NATO 2.0. This would be a specious criticism if half the UDL's founders were not NATO nations. However, it might help appearances if western nations planned to continue NATO for some time, but with a return to its narrower mutual security mission and a guarantee to respect the UDL's higher authority in all cases beyond direct defense of NATO members. For if the UDL works, NATO would no longer need to undertake missions of the sort it undertook in Kosovo, Afghanistan, and Libya. This would assure non-NATO nations that western democracies would never try to use NATO to bypass the new authority of the democratic league.

Either way, it must be clear that the league of democracies is not simply a new NATO with the United States still in a dominant role. This much is essential for the legitimacy of the new organization, and for acceptance of the UDL throughout Asia and the developing world. It may be useful in selling the UDL proposal to European and North American nations to argue that it will build on NATO's successes within a fundamentally new framework involving a larger set

of purposes and more consolidated powers to match them. But the distinctive identity of the UDL will help make it politically possible for a reformed Russia to join, and perhaps eventually a reformed China as well. Their eventual inclusion is the threshold for the UDL's ultimate success. For if China democratizes and joins, it would be obvious that Russia gains much more inside the UDL than outside of it.

Finally, I have already suggested that regional organizations like the EU, AU, OAS, and ASEAN could continue largely as they have been, though they would have to decide how much to cooperate with the league of democracies. For the UDL to succeed, presumably most EU nations would have to join as founding members or fairly soon after its start. Obviously, without Germany, Britain, France, Spain, and Italy, there could be no UDL. This means that if a worthwhile democratic league came into existence, it would include most of the EU, just as it would include most NATO nations. But unlike NATO, there would be no reason for the EU to disband; it serves economic functions that would not be on the UDL's agenda, at least in its initial decades. However, the EU's intended foreign policy and security functions have never been robust. These functions could be largely handed off to the UDL; indeed the EU might work better with these divisive issues off its agenda. The EU could also rely on the democratic league to stop Mediterranean people smugglers, rectify the disorder in Libya, and give Turkey a motive to restore civil rights and free medias.

In other areas, such as tax harmonization and financial stability, the EU could greatly aid the UDL's work. The EU Court of Justice could work as before; its functions differ from those proposed for the UDL Court of Review. Similarly, the European Court of Human Rights (which is independent of the EU) would continue its vital work; European human rights standards will be more demanding than those in the UDL's list of basic democratic rights. Similarly, European commitment to the ICC will still be very important. In sum, it is possible that the advent of a UDL would eventually require amendments to the EU's constitutive treaties, but there should be no immediate conflict. Indeed, creation of the UDL might go a long way to repairing the disastrous rift opened by the folly and offense of Brexit.

Appealing to increasingly isolationist parts of Europe alienated by the EU might still be difficult. Leading proponents would have to make clear that the UDL will not be another bloated Brussels-style bureaucracy aiming to micromanage business regulations and product safety standards. To avoid fatigue with proliferating levels of governance, it would help to pare down the Brussels legislature and assure Europeans (as well as skeptical Americans) that the rise of an effective

UDL would allow some reductions in staff and programs at both the EU and UN. The phasing out of NATO might also help in this regard. Still, Europeans would be faced with electing a third set of legislators, in addition to those representing them in their national governments and in the EU Parliament. Right now, there is no way to avoid this result, given that its legitimacy rests on making both the UDL's legislative houses and chief executive directly elected. Direct election is also crucial for the UDL's greater coordinative power and consolidated authority, which will transcend those vested in the EU Council and Commission on some matters. But for efficiency, EU treaties might be revised to allow some representatives in Brussels also to represent their nations in within the UDL's Council or Parliament—a double duty that would also raise the status of the European Parliament as well, making it partly a European caucus of the UDL.

Conclusion

This chapter has explained how a league of democracies could be structured to be effective in performing a limited set of functions that are essential to securing crucial GPGs—especially those related to security and protection from mass atrocities, but also resistance to totalitarianism and anti-corruption efforts that are essential to promoting basic human capabilities in the poorest places on Earth. With the plausible criteria for membership laid out here, such a democratic league could include up to 50 founding nations, and offer other nations different types of attractive relationships with the league. These details, together with the case made for reciprocally beneficial relations between the UDL and the UN, NATO, the EU, and other regional authorities, should answer many nascent doubts and criticisms.

This institutional outline should also go a long way toward assuring us that a UDL could be founded without negative consequences that would outweigh its intended benefits. But large issues remain concerning perceived western domination of the current world order and whether UN reform is a better option. The last chapter addresses these concerns and compares the UDL with relevant alternatives, before tying all the strands of the global consolidation argument together.

Notes

1. Allan Buchanan, *Justice, Legitimacy, and Self-Determination* (New York: Oxford University Press, 2007), 8.
2. *Ibid.*, 450–53.

3. For this proposal, see Ash Jain, "Like-Minded and Capable Democracies," Council on Foreign Relations Working Paper (January 2013), www.cfr.org/international-organizations-and-alliances/like-minded-capable-democracies-new-framework-advancing-liberal-world-order/p29484.
4. See Daniele Archibugi, "The Hope for Global Democracy," in the Global Democracy Symposium, ed. Archibugi, *New Political Science* 32 (March 2010): 84–91, 87. But Archibugi's own alternative is a version of a "world parliamentary assembly" that would have no actual power beyond making recommendations to the UN (91); see related comments on Singer in chapter six.
5. James Yunker, *Political Globalization* (Lanham, MD: University Press of America, 2007): 63.
6. *Ibid.*, 64.
7. Compare Yunker's point that, unlike old empire, the union of democracies would be "democratically accountable to the entire population" of its members (*ibid.*, 66).
8. Thus for example, Indonesia might get 17 votes, Brazil 15, Mexico 8, South Africa 5, Ukraine 4, Taiwan 3, and the Dominican Republic 2. Nations with less than 1 million people would have to share their vote with other small nations totaling at least 1 million. Such a weighted vote is logistically easier than a system assigning between one and thirty actual councilors to every nation except the smallest.
9. Such a regional veto primary system helps avoid overly divisive candidates becoming chancellor.
10. See Robert Johansen, ed. *A United Nations Emergency Peace Service to Prevent Genocide and Crimes Against Humanity* (New York: World Federalist Society, 2006), cited in Thomas G. Weiss, *What's Wrong with the United Nations and How to Fix It* (Malden, Mass: Polity Press, 2016), 189.
11. See Jeffrey Gerlach, "A U.N. Army for the New World Order?," *Orbis* 37 (spring 1993), 223–38, 224, citing David Boren, "The World Needs an Army on Call," *New York Times*, 26 August, 1992. Gerlach opposed such a UN force for fear of excessive entanglements, but burden-sharing within a wide UDL would avoid this problem.
12. Samantha Power, *A Problem from Hell* (New York: Basic Books, 2002), 262 and 350–53, noting Powell's insistence on evacuating UN peacekeepers rather than bolstering Dallaire's forces in Rwanda.
13. For example, see C.A.J. Coady, "The Ethics of Armed Humanitarian Intervention," *Peaceworks* 45 (Washington, DC: United States Institute for Peace, 2002), 34; Robert Johansen, "Put Teeth in 'Never Again' Vow with Fast, Full-Scale UN Response Force," *Christian Science Monitor*, 7 September 2004; and Malloch-Brown, *The Unfinished Global Revolution*: "what is really needed is a NATO-like capacity to lift the [UN] blue helmets quickly into trouble spots to contain trouble or police the peace..." (198).
14. Allan Buchanan and Robert Keohane, "The Preventative Use of Force," *Ethics and International Affairs* 18 (March 2004): 405–38, 406.
15. See Thomas Pogge, "Achieving Democracy," *Ethics and International Affairs* 15, no. 1 (2001): 3–23.

16. *Ibid.*, 169–70.
17. Daniele Archibugi, "A League of Democracies or a Democratic United Nations?" *Harvard International Review* 30 (November 2008), 6, hir.harvard.edu/archives/1758.
18. Robert Kagan, "A Case for a League of Democracies," *Financial Times*, 3 May 2008.
19. See Christina M. Cerna, "Universality of Human Rights and Cultural Diversity," *Human Rights Quarterly*, 16 (1994): 740–52, 746.
20. Joshua Cohen, "Is There a Human Right to Democracy?" in *The Egalitarian Conscience*, ed. Christine Syponowich (Oxford, UK: Oxford University Press, 2006): 226–48.
21. Daalder and Lindsay, "Democracies of the World, Unite," *The American Interest* 3, no. 1 (2007), 6.
22. *Ibid.*
23. *Ibid.*, 7.
24. *Ibid.*
25. Didier Jacobs, "From a League of Democracies to Cosmopolitan Democracy," in the *Global Democracy Symposium*, ed. Daniele Archibugi, *New Political Science* 32, no. 1 (2010): 116–21, 119.
26. Daalder and Lindsay, "Democracies of the World Unite," 4–5.
27. James Lindsay, "The Case for a Concert of Democracies," *Ethics and International Affairs* 23, no. 1 (Spring 2009): Roundtable section, www.carnegiecouncil.org/publications/journal/23_1/roundtable/002.
28. Stephen Stedman, "America and International Cooperation: What Role for a League of Democracies?" *Policy Analysis Brief* (The Stanley Foundation, November 2008), 4, col. 2.
29. Weiss, *What's Wrong with the United Nations and How to Fix It*, 3rd ed., 194–95.
30. See Alex Bellamy, *The Responsibility to Protect* (Oxford, UK: Oxford University Press, 2015), 14–16.
31. For example, see Jürgen Habermas on NATO's defense of Kosovo, in "Bestiality and Humanity," *Constellations* 6, no. 3 (1999): 263–72. The Nuremberg Charter should be distinguished from the "Principles of the Nuremberg Tribunal" document adopted by the UN that attempted, in Westphalian fashion, to limit "crimes against humanity" to contexts of international war.

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