

Global Governance at a Crossroads: Incremental Reform or Fundamental Transformation?

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Hassane Cissé*

“The true forms of government, therefore, are those in which the one, or the few, or the many, govern with a view to the common interest; but governments which rule with a view to the private interest, whether of the one, or of the few, or of the many, are perversions.”

— Aristotle[†]

“We stand today between two worlds—the dying old and the emerging new.”

— Dr. Martin Luther King Jr.[‡]

* Former Director, Governance and Inclusive Institutions and former Deputy General Counsel, The World Bank. LL.M. (Harvard Law School), Diplôme d'Études Approfondies (DEA) in International Law (Paris II Pantheon-Assas), DEA in International Economic Law (Paris I Pantheon-Sorbonne), DEA in History of Africa (Paris I), LL.B. (University of Dakar). This Article is based on a keynote address given at the Annual Symposium of the Harvard International Law Journal at Harvard Law School on March 2, 2024. The theme of the Symposium was “Bretton Woods 3.0? The Future of International Economic Law.” Opinions expressed in this Article do not represent the opinions of any organizations to which the author is, or was, affiliated. I am grateful to Bernadette Passade Cissé, J.D. (Harvard Law School) and former Vice President for Policy and Advocacy, LIRS (name later changed to Global Refuge), for her invaluable comments to both the original Keynote Address and this Article, combining breadth, depth and insight. I am also very appreciative of the excellent, comprehensive and thorough review, comments and suggestions by the editorial board of the *Harvard International Law Journal*. All opinions and any errors or omissions are my own.

† ARISTOTLE, *POLITICS*, Book III, Ch. 7, 114 (Benjamin Jowett trans., Clarendon Press 1905)

‡ Dr. Martin Luther King Jr., *Facing the Challenge of the New Age*, Address Delivered at the First Annual Institute on Nonviolence and Social Change, Facing the Challenge of the New Age (Dec. 3, 1956), available at <https://kinginstitute.stanford.edu/king-papers/documents/facing-challenge-new-age-address-delivered-first-annual-institute-nonviolence> [perma: <https://perma.cc/VE35-TQN2>].

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INTRODUCTION

Governance is about the ways in which decisions are made, who makes them, and whose interests those decisions represent. The global governance system designed in the aftermath of World War II is now facing unprecedented challenges. From addressing political conflicts, economic inequality, poverty, and climate change to managing global health crises and technological disruptions,¹ the current governance system must adapt to a world that is increasingly interconnected and facing novel risks. Institutions like the United Nations, the International Monetary Fund (“IMF”), and the World Bank have served as pillars of global governance for the last eighty years.² However, the framework upon which these systems were constructed now reflects outdated power structures that incongruously favor beneficiaries of the post-World

1. See MATHEW BURROWS & GIOVANNI GREVI, GLOBAL GOVERNANCE 2025: AT A CRITICAL JUNCTURE iii (2010) (an exercise in theorizing that includes one, unfortunately incorrect, conclusion that 2025 is less likely to be a year of global conflict than of global cooperation).

2. The IMF and the World Bank are together known as the Bretton Woods Institutions. *The IMF and the World Bank*, IMF (Nov. 2022), <https://www.imf.org/en/About/Factsheets/Sheets/2022/IMF-World-Bank-New> [https://perma.cc/78V3-9NHW].

War II settlement, leaving many other nations with limited impact on international decision-making.³

This Address details what is at stake: Why a global governance system that meets the needs of the 21st century is needed, and what are the potential pathways for its reinvention.⁴ Part I begins by outlining the current challenges that have revealed the limitations of the global governance structure. Part II explores reform efforts and proposals to address the weaknesses within the global governance regime, and it analyzes their potential and their shortcomings. Part III then presents a novel framework for reinventing global governance that emphasizes the principles of equity, sustainability, and inclusivity.

I. A GLOBAL GOVERNANCE SYSTEM IN CRISIS

A. *Definitions and Context*

While governance writ large is a broad topic, global governance more specifically refers to the collective management of common global concerns through institutions, international law, policies, norms, and practices. As described by Thomas G. Weiss and Ramesh Thakur, global governance is the “complex of formal and informal institutions, mechanisms, relationships and processes between and among states, markets, citizens and organizations, both inter- and non-governmental, through which collective interests on the global plane are articulated, duties, obligations and privileges are established, and differences are mediated.”⁵

3. This Address is not limited to a legal analysis, for such an analysis alone is insufficient to understand and address global governance issues. In many cases, the law reflects aspirations but is also rooted in the status quo power dynamic of concerned stakeholders. The Address, though not an exhaustive treatment of the subject matter, attempts to treat the issues at hand from a bird's-eye view using a multidisciplinary approach, drawing on other fields including economics, history, philosophy, political science, business management, and organizational theory. For more information on global governance issues, see generally JOSEPH E. STIGLITZ, *GLOBALIZATION AND ITS DISCONTENTS* (2002); JOSEPH E. STIGLITZ, *GLOBALIZATION AND ITS DISCONTENTS REVISITED: ANTI-GLOBALIZATION IN THE ERA OF TRUMP* (2017); THOMAS G. WEISS & RAMESH THAKUR, *GLOBAL GOVERNANCE AND THE UN: AN UNFINISHED JOURNEY* (2010).

4. Since this Address elaborates on the themes included in my remarks made at the 2020 Annual Meeting of the American Society of International Law, it will contain several references to and quotations from this speech. See Hassane Cissé, Former Deputy General Counsel and Governance Director, World Bank, Address at ASIL 114th Annual Meeting (June 2020), in *PROC. ASIL ANN. MEETING*, March 2021, at 43, 43–46 (2021) [hereinafter 2020 ASIL Remarks].

5. See WEISS & THAKUR, *supra* note 3, at 24.

The institutions of global governance, embodied by entities like the United Nations (“U.N.”), the IMF, and the World Bank, were designed to foster international cooperation in areas with inherent collective action challenges, including global economic management, reconstruction and development, and the peaceful resolution of conflicts. Yet, despite their achievements across the 20th century, these institutions have nevertheless struggled to adapt to the complexity and scope of 21st century challenges. As U.N. Secretary-General António Guterres remarked during a 2023 BRICS⁶ Summit address:

[w]e are moving towards a multipolar world, and that is a positive thing. But multipolarity in itself is not enough to guarantee a peaceful or just global community. To be a factor of peace, equity and justice in international relations, multipolarity must be supported by strong and effective multilateral institutions. . . . As the global community moves toward multipolarity, we desperately need—and I have been vigorously advocating for—a strengthened and reformed multilateral architecture based on the UN Charter and international law. Today’s global governance structures reflect yesterday’s world.⁷

World leaders have echoed similar concerns and calls for reform. French President Emmanuel Macron has done so, for example, even though Macron has not acknowledged, in the same way as Guterres, the disproportionate burdens and risks emerging and developing economies face under the current governance regime:

[W]e will not succeed if we cannot reform the World Bank and the IMF, which play a prominent role in establishing the norms and financing the green transition on a global scale. Eighty years after their creation, these institutions remain underfunded, relative to the size of the global economy and population, and emerging and developing countries continue to be shut out of their governance. But we will not be able to agree on goals and financing until every country negotiating is on an equal footing.⁸

6. BRICS defines itself as an informal group of states comprised of Brazil, Russia, India, China, and South Africa, which as of this writing has the following additional permanent members: Egypt, Ethiopia, Iran, Indonesia, Saudi Arabia, and the United Arab Emirates. Ministries of Foreign Affairs of the BRICS Member States, *History of BRICS*, BRICS, <https://infobrics.org/page/history-of-brics> [<https://perma.cc/PP4P-SYVS>] (last visited Apr. 8, 2025).

7. António Guterres, U.N. Secretary-General, Remarks at the BRICS Summit (Aug. 24, 2023) (transcript available at <https://www.un.org/sg/en/content/sg/speeches/2023-08-24/secretary-generals-remarks-the-brics-summit> [<https://perma.cc/MT25-HV8G>]).

8. Emmanuel Macron, *The Pillars of Green Wisdom*, PROJECT SYNDICATE (Dec. 27, 2023), <https://www.project-syndicate.org/commentary/main-priorities-for-global-climate-policy-by-emmanuel-macron-2023-12> [<https://perma.cc/ZUJ4-483X>].

Kenya's President William Ruto, has argued in parallel, though from a distinct perspective as the leader of an emerging market country, that the World Bank and the IMF are currently "hostage" to the world's wealthiest countries and unable to meet the development challenges of the Global South.⁹ He therefore proposed the creation of a new multilateral institution he called "the Green Bank" that would be institutionally structured to treat all member countries as equal shareholders.¹⁰

Whether such reflections on the current system are coming from the U.N. Secretary-General, a P5 head of state beneficiary of post-World War II peace agreements,¹¹ or the leader of an emerging economy state, they share a discomfort with a governance model that is derived from long-dissipated values and objectives. To highlight the discrepancies between the global political and economic challenges during the post-World War II era and the present, one need only look to the African continent. In 1945, most African countries were largely ruled by European colonial powers and were absent at the creation of both the U.N. Security Council and Bretton Woods Institutions.¹² However, these countries continue to deal with significant injustices, despite their emancipation, during the post-colonial period. African countries today pay an average of eight times more for international borrowing than the richest European countries.¹³ They also shoulder a larger burden of climate change impacts than the wealthiest countries, though they only make up four percent of fossil fuel emissions.¹⁴

The current system gives priority to economic, military, and political power as they stood in 1945 as the basis for allocating international decision-making authority. The result is a system based on the unsaid assumption that "might makes right." Being therefore built on the power of a few nations, the system is

9. Attracta Mooney & Kenza Bryan, *Kenyan leader says World Bank and IMF are 'Hostage' to Rich Nations*, FIN. TIMES (June 23, 2023), <https://www.ft.com/content/df7f68b1-8362-4895-9d24-c8483a9c2ee5> [https://perma.cc/J4L4-Q27K]. The term "Global South" generally refers to the Group of 77 ("G77"), which currently consists of 134 countries. The G77 was established by seventy-seven developing countries in 1964. The United Nations describes the G77 as the largest intergovernmental organization of developing countries in the United Nations, which provides the means for these countries to enhance their joint negotiating capacity on all major economic issues within the U.N. system. *Group of 77 and China Celebrate 60th Anniversary*, U.N. OFF. SOUTH-SOUTH COOP. (Nov. 4, 2024), <https://unsouthsouth.org/2024/11/04/group-of-77-and-china-celebrate-60th-anniversary/> [https://perma.cc/88JE-DL2H].

10. Olivia Rumble & Andrew Gilder, *Ruto Calls for the Creation of a Global Green Bank*, AFR. CLIMATE WIRE (Aug. 16, 2023), <https://africanclimatewire.org/2023/08/ruto-calls-for-the-creation-of-a-global-green-bank/> [https://perma.cc/M57L-GSV9].

11. The Permanent Five ("P5") refers to the five permanent members of the U.N. Security Council: China, the United States, Russia, France, and the United Kingdom.

12. See generally HOWARD FRENCH, BORN IN BLACKNESS: AFRICA, AFRICANS AND THE MAKING OF THE MODERN WORLD, 1471 TO THE SECOND WORLD WAR (2021).

13. See Guterres, *supra* note 7.

14. See *id.*

liable to the whims of great power rivalries and reliant on the continued support of its major state sponsors.¹⁵

Another shortcoming of the current global governance model is its failure to permit the participation of billions—or, at least, the representatives of billions—of people and communities whose futures are intimately linked by their cross-border relationships.¹⁶ The result is that many, if not most, peoples face today's geopolitical, economic, climate, and health-related global challenges without global representation.

The recent socioeconomic struggles in many countries show that the values of the historically dominant economic model promulgated by many global governance institutions, namely one based on the unrelenting pursuit of economic growth and market efficiencies at the cost of environmental sustainability and human rights, poses an existential threat to the planet and to human societies. For example, supply chain integration and the universalist approach to cross-border trade championed by institutions like the World Trade Organization (the "WTO")¹⁷ proved wholly inadequate to respond to a crisis like the COVID-19 pandemic. They prevented the provision of basic healthcare equipment, vaccines, intellectual property sharing, and foodstuffs to societies across the globe that needed them.

The institutions, structures, and mechanisms of the current model therefore have both inadequate financial resources to face today's needs and have decision-making processes with a democratic deficit to the extent that such processes give more say to more powerful nations in decisions impacting a large number of less powerful countries. While member states are struggling to inject more resources into international institutions in the aftermath of the COVID-19 pandemic or deal with climate change challenges, these resources are inadequate to tackle the deep-seated ideological (e.g., the now mostly discarded Washington Consensus policies)¹⁸ and structural deficiencies present

15. See 2020 ASIL Remarks, *supra* note 4, at 43–45; Heather Hurlburt, *Can the International Order Survive Trump 2.0?*, CHATHAM HOUSE (Jan. 30, 2025), <https://www.chathamhouse.org/2025/01/can-international-order-survive-trump-20> [<https://perma.cc/AV98-CMNB>]; Thomas Piketty, *Trump's National-Capitalism Likes to Flaunt its Strength, but It Is Actually Fragile*, LE MONDE (Feb. 15, 2025), https://www.lemonde.fr/en/opinion/article/2025/02/15/thomas-piketty-trump-s-national-capitalism-likes-to-flaunt-its-strength-but-it-is-actually-fragile_6738187_23.html [<https://perma.cc/DR8F-68YD>]; Robert H. Wade, *Will the IMF Survive Donald Trump's Presidency?*, LSE DEP'T INT'L DEV. (Feb. 12, 2025), <https://blogs.lse.ac.uk/internationaldevelopment/2025/02/12/will-the-imf-survive-donald-trumps-presidency/> [<https://perma.cc/V6LC-X4L5>].

16. See 2020 ASIL Remarks, *supra* note 4, at 43.

17. See ALBERT PARK, GAURAV NAYYAR & PATRICK LOW, *SUPPLY CHAIN PERSPECTIVES AND ISSUES: A LITERATURE REVIEW* 183–95 (2013), <https://www.wto-ilibrary.org/content/books/9789287042354/read> [<https://perma.cc/JQ66-UG7X>].

18. The "Washington Consensus" was a phrase coined in 1989 by the late economist John Williamson to describe a list of policies, which favored private sector solutions to macroeconomic

within the global economic governance system. *The Economist* indeed recently referred to our times as the “end of the post-1945 order.”¹⁹

Simply increasing such resources without rethinking the values, economic models, and the decision-making processes would not be enough. What will matter most is how to move from indirectly advancing the interests of the few to truly serving the interests of the entire planet.

The current economic governance system does not have democratic deliberation or decision-making processes. This is apparent in the numerous fora and institutions that give the upper hand to wealthier and stronger economies in setting the broad strategic direction for the worldwide economy. These include the Group of Seven (“G7”),²⁰ Group of Twenty (“G20”),²¹ the Financial Stability Board,²² and the Bretton Woods Institutions. The result is the promotion and implementation of economic policy agendas that reflect the strategic choices and interests of those wealthier economies.²³

The context of global governance today is defined by growing interdependence and shared vulnerabilities. But the global governance system does not fully address the vulnerabilities it creates for most of the world, and in particular the Global South,²⁴ including a lack of economic opportunities and failure to respond to climate change, cybersecurity, and pandemic threats.²⁵

problems, that was supported by many South American policymakers. See John Williamson, Senior Fellow at Inst. for Int’l Econ., The Washington Consensus as Policy Prescription for Development, Lecture at World Bank “Practitioners of Development” Series 1 (Jan. 13, 2004), available at <https://www.piie.com/sites/default/files/publications/papers/williamson0204.pdf> [<https://perma.cc/L24Q-Q6S6>].

19. *The Don’s New World Order*, THE ECONOMIST (Feb. 27, 2025), <https://www.economist.com/weeklyedition/2025-03-01> [<https://perma.cc/FT7V-ZNDS>].

20. The Group of Seven is a group of industrial countries composed of Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

21. The Group of Twenty describes itself as the premier forum for international economic cooperation. As of 2023, its permanent members are Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Republic of Korea, Mexico, Russia, Saudi Arabia, South Africa, Turkey, United Kingdom, United States, the European Union, and the African Union.

22. The Financial Stability Board (“FSB”) was established in April 2009 as the successor to the Financial Stability Forum (“FSM”). The FSB, in describing its mandate of promoting international financial stability, specifies that its structure consists of a framework for the identification of systemic risk in the financial sector, for framing the actions that can address these risks, and a framework for overseeing the implementation of those responses.

23. See 2020 ASIL Remarks, *supra* note 4, at 43–44.

24. See generally Ved Prakash Nanda, *Global Environmental Governance and the South*, in INTERNATIONAL ENVIRONMENTAL LAW AND THE GLOBAL SOUTH 130 (Shawkat Alam et al. eds., 2015); Leigh Raymond, Daniel Kelly & Erin P. Hennes, *Norm-Based Governance for Severe Collective Action Problems: Lessons from Climate Change and COVID-19*, 21 PERSPS. POLS. 519 (2023).

25. See generally Niall Duggan et al., *Introduction: ‘The BRICS, Global Governance, and Challenges for South–South Cooperation in a Post-Western World’*, 43 INT’L POL. SCI. REV. 469 (2022).

With respect to climate change in particular, the world could hit the point of no return as it faces three key climate risks that have been identified in the World Economic Forum Global Risks Report 2024: extreme weather events, critical change to earth systems and biodiversity loss, and ecosystem collapse.²⁶ All the above-mentioned issues highlight the fragmentation and inequities within the existing global governance framework and illustrate the need for a reimagination of global collective action.²⁷

B. *Systemic Challenges to Addressing Global Crises*

As described previously, the global governance system is increasingly unable to address contemporary challenges due to its structural deficiencies and misaligned priorities. I will now highlight such deficiencies and misaligned priorities at the United Nations and in the Bretton Woods Institutions.

It is a poorly kept secret that the United Nations is facing a crisis in confidence. U.N. decision-making processes often result in paralysis, particularly within the U.N. Security Council. The veto power of the five permanent members of the Security Council—China, France, Russia, the United Kingdom, and the United States—has repeatedly been used to stall action on critical issues with global implications, including the wars in Iraq, Syria, Ukraine, and Gaza.²⁸ This inability to act decisively, based on international law and collective interest as opposed to the perceived short-term interests of individual nations, undermines the legitimacy and effectiveness of the United Nations as a whole.²⁹ The Security Council's failure to act has expanded far beyond an inability to authorize the use of military force: The Council has repeatedly failed to reach consensus on economic sanctions,³⁰ the prevention,³¹ condemnation, or

26. WORLD ECONOMIC FORUM, THE GLOBAL RISKS REPORT 2024 at 40–49 (19th ed., 2024).

27. For a doctrinal analysis of the issue of fragmentation in the existing governance framework and its implications, see generally FRAGMENTATION VS THE CONSTITUTIONALISATION OF INTERNATIONAL LAW: A PRACTICAL INQUIRY (Andrzej Jakubowski & Karolina Wierczyńska eds., 2016).

28. See SHERIF ELGEBEILY, THE RULE OF LAW IN THE UNITED NATIONS SECURITY COUNCIL DECISION-MAKING PROCESS: TURNING THE FOCUS INWARDS 165–73 (2017); SABINE HASSLER, REFORMING THE UN SECURITY COUNCIL MEMBERSHIP: THE ILLUSION OF REPRESENTATIVENESS 183 (2012).

29. HASSLER, *supra* note 28, at 1.

30. See Oona A. Hathaway & Stewart Patrick, *Can the UN Security Council Still Help Keep the Peace? Reassessing its Role, Relevance and Potential for Reform*, CARNEGIE ENDOWMENT FOR INT'L PEACE (July 2, 2024), <https://carnegieendowment.org/posts/2024/07/can-un-security-council-still-help-keep-the-peace?lang=en> [<https://perma.cc/6MNC-5WPT>]; Katharina L. Meissner & Patrick A. Mello, *The Unintended Consequences of UN Sanctions: A Qualitative Comparative Analysis*, 43 CONT. SEC'Y POL'Y 243 (2022).

31. See, e.g., Sithembile Mbete, *Africa, in UN SECURITY COUNCIL REFORM: WHAT THE WORLD THINKS* 10, 13 (Stewart Patrick ed., 2023) (outlining how the U.N. Security Council

termination of wars,³² and the fostering of peaceful settlements for international disputes.³³ This dysfunction has eroded the credibility of post-World War II global governance institutions and created a multilateral leadership vacuum that further underscores the urgent need for reform.³⁴

In the Bretton Woods Institutions, dysfunction takes another form: Decision-making authority disproportionately favors developed nations. For instance, voting rights within the IMF and the World Bank are weighted based on a country's quota or financial contribution, which is its participation in the capital of each institution.³⁵ At the IMF, each member country's quota broadly reflects its relative position in the world economy and plays a crucial role for its voting power in the decision-making bodies, its access to financing, and its share in a general allocation of resources. This arrangement leaves emerging and developing countries with limited influence despite their growing economic significance. Further exacerbating the problem is that the traditional majority contributors (and therefore majority shareholders) in the Bretton Woods Institutions are strongly opposed to changing this structure.

When the second largest economy in the world, China,³⁶ sought to increase its voting power and shareholding influence in the Bretton Woods Institutions, this attempt was thwarted by the most influential shareholders.³⁷ It is also of

not only fails to prevent conflicts, including between France and various countries in the Sahel, but does not address rivalries among the five permanent members of the U.N. Security Council).

32. See Zhang Guihong, *China*, in UN SECURITY COUNCIL REFORM: WHAT THE WORLD THINKS 18, 19 (Stewart Patrick ed., 2023) (stating that it is "worrisome [that] under the umbrella provided by the veto, major powers have been able to use force without Security Council authorization"). It is also important to note that no regional political organization, including the EU (a political, economic, and financial organization), gives a formal veto power to one or more of its most powerful members.

33. See Barçın Yinanç, *Türkiye*, in UN SECURITY COUNCIL REFORM: WHAT THE WORLD THINKS 55, 56–57 (Stewart Patrick ed., 2023) (reporting that Turkey's most radical proposal is to abolish the veto power of the Security Council's permanent members as a "first step toward UN reform" and pointing out that the Council's "paralysis may push countries to breach international law by taking unilateral armed action in the absence of a Security Council resolution").

34. See generally Yuji Iwasawa, *Various Means of Enforcement in International Law*, 65 HARV. INT'L L.J. 1 (2023).

35. See Daniel D. Bradlow, *The Reform of the Governance of the IFIs: A Critical Assessment*, in INTERNATIONAL FINANCIAL INSTITUTIONS AND GLOBAL LEGAL GOVERNANCE 37, 41 (Hassane Cisse et al. eds., 2012).

36. In 2019, the World Bank reported that "China's gross domestic product (GDP) in purchasing power parity (PPP) terms overtook the USA in 2013 and now accounts for nearly 19% of the global economy." Edie Purdie, *Tracking GDP in PPP terms shows rapid rise of China and India*, WORLD BANK BLOGS (Oct. 16, 2019), <https://blogs.worldbank.org/en/opendata/tracking-gdp-ppp-terms-shows-rapid-rise-china-and-india> [<https://perma.cc/D68C-ZUWW>]; see also *The World Bank in China*, WORLD BANK GRP. (Oct. 23, 2024), <https://www.worldbank.org/en/country/china/overview#1> [<https://perma.cc/35QW-F9XR>].

37. See generally Jue Wang & Michael Sampson, *China's Multi-Front Institutional Strategies in International Development Finance*, 15 CHINA J. INT'L POL. 374 (2022).

note that the leaders of both the IMF and the World Bank are selected either from Europe (in the case of the IMF) or the United States (in the case of the World Bank). In addition, the country-by-country allocation of Special Drawing Rights (“SDRs”), which are an international reserve asset created in 1969 by the IMF to supplement the official reserves of its member countries, is also determined by a country’s quota in the IMF, leaving low-income countries with insufficient resources to address their fiscal challenges.³⁸ As Guterres noted, “the current global financial architecture is unfair, outdated, dysfunctional and needs to be redesigned,” as it serves the interests of a few while marginalizing many.³⁹

At the 2019 G7 Summit, French President Macron channeled these and similar concerns when he called for “a new global economic order, decrying an ‘unprecedented crisis’ in the market economy.”⁴⁰ Macron said the market economy creates inequalities “that are shaking up the political order.”⁴¹ According to the *Associated Press*, “He called for a global ‘rethink,’ but did not offer details.”⁴² It was further reported that he offered a warning that “‘we are living the end of Western hegemony’ in part as a result of Western ‘errors’ over past centuries.”⁴³ In this respect, Macron’s views on modern capitalism reflect the deeper analytical argument articulated by economist Thomas Piketty in his study of capital. Early in his 2014 book, Piketty states that “[w]hen the rate of return on capital exceeds the rate of growth of output and income, as it did in the nineteenth century and seems likely to do again in the twenty-first, capitalism automatically generates arbitrary and unsustainable

38. See generally IMF, *2021 Special Drawing Rights Allocation—Ex-Post*, Assessment Report (2023), <https://www.imf.org/en/Publications/Policy-Papers/Issues/2023/08/28/2021-Special-Drawing-Rights-Allocation-Ex-Post-Assessment-Report-538583> [https://perma.cc/KU4G-CCHC].

39. See Press Release, António Guterres, U.N. Secretary-General, Global Financial Architecture Has Failed Mission to Provide Developing Countries with Safety Net, Secretary-General Tells Summit, Calling for Urgent Reforms, U.N. Press Release SG/SM/21855 (June 22, 2023), available at <https://press.un.org/en/2023/sgsm21855.doc.htm> [https://perma.cc/B2JV-BAEP]; see also António Guterres, U.N. Secretary-General, Address to the 76th Session of the UN General Assembly (Sept. 21, 2021), available at <https://www.un.org/sg/en/content/sg/speeches/2021-09-21/address-the-76th-session-of-general-assembly> [https://perma.cc/E6ZV-UQEA]; ANTÓNIO GUTERRES, U.N. SECRETARY-GENERAL, OUR COMMON AGENDA: REPORT OF THE SECRETARY GENERAL 3 (2021), https://www.un.org/en/content/common-agenda-report/assets/pdf/Common_Agenda_Report_English.pdf [https://perma.cc/35NX-QS9Q].

40. Associated Press, *Macron Calls for a New Global Economic Order*, COURTHOUSE NEWS SERV. (Aug. 27, 2019), <https://www.courthousenews.com/macron-calls-for-a-new-global-economic-order/> [https://perma.cc/MJ46-R4U8] (quoting Macron).

41. *Id.*

42. *Id.*; see also Emmanuel Macron, *G7 Biarritz: Post Summit Press Conference*, G7 FRANCE (Aug. 26, 2019), <https://www.elysee.fr/en/g7/2019/08/26/g7-biarritz-post-summit-press-conference> [https://perma.cc/86RY-YW7N].

43. Macron, *supra* note 42.

inequalities that radically undermine the meritocratic values on which democratic societies are based.”⁴⁴

Therefore, these systemic economic inequalities, perpetuated in part by the current global economic governance system, further exacerbate its shortcomings. The 2008 Financial Crisis exposed the fragility of global economic governance and revealed its lack of mechanisms to address systemic risks and ensure equitable recovery.⁴⁵ Developing nations bore the brunt of the financial crisis, even while wealthier countries dominated discussions on reform. For example, Brazilian President Luiz Inacio Lula da Silva, in his speech at the November 2024 G20 meeting, decried the above-mentioned limitations of market-based solutions to global economic problems when commenting on the 2008 financial crisis. He stated that “[t]he reformist impetus was insufficient to correct the excesses of market deregulation and the defense of a minimal state.”⁴⁶ This is because, at the time, the United States and several industrialized countries “chose savings [sic] banks instead of helping people.”⁴⁷

Global economic risk is not the only area in which the global governance system is unable to enforce compliance or foster genuine cooperation among diverse stakeholders. One of the most striking examples is the system’s persistent inaction on climate change. Despite decades of international negotiations and reform attempts, global greenhouse gas emissions continue to rise, and many nations have failed to meet their commitments under the 2015 Paris Agreement to the U.N. Framework Convention on Climate Change (the “Paris Agreement”).⁴⁸ For example, the United States has recently announced its decision to withdraw from the Paris Agreement for the second time.⁴⁹ This will disproportionately impact other countries because the U.S. participation through policy actions, financing, and research is critical given that it is the second largest emitter of greenhouse gases in the world and has produced the most carbon

44. See THOMAS PIKETTY, *CAPITAL IN THE TWENTY-FIRST CENTURY* 1 (2014).

45. See 2020 ASIL Remarks, *supra* note 4, at 43.

46. Luiz Inacio Lula da Silva, President of Brazil, Speech at the Second Session of the G20 Leaders’ Meeting: Reform of Global Governance Institutions (Nov. 19, 2024), *available at* <https://www.gov.br/mre/en/content-centers/speeches-articles-and-interviews/president-of-the-federative-republic-of-brazil/speeches/speech-by-president-lula-at-the-second-session-of-the-g20-leaders-meeting-reform-of-global-governance-institutions> [<https://perma.cc/D6U7-X76H>].

47. *Id.*

48. See generally Paris Agreement to the United Nations Framework Convention on Climate Change, Dec. 12, 2015, 3156 U.N.T.S. 54113.

49. See Kalina Gibson, *The Trump Administration’s Retreat from Global Climate Leadership*, CTR. FOR AM. PROGRESS (Jan. 21, 2025), <https://www.americanprogress.org/article/the-trump-administrations-retreat-from-global-climate-leadership/> [<https://perma.cc/X3YX-PQ9J>]; Seth Kirschner et al., *US Withdrawal from the Paris Agreement: Impact and Next Steps*, WHITE & CASE (Jan. 21, 2025), <https://www.whitecase.com/insight-alert/us-withdrawal-paris-agreement-impact-and-next-steps> [<https://perma.cc/6747-GKT4>].

dioxide emissions to date.⁵⁰ The withdrawal means that the objectives of the Paris Agreement will likely not be met.⁵¹

Another failure in the system is the fragmentation of global health governance, which became painfully clear during the COVID-19 pandemic. The lack of a coordinated international response to the pandemic led to inequitable vaccine distribution, with wealthy nations stockpiling doses while nations like India and South Africa struggled to vaccinate their frontline workers.⁵² Institutions like the World Health Organization (“WHO”) have faced criticism for their limited authority and resources to respond to such crises, which has further exposed gaps in the governance of global public goods.⁵³ In this area, too, the risk of relying on country sponsors for the system is becoming apparent. The United States has recently announced its decision to withdraw from the WHO for a second time.⁵⁴ Such withdrawal may have strongly negative consequences for both the United States and the rest of the world. This will impact U.S. leadership in and contributions to public health programs around the world, collaboration with other scientists in health research and development, and financial support for the monitoring and mitigation of global health risks, and it will ultimately lead to the unnecessary loss of human lives.⁵⁵

50. See Simon Evans, *Analysis: Which Countries are Historically Responsible for Climate Change?*, CARBONBRIEF (Oct. 5, 2021), <https://www.carbonbrief.org/analysis-which-countries-are-historically-responsible-for-climate-change/> [https://perma.cc/6BSQ-N8M8].

51. Gibson, *supra* note 49.

52. See Matiangai Sirleaf, *Disposable Lives: COVID-19, Vaccines, and the Uprising*, 121 COLUM. L. REV. F. 71, 87, 91–92 (2021); see generally Shahzad Mirza et al., *Impact of COVID-19 Outbreak on Healthcare Workers in a Tertiary Healthcare Center in India: A Cross Sectional Study*, 14 SCI. REPS. 1504 (2024).

53. See generally Mark Eccleston-Turner & Pedro Villareal, *The World Health Organization's Emergency Powers: Enhancing Its Legal and Institutional Accountability*, 19 INT'L ORGS. L. REV. 63 (2022); Benjamin Mason Meier et al., *The World Health Organization in Global Health Law*, 48 J.L. MED. & ETHICS 796 (2020).

54. See Jean Galbraith, *The Legal Problem with Trump's WHO Order: The US Cannot Withdraw Until it Pays its Dues*, JUST SEC. (Jan. 23, 2025), <https://www.justsecurity.org/106748/trump-order-world-health-organization/> [https://perma.cc/652A-DSXL]; *The U.S. Government and the World Health Organization*, KAISER FAM. FOUND. (Jan. 21, 2025), <https://www.kff.org/global-health-policy/fact-sheet/the-u-s-government-and-the-world-health-organization/> [https://perma.cc/H79T-K763].

55. Interview with Dr. Judd Walson, Robert E. Black Chair in Int'l Health, Johns Hopkins Bloomberg School of Pub. Health (Jan. 24, 2025), <https://publichealth.jhu.edu/2025/the-consequences-of-the-us-withdrawal-from-the-who/> [https://publichealth.jhu.edu/2025/the-consequences-of-the-us-withdrawal-from-the-who/]; Alice Park, *What Leaving the WHO Means for the U.S. and the World*, TIME (January 21, 2025), <https://time.com/7208937/us-world-health-organization-trump-withdrawal/> [https://perma.cc/37QL-L5HY]; Adam Taylor & Emmanuel Martinez, *Trump Cuts to USAID Halt Funding for Global Vaccinations*, WASH. POST (March 26, 2025), <https://www.washingtonpost.com/world/2025/03/26/usaids-cuts-gavi-vaccines-trump/> [https://perma.cc/52XY-8LFU].

Indeed, as referenced above, an important systemic deficiency of current global governance is that it suffers from what I call the ‘key actor’ risk. This concept is equivalent, at the global level, to what, in business risk management, is termed the ‘key person’ risk.⁵⁶ This refers to a system or organization that is overly reliant on a key person whose disappearance, unwillingness, or inability to perform, threatens the existence of the entire system. At the global level, this risk is embodied by the United States, the main creator, sponsor, and guarantor of the current global governance framework, which is deeply intertwined with notions of “Pax Americana.”⁵⁷ The United States is the central part of the system it helped create, so when it decides to withdraw its support, the system starts collapsing from within.⁵⁸ A fully transformed global governance system must therefore avoid recreating the ‘key actor’ risk just as corporations strive to avoid the ‘key person’ risk.

II. A GLOBAL GOVERNANCE SYSTEM IN SEARCH OF A NEW EQUILIBRIUM

A. *Reforms and Achievements of the System*

Though it is in crisis, the current global governance system has many achievements that should not be ignored. The last eighty years of reforms have helped to build a largely accepted framework for international cooperation, despite not always being peaceful or even global. Moreover, advances in science and technology promoted by the governance system have resulted in a more interconnected world and facilitated the broader exchange of ideas, knowledge, and awareness of community aspirations around the world. For example, regional and global treaties and declarations, including the 1948 Universal Declaration

56. See CAMBRIDGE CTR. FOR RISK STUD., CAMBRIDGE TAXONOMY OF BUSINESS RISKS 32 (2019), <https://www.jbs.cam.ac.uk/wp-content/uploads/2021/11/crs-cambridge-taxonomy-of-business-risks.pdf> [<https://perma.cc/X5ND-XJYW>] (defining “Human Capital” risk in Appendix C); *Key-Person Risk is Alive and Kicking in Global Business*, THE ECONOMIST (Nov. 22, 2018), <https://www.economist.com/business/2018/11/22/key-person-risk-is-alive-and-kicking-in-global-business> [<https://perma.cc/XVV9-RSEF>]; Anslee Wolfe, *How to Manage Key-Person Risk: Relying Too Heavily on Certain Individuals Can be Damaging When They Depart*, FIN. MGMT. (Jan. 4, 2019), <https://www.fm-magazine.com/news/2019/jan/how-to-manage-key-person-risk-201819925.html> [<https://perma.cc/5BEK-TWQL>].

57. Pax Americana refers to the global order created by the geopolitical, military, and economic power of the United States vis-à-vis other nations in the aftermath of World War II. See DANIEL J. SARGENT, A SUPERPOWER TRANSFORMED: THE REMAKING OF AMERICAN FOREIGN POLICY IN THE 1970S 15 (2014).

58. *Why the United States Remains an Indispensable Nation*, CHATHAM HOUSE (May 10, 2023), <https://www.chathamhouse.org/2015/06/why-united-states-remains-indispensable-nation> [<https://perma.cc/5XVG-DESB>].

of Human Rights,⁵⁹ were adopted to promote a more peaceful, prosperous, and sustainable world. The global order has also helped create a rules-based system governed by international law, which establishes rights and obligations of nation-state members and represents a marked improvement from the pre-1945 system characterized by conflicts and wars among empires.

The United Nations was able to expand the number of non-permanent Security Council members from four to ten in 1965. When it works, the Security Council has successfully carried out conflict prevention and management functions.⁶⁰

The current governance system has also developed comparatively effective dispute settlement mechanisms. The International Court of Justice was established to decide, in accordance with international law, disputes between sovereign states that have accepted its jurisdiction, or issue advisory opinions on any legal question at the request of authorized bodies under the U.N. Charter (e.g., subsidiary organs or specialized agencies of the United Nations).⁶¹ Likewise, the WTO includes mechanisms for states to peacefully settle international trade disputes and the International Center for Settlement of Investment Disputes provides a mechanism for the settlement of investment disputes between states and foreign companies. Even though their efforts have had mixed results, the IMF and the World Bank have provided much needed financing to many countries and provided economic development advice.⁶²

The system has also tackled major challenges. These include managing decades of nuclear conflict risk,⁶³ establishing effective international financial regulations, responding to international economic crises,⁶⁴ and promulgating general socioeconomic and humanitarian standards for the international community. Chief among these achievements may have been the unanimous

59. See generally G.A. Res. 217 (III) A, Universal Declaration of Human Rights (Dec. 10, 1948).

60. Anjali Dayal, *United States, in UN SECURITY COUNCIL REFORM: WHAT THE WORLD THINKS* 62, 63 (Stewart Patrick ed. 2023) (“When [the five permanent members (P5) of the Security Council] *can* agree, . . . the council can do its work. Between 2013 and 2016, for example, the P5 agreed to all proposed peacekeeping force authorizations, notwithstanding significant fractures over Syria and Ukraine.”) (emphasis in original).

61. See Statute of the International Court of Justice ch. II, IV, June 26, 1945, 33 U.N.T.S. 993. For a broader discussion of dispute settlement mechanisms under international law, see generally Iwasawa, *supra* note 34.

62. See Hassane Cissé, *Should the Political Prohibition in Charters of International Financial Institutions Be Revisited? The Case of The World Bank*, in 3 INTERNATIONAL FINANCIAL INSTITUTIONS AND GLOBAL LEGAL GOVERNANCE 59, 67 n.49–53 (Hassane Cisse et al. eds., 2012). See generally IMF, *Resilience in the Face of Change*, Annual Report 2024 (2024); WORLD BANK GRP., *A Better Bank for a Better Tomorrow*, Annual Report 2024 (Oct. 25, 2024).

63. See generally MICHAEL KREPON, WINNING AND LOSING THE NUCLEAR PEACE: THE RISE, DEMISE AND REVIVAL OF ARMS CONTROL (2021).

64. See generally INTERNATIONAL ORGANIZATION AND GLOBAL GOVERNANCE (Thomas G. Weiss & Rorden Wilkinson eds., 2018).

adoption of the Sustainable Development Goals (the “SDGs”), currently being implemented by nations around the world.⁶⁵

While efforts to reform global governance have been uneven, they share the same characteristic. None have challenged the fundamental tenets of the global governance system created in 1945. While it is daunting to give an exhaustive summary of all the global governance reforms that have been undertaken, it is worth examining a few of them.

Perhaps one of the most important reforms to the system came when the IMF amended its Articles of Agreement following the decision, in 1971, of U.S. President Richard Nixon to unilaterally suspend the U.S. dollar’s convertibility to gold, which was originally mandated in the IMF’s Articles of Agreement.⁶⁶ President Nixon’s decision de facto ended the Bretton Woods system as it was originally conceived.⁶⁷ The IMF amended in 1977 its Articles of Agreement to accommodate the resulting global economic shift from fixed exchange rates to floating exchange rates.

The Bretton Woods Institutions have also reformed to meet less existential challenges throughout their history. In 1996, the IMF and the World Bank led a major reform initiative to reduce the debt burden of Highly Indebted Poor Countries. In 2010, the IMF increased voting shares for countries like Brazil, India, and China in a bid to increase the influence and voice of emerging markets at the Fund, though the United States retains an effective veto over major decisions. In 2021, the IMF Board of Governors approved an unprecedentedly large allocation of SDR 456.5 billion (or \$650 billion) to help countries meet their pressing fiscal and debt-servicing needs, including those related to the COVID-19 pandemic. This allocation was, by far, the largest allocation ever made by the IMF. It is, however, worth noting that while this was hailed as a significant step toward addressing global liquidity needs during the pandemic, only a small fraction of the allocated funds were earmarked for low-income

65. As of 2022, the United States was the only country among all industrialized and emerging economy countries to have not conducted or presented a Voluntary National Review (“VNR”) to implement the Sustainable Development Goals (the “SDGs”). See *Five Countries Yet to Conduct Voluntary National Review*, SDG KNOWLEDGE HUB (Mar. 24, 2022), <https://sdg.iisd.org/news/five-countries-yet-to-conduct-voluntary-national-review/> [https://perma.cc/5ZLD-WCUQ]. For a history of the SDGs, see *The 17 Goals*, U.N. DEP’T ECON. & SOC. AFFS. — SUSTAINABLE DEV., <https://sdgs.un.org/goals> [https://perma.cc/9TPN-4JXL] (last visited Mar. 10, 2025) (section entitled “History”).

66. See Articles of Agreement of the IMF, art. 4, § 1, 60 Stat. 1401, 2 U.N.T.S. 39 (adopted on July 22, 1944) (“Expression of par values: (a) The par value of the currency of each member shall be expressed in terms of gold as a common denominator or in terms of the United States dollar of the weight and fitness in effect on July 1, 1944.”).

67. JOSEPH GOLD, THE SECOND AMENDMENT OF THE FUND’S ARTICLES OF AGREEMENT 1–2 (1978); Sandra Kollen Ghizoni, *Nixon Ends Convertibility of U.S. Dollars to Gold and Announces Wage/Price Controls*, FED. RSRV. HIST. (Nov. 22, 2013), <https://www.federalreservehistory.org/essays/gold-convertibility-ends> [https://perma.cc/5DU9-ZJCD].

countries, as the majority went to the world's largest economies.⁶⁸ The IMF also sought to adapt to address new issues such as governance, anti-corruption, gender, and climate change.⁶⁹

In 2015, some of the world's largest emerging market economies, Brazil, Russia, India, China, and South Africa, created the BRICS Development Bank (now called the New Development Bank) to support public and private projects in developing and member countries. China then established the Asian Infrastructure Investment Bank ("AIIB") the following year to further diversify the available sources of funding within the global financial architecture.⁷⁰ The AIIB focuses on the development of Asia through "invest[ments] in infrastructure and other productive sectors," "creat[ing] wealth and improv[ing] infrastructure connectivity."⁷¹ It is worth noting that the establishment of the AIIB was not a complete revocation of the Bretton Woods system. The AIIB has implemented the most fundamental aspects of the governance framework of the Bretton Woods Institutions, including a weighted voting system that favors its largest shareholder, China.⁷²

On the trade front, the main systemic reform to the global system was the establishment in 1995 of the WTO, a multilateral body for setting international trade policy and adjudicating disputes that replaced the General Agreement on Tariffs and Trade ("GATT"). Unlike the GATT, which only applied to the global trade in goods, WTO rules are applicable to goods, services, and certain aspects of intellectual property among member nations.⁷³ It is important to note that the WTO Charter does not give veto power to its more powerful members and takes most decisions by consensus. But if a vote is needed, each member has one vote.⁷⁴

In the area of environmental and climate governance, a number of global environmental agreements were adopted. These began with the 1972 creation of the United Nations Environment Programme ("UNEP"), which was followed in 1987 by the Montreal Protocol with the narrower, but highly successful, goal of phasing out ozone-depleting substances. Additionally, the 1997 Kyoto Protocol requires states to reduce greenhouse gas emissions, and

68. See IMF, 2021 *Special Drawing Rights Allocation*, *supra* note 38, at 10, 13.

69. See generally Kristalina Georgieva & Rhoda Weeks-Brown, *The IMF's Evolving Role Within a Constant Mandate*, 26 J. INT'L ECON. L. 17 (2023).

70. See generally NATALIE LICHTENSTEIN, A COMPARATIVE GUIDE TO THE ASIAN INFRASTRUCTURE INVESTMENT BANK (2018).

71. *Id.* at 15 (quotation based on the Asian Infrastructure Investment Bank's legal purpose).

72. See *id.* at 25–31.

73. See generally MITSUO MATSUSHITA ET AL., THE WORLD TRADE ORGANIZATION: LAW, PRACTICE, AND POLICY (2006).

74. See generally Jaime Tijmes, *Consensus and Majority Voting in the WTO*, 8 WORLD TRADE R. 417 (2009).

the 2015 Paris Agreement requires states to keep global warming below two degrees centigrade.⁷⁵

In other cases, reforms to global governance have taken a more long-term and progressive approach. For example, over its history, the World Bank has created new organizations, which are now part of the World Bank Group, such as the International Development Association, the International Finance Corporation, the Multilateral Investment Guarantee Agency, and the International Center for the Settlement of Investment Disputes.⁷⁶ It has also from time to time adopted new strategies, policies, legal interpretations, and institutional components geared toward adapting to changing circumstances and meeting country needs, including in the areas of environmental sustainability, post-conflict reconstruction, governance, and anti-corruption, and has created a new form of lending called development policy lending.⁷⁷ More recently, in 2023, the World Bank expanded its core mission mandate to include climate change, while staying committed to its goal of ending poverty.⁷⁸

In addition to the creation of new institutions and reform of existing ones, the governance system created alternative fora of concertation on global affairs. For example, in 1999, in recognition of the rapid pace of globalization, and following the major debt crises that had hit emerging markets in the 1990s, the 1997 Asian financial crisis, and the 1998 Russian financial crisis, a broader global body called the G20 was established. The G20 includes not only the largest industrialized countries, but also major emerging economies as well as several international and regional organizations. In 2009, the G20 replaced the Group of Eight (“G8”) as the key global economic forum.⁷⁹

B. *Reform Proposals*

Despite its significant capacity for change, the global governance system is also regularly subject to calls for reforms which have yet to be implemented.

75. Of note is the withdrawal of the United States from both agreements.

76. For a quick review of institutions that constitute the World Bank Group and their roles, see WBG, *Getting to Know the World Bank*, WORLD BANK GRP. (July 26, 2012), https://www.worldbank.org/en/news/feature/2012/07/26/getting_to_know_theworldbank [https://perma.cc/UQX2-7VE6]. See also KAPUR ET AL., *THE WORLD BANK: ITS FIRST HALF CENTURY* (1997).

77. Hassane Cissé, *How Do External Factors Shape Institutional, Legal, Strategic, or Policy Change in International Organizations: Review of Selected Examples in World Bank Practice*, in *INTERNATIONAL ORGANIZATION INITIATIVES: HOW AND WHY ORGANIZATIONS ADAPT AND CHANGE* (Gabrielle Marceau & Henner Gött eds., 2025).

78. See generally WORLD BANK GRP., *Ending Poverty on a Livable Planet*, Report to the Governors (Sept. 28, 2023), <https://www.devcommittee.org/content/dam/sites/devcommittee/doc/documents/2023/Final%20Updated%20Evolution%20Paper%20DC2023-0003.pdf> [https://perma.cc/Q28Y-LMR5].

79. See generally Juha Jokela, *The G-20: A Pathway to Effective Multilateralism?*, (EUR. UNION INST. SEC. STUDS. Chaillot Papers, Apr. 2011), <https://www.jstor.org/stable/pdf/resrep07003.5.pdf> [https://perma.cc/KX8M-S9F8].

Proposals have been made to expand the U.N. Security Council to include permanent members from Africa, Central America, South America, and more Asian countries.⁸⁰ One proposal has even been made to eliminate the veto power of current Security Council members. Some of these proposals have gained support but remain stalled due to resistance from some current permanent members to the prospect of reducing their authority or sharing executive powers.

Calls to reform voting and representative structures in global institutions are eminently rational. The Security Council veto system and the weighted voting system (which links the voting power of a country in a financial organization to its financial contributions or quotas, thus allowing wealthier nations to have more voting power) are fundamentally antithetical to the democratic rules and values set out in the Universal Declaration of Human Rights and the constitutions of most democracies. They enshrine the unsophisticated and antiquated principle that “might makes right,” or that nations with the largest militaries, political influence, and/or economies should have a proportionally larger say on the conduct of world affairs.

Comparing the decision-making process at the U.N. Security Council to voting in domestic democratic systems, one could conclude that the current global governance system uses the prerequisite of political, economic, or military power the way the payment of poll taxes was historically used to prevent the poor from voting.⁸¹ Such voting poll taxes have been removed in all countries that identify as democracies because they were deemed to be violations of the well-accepted principle of equality among citizens.⁸² There is no reason to keep the global equivalent of a voting poll tax in a global governance system if one accepts the core tenet of international law being ostensibly based on the

80. See, e.g., Adekeye Adebajo, *Nigeria*, in *UN SECURITY COUNCIL REFORM: WHAT THE WORLD THINKS* 39, 39–42 (Stewart Patrick ed., 2023) (pointing to the decades-long reliance of African member states of the United Nations on the African Union to intervene in regional matters in response to the stalls in U.N. Security Council membership reforms).

81. A poll tax is a fixed fee required as a condition of eligibility to vote, irrespective of income or resources. It has been used to prevent economically disadvantaged individuals from voting. For a discussion of the history of poll taxes in the United States, see generally Deborah N. Archer & Derek T. Muller, *Interpretation: The Twenty-Fourth Amendment*, NAT'L CONST. CTR., <https://constitutioncenter.org/the-constitution/amendments/amendment-xxiv/interpretations/157#the-twenty-fourth-amendment-by-deborah-archer-and-derek-muller> [https://perma.cc/CBL8-7SJM] (last visited Apr. 1, 2025).

82. The United States provides a relevant example with the Twenty-Fourth Amendment to the U.S. Constitution in 1964: “The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.” U.S. CONST. amend. XXIV, § 1. For more information, see *Harper v. Virginia Bd. of Elections*, 383 U.S. 663, 666 (1966) (Finding that Virginia’s voting poll tax was unconstitutional, the Court reasoned, inter alia, that “[v]oter qualifications have no relation to wealth.”), which extended the 1964 U.S. federal prohibition against voting poll taxes to state and local elections in the United States.

binding principle that all nations are equal and sovereign.⁸³ The best democratic systems operate under a principle of one vote for each person, no matter their difference in wealth or power. It is a principle that has been shown to reduce conflicts and promote peace at the domestic level, and many reformers believe it might be adopted at the United Nations to similar effect. This principle should be implemented at the global level for similar reasons.

Beyond the above-mentioned proposals that have focused on voting systems, reform proposals for global economic governance have been numerous and generally span several domains, including financial restructuring, institutional democratization, and the provision of global public goods. In 2022, economist Ajay Chhibber argued for a Bretton Woods 2.0 for the twenty-first century.⁸⁴ He explains that the proposed system would maintain the main Bretton Woods institutions but with an expanded remit. “At its core [would] sit three genuinely global institutions—the IMF, tasked with global financial and monetary stability; the . . . [World Bank Group] . . . tasked with achieving shared prosperity and planetary sustainability; and the WTO, which [would] be charged with orderly trade and cross border transactions.”⁸⁵ He bases the need for a rethinking of these institutions as responding to new and larger challenges: “The current institutions are too small and ill-equipped to adequately address the threats of widening wars and surging food and fuel prices. . . . Bretton Woods Institutions must be modernized and revamped to help address these problems for the remainder of the twenty-first century.”⁸⁶

He argues that the new system requires three ‘Rs’: “a revised global remit, an enhanced resource base,” as well as global rules that the system can monitor, and he specifies that these institutions must coordinate with U.N. and regional bodies, bilateral aid agencies, sovereign wealth funds, pension funds and private philanthropic organizations.⁸⁷ He also contends that the Bretton Woods institutions need to leverage their power and resources to draw in private capital at much higher levels because this would provide a reformed global economic system with the resources and expertise to address rising global challenges and development deficits.⁸⁸

Other reforms beyond what Chhibber proposes are rooted in lessons learned from the current global economic governance system’s ongoing practices.

83. The U.N. Charter provides that “[t]he Organization is based on the principle of the sovereign equality of all its Members.” U.N. Charter art. 2, ¶ 1.

84. AJAY CHHIBBER, *MODERNIZING THE BRETTON WOODS INSTITUTIONS FOR THE TWENTY-FIRST CENTURY* 8 (Atl. Council 2022). The current Bretton Woods Institutions are the IMF and The World Bank Group. Chhibber proposes that Bretton Woods 2.0 be composed of the IMF, the World Bank, and the World Trade Organization. *Id.* at *Introduction*.

85. *Id.* at 12.

86. *Id.* at *Introduction*.

87. *Id.* at 9–15.

88. *Id.*

Examples include diversifying voting rights within the IMF and World Bank to give emerging economies greater representation, establishing mechanisms for global public goods financing, and creating frameworks for sustainable debt restructuring. Bridgetown Initiative 3.0, led by Barbados' Prime Minister Mia Mottley, offers one such example of a regional yet globally relevant perspective based on the experience of small-island states and climate exposed developing countries.⁸⁹ Bridgetown Initiative 3.0 calls for the widening of eligibility requirements for lending below market rates for climate-vulnerable countries investing in their climate resilience.⁹⁰ It further calls for a new loss and damage fund that pays out when major climate disasters hit.⁹¹ One observer described the initiative thus:

First, it calls for changes to how money is loaned to and repaid by a country hit by disaster, aiming to prevent countries from spiraling into a debt crisis. One example would be allowing for a pause on debt repayments, so the country has more available money to spend on the immediate relief and rebuilding. Second, it call[s] on the . . . World Bank and the [IMF] to mobilize an additional \$1 trillion to developing nations for climate resilience. Third, it[] call[s] for a new mechanism[, the Global Climate Mitigation Trust,] . . . to fund climate mitigation and rebuilding in the wake of a disaster. . . . [I]t's believed this could leverage up to \$5 trillion from the private sector and up to \$500 billion in . . . [SDRs].⁹²

Reform proposals have also been made that prioritize new approaches to digital and technological governance. As digital transformation accelerates, global frameworks are needed to address issues such as cybersecurity, data privacy, and artificial intelligence. For example, the establishment of a Global Digital Compact, as proposed by the United Nations, could provide a multi-lateral platform for managing these challenges and ensure that technological

89. *Bridgetown Initiative 3.0: Bridgetown Initiative on the Reform of the International Development and Climate Finance Architecture*, BRIDGETOWN INITIATIVE (Sept. 27, 2024), https://www.bridgetown-initiative.org/wp-content/uploads/2024/09/SY043_Bridgetown-Initiative-3-0.pdf [https://perma.cc/5VTZ-8YDH].

90. Ken Ofori-Atta & Axel van Trotsenburg, *A New Financing Pact for Climate-Vulnerable Countries*, PROJECT SYNDICATE (Sept. 8, 2023), <https://www.project-syndicate.org/commentary/rethinking-climate-financing-for-highly-indebted-african-countries-by-ken-ofori-atta-and-axel-van-trotsenburg-2023-09> [https://perma.cc/8XQ6-SYHK].

91. The participants in the 2023 U.N. Climate Change Conference in Dubai established a loss and damage fund for developing countries impacted by climate change. See United Nations Development Programme [UNDP], *Loss and Damage Fund for Developing Countries* (Jan. 26, 2024), <https://www.undp.org/belarus/stories/loss-and-damage-fund-developing-countries> [https://perma.cc/BL5D-G3YW].

92. Kristine Lao, *What is the Bridgetown Initiative? What to Know About the Game-Changing Plan for Climate Finance*, GLOBAL CITIZEN (May 9, 2023), <https://www.globalcitizen.org/en/content/climate-change-bridgetown-initiative-mia-mottley/> [https://perma.cc/49CE-38XL].

advancements benefit all societies more equitably.⁹³ Digital platforms themselves can also enhance governance processes by improving transparency, reducing inefficiencies, and fostering citizen engagement. Blockchain-based tools, for example, could provide secure and transparent systems for managing development aid or tracking carbon emissions.⁹⁴ Finally, the need for adopting robust mechanisms to manage global health crises has become increasingly clear in the aftermath of the COVID-19 pandemic. Reform proposals for developing a global health emergency framework have therefore been made by WHO members, which would empower health institutions like the WHO with greater authority and resources to ensure preparedness and responsiveness to future pandemics.⁹⁵ These proposals collectively aim to address the gaps and inequities in the current governance system, fostering a more inclusive, resilient, and adaptive framework.

III. A VISION OF A REINVENTED GLOBAL GOVERNANCE SYSTEM

A. *Rationale for a Systemic Transformation of Global Governance*

According to a principle widely attributed to Albert Einstein, no problem can be solved from the same level of consciousness that created it.⁹⁶ This aphorism has been used in a variety of contexts to solve problems in diverse fields, such as in systems thinking.⁹⁷ In short, it asserts that problems created within a particular system require a shift to a higher level of thinking in order to be resolved. This idea applies to the current global governance system, which is based on an imperial paradigm of a bygone era.

Accordingly, systemic defects in the architecture of global governance call for a systemic transformation. The reforms that global institutions have already implemented reflect an approach that is focused on changes within the current system's dominant paradigm and do not forcefully question the inadequacy of such a paradigm. There is therefore a need for profound rethinking and paradigmatic transformation of global governance beyond what has thus far been

93. G.A. Res. 79/1, annex, Global Digital Compact (Sept. 22, 2024).

94. See generally Bernhard Reinsberg, *Blockchain Technology and the Governance of Foreign Aid*, 15 J. INST. ECON. 413 (2019).

95. See, e.g., WORLD HEALTH ORGANIZATION [WHO], EMERGENCY RESPONSE FRAMEWORK (2.1d ed., 2024).

96. Although widely attributed to Einstein, there is no original source linking the scientist to these exact words. Einstein did make similar remarks, including: "a new type of thinking is essential" in the atomic age "if mankind is to survive and move towards higher levels." *Atomic Education Urged by Einstein*, N.Y. TIMES (May 25, 1946).

97. See PETER M. SENGE, THE FIFTH DISCIPLINE: THE ART & PRACTICE OF THE LEARNING ORGANIZATION 68–73 (1990).

done or proposed. Like an old device powered by old software struggling to meet new and more complex demands, the time has come to upgrade both the hardware (the institutions) and the software (the values, rules, and mechanisms) of the global governance system.

It is well-known that human societies tend to make systemic changes only after cataclysm. It took two World Wars within thirty years to see a decimated world adopt the Universal Declaration of Human Rights, end colonialism, create the United Nations, and establish the Bretton Woods Institutions and other international bodies in the name of multilateral cooperation. In short, the almost unbelievable devastation of two total wars created the global systems that help guide our current world order.⁹⁸

However, waiting for another major global shock to make necessary radical changes is ill-advised. Time is limited, and not simply because impending climate catastrophes may be of such magnitude that a reactive response would already be too late. The crises of conflict, environmental degradation, and pandemic are already upon us. Why wait for more wars to erupt that further change the geopolitical landscape or another major global health crisis to occur, both of which appear inevitable given humanity's unrelenting pressure on other life-forms and natural resources?

B. *Systemic Failure as Impetus for Change*

The most fundamental impetus for systemic transformation of the current global order is the evolution of American participation within that order from leadership and support to withdrawal and antagonism, as described in Parts I and II. In addition, recent announcements and actions by the U.S. administration have confirmed this evolution.⁹⁹ Of note is the recent statement by the U.S. representative at the U.N. General Assembly that "the United States rejects and denounces the Agenda 2030 . . . sustainable development goals [SDGs] and will no longer reaffirm them as a matter of course."¹⁰⁰ As of the writing of this Article, the reactions and actions of world leaders to the changed U.S. strategic and policy stance have been varied but can be understood through the lens of modern psychology.¹⁰¹ From Canada to Mexico, from Greenland to Panama, from the European countries in NATO to Ukraine, and from developing

98. G. JOHN IKENBERRY, *AFTER VICTORY: INSTITUTIONS, STRATEGIC RESTRAINT, AND THE REBUILDING OF ORDER AFTER MAJOR WARS* 170–78, 210 (2001).

99. See Margaret Besheer, *At UN, Trump's Domestic Policies Enter International Arena*, VOICE OF AMERICA (Mar. 4, 2025), <https://www.voanews.com/a/at-un-trump-s-domestic-policies-enter-international-arena/7997792.html> [<https://perma.cc/3C88-4B74>].

100. *Id.*

101. The late Swiss-American psychiatrist Dr. Elisabeth Kübler-Ross first discussed the five stages of grief, namely denial, anger, bargaining, depression, and acceptance in her groundbreaking 1969 book. See generally ELISABETH KÜBLER-ROSS, *ON DEATH AND DYING* (1969).

nations to international organizations, the response to a United States shrinking from its self-imposed international leadership has generally been profound grief and confusion, but also planning. Other recent actions by the United States in respect of its international commitment under the global trading system, which was already under criticism for favoring rich nations¹⁰² and not properly addressing poverty or creating an inclusive global trading system,¹⁰³ are further evidence of the major strains on the system. The United States has indeed announced the implementation of tariff measures against over 180 countries and territories that are both inconsistent with the WTO tenets of free trade and non-discrimination and are already triggering retaliation and a likely international trade war.¹⁰⁴ The United States has also announced a suspension of its contributions to the WTO.¹⁰⁵

In my modest perspective, the world should also view this new U.S. policy reality as exemplary of a systemic failure within the global governance system: Coalescing around the United States as an indispensable geopolitical center has elevated the potential fallout from ‘key actor’ risk. That this governance system did not have a backup plan in case such a risk would materialize is a fundamental failure of the global architecture. It is through acceptance and acknowledgement of this systemic failure, rather than further bargaining to save the current and outdated system, that the world can channel its energies towards a new system. This also means that the rest of the international community should acknowledge that the United States, as a sovereign nation, has the right to withdraw from international organizations and agreements in accordance with the procedures and rules governing withdrawal under relevant

The stages of grief can be seen in various reactions and actions of the world leaders in response to the U.S. withdrawal.

102. See generally GEORGE BERMANN & PETROS C. MAVROIDIS, *DEVELOPING COUNTRIES IN THE WTO SYSTEM* (George A. Bermann & Petros C. Mavroidis, eds. 2010). For a literature review on this issue, see generally Muhammad Abdul Khalique, *The WTO Regime: Critical Analyses of Existing Hegemony and Rule-Making*, 9 PUB. GOODS & GOVERNANCE 86 (2024).

103. Ngozi Okonjo-Iweala, *The WTO's Contribution to the Challenges of Global Commons*, 26 J. INT'L ECON. L. 12, 15 (2023). It is of note that Ms. Okonjo-Iweala is the current Director-General of the WTO.

104. See Exec. Order No. 14,257, 90 Fed. Reg. 15041; see also *Trump's Trade War Threatens a Global Recession*, THE ECONOMIST (Apr. 6, 2025), <https://www.economist.com/finance-and-economics/2025/04/06/trumps-trade-war-threatens-a-global-recession> [https://perma.cc/WP3F-QFT5]; *Despite the Pause, America's Tariffs are the Worst Ever Trade Shock*, THE ECONOMIST (Apr. 9, 2025), <https://www.economist.com/finance-and-economics/2025/04/09/despite-the-pause-americas-tariffs-are-the-worst-ever-trade-shock> [https://perma.cc/HL83-TN9T]; Andrew Witherspoon, *Full List of Trump's Tariffs: a Country-by-Country Look After the 90-day Pause*, THE GUARDIAN (Apr. 9, 2025), <https://www.theguardian.com/us-news/2025/apr/09/trump-tariffs-list-pause> [https://perma.cc/47TW-BWVA].

105. Emma Farge, *Exclusive: US Pauses Financial Contributions to WTO, Trade Sources Say*, REUTERS (Mar. 28, 2025), <https://www.reuters.com/world/us-suspends-financial-contributions-wto-trade-sources-say-2025-03-27/> [https://perma.cc/3PN5-5ZYA].

agreements.¹⁰⁶ Conversely, this community of nations may also take this opportunity to design a new global order without the United States or any other superpower at its center. Nevertheless, any new global order would benefit from the participation of the United States, no longer as the main pillar, but as a responsible stakeholder.

As we witness the end of this Pax Americana, several scenarios could unfold. Those include the emergence of a China-led order which would simply replicate the 'key actor' risk and may be contested by other great powers; a chaotic transition characterized by the continued weakening of institutions, great power rivalries, transactional alliances, wars, and prolonged instability; a more regionalized, decentralized world where regional actors play a more significant role; or the slow emergence of a new form of global governance beyond U.S. domination and influence. Indeed, the time may have finally come to move towards a higher-level organization of the community of nations, whose destinies are absolutely intertwined. Let us hope it is this latter outcome.

What are the avenues for developing solutions that build a global governance mechanism that learns from the achievements, deficiencies, and failures of the current system?¹⁰⁷ How can a new system be more fit for purpose in the more interconnected and socially conscious world that is emerging out of the economic, social, financial and political shocks and destruction created by pandemics, climate change, wars, and geopolitical rivalries?

C. *Aspirational Goals and Options for Systemic Change*

A reimagined global governance system should be a highly adaptable and self-learning system anchored in shared values, principles, and norms that reflect both the aspirations and realities of most people worldwide. These values would not only provide a foundation for effective governance but also ensure that the system is just, inclusive, and sustainable. The shared values and principles should be as follows: (i) equity and fair representation, (ii) sustainability and stewardship, (iii) inclusivity and solidarity, (iv) justice and accountability, and (v) innovation and adaptability. Such principles, which are largely reflected in the SDGs, must now also be enshrined in a new architecture of global governance, not as empty words, but as a structural reality.

Equity and fair representation mean that every nation, regardless of size or power, must have a meaningful voice in global governance decision-making processes. Domination by a few nations over others is neither a philosophically

106. Vienna Convention on the Law of Treaties, arts. 42, 54, 56, 65, 70, May 23, 1969, 1155 U.N.T.S. 331.

107. James Forsyth & Andrew Pahl, *Why Global Leaders Should Advocate for a Re-Globalized World*, WORLD ECON. F. (Sept. 10, 2024), <https://www.weforum.org/stories/2023/05/young-global-leaders-reglobalization/> [https://perma.cc/25DK-EEVA].

rational nor economically optimal outcome for long-term sustainability. Economist Célestin Monga, former Chief Economist of the African Development Bank, has aptly drawn a comparison between Hegel's analysis of self-consciousness in relation to master-slave dynamics and global inequality.¹⁰⁸ He notes that "[i]t offers a credible narrative of the encounter between two self-conscious beings going through the process of self-discovery, violent confrontation, and enslavement, only to realize that interdependence and mutual reliance are in fact the optimal choice at their disposal."¹⁰⁹

Therefore, understanding that might does not make right and that inequality is unsustainable calls for a foundational transformation of institutions such as the United Nations, the IMF, and the World Bank. Emerging economies and historically marginalized nations through colonial or postcolonial domination must be empowered to influence global policies that impact the well-being of their peoples and environments.

Sustainability and stewardship mean that governance structures must prioritize the sustainable management of global resources. This principle underscores the need for policies that address climate change, biodiversity loss, and the sustainable use of shared resources like oceans and forests. A governance system that integrates environmental sustainability into its core mandates is essential for long-term resilience.

Inclusivity and solidarity mean that a truly global governance system must extend beyond state actors to include civil society, indigenous communities, and the private sector. This principle ensures that diverse perspectives and expertise are harnessed to address global challenges, fostering a sense of shared responsibility and solidarity.

Justice and accountability mean that governance mechanisms must ensure adequate legal recourse for violations of international customs, norms, and rules as well as meaningful enforcement mechanisms. This principle also demands that global institutions operate with transparency and provide avenues for redress, particularly for those disproportionately affected by global challenges.

Innovation and adaptability mean that, in a rapidly evolving world, global governance systems must be capable of adjusting quickly to new realities, which includes introducing flexibility into the charters of international bodies. Whether addressing technological advances or global health emergencies, institutions must be designed to respond dynamically and innovatively to emerging challenges.

108. On the "Lord and bondsman" dialectic, see G.W.F. HEGEL, *THE PHENOMENOLOGY OF MIND* 175–88 (1910), <https://archive.org/details/cu31924097557171> [<https://perma.cc/5E8M-YGFM>].

109. Célestin Monga, *The Hegelian Dialectics of Global Imbalances*, 6 J. PHIL. ECON. 2, 14 (2012). It should be noted that while the master-slave dialectic is a valuable conceptual framework, it must be contrasted with Hegel's negative views on Africa, which run counter to the very wisdom of the parable affirming mutual reliance and interdependence. See G.W.F. Hegel, *THE PHILOSOPHY OF HISTORY* 5, 148, 157 (J. Sibree trans., 1901).

These values and principles collectively provide a moral and practical framework for the reinvention of global governance. They emphasize the need for a system that is not only effective at addressing global challenges but also reflective of the diverse aspirations and needs of humanity and its environment.

In view of the growing challenges described in Part I, what are desirable components for a new architecture of global governance?

(1) From a system dominated by the victors of World War II, the world should move to a system of supranational governance divided by topics and/or by regions. Such a system could shift authority from states to transnational decision-making authorities on areas that are significant to the global community and generate collective action concerns. For example, a strong international body totally devoted to the planetary issue of climate change might be necessary to combat such a monumental challenge, and the regulation of artificial intelligence, a key technological advance, may need a supranational body to guide the use of this new tool and maintain a balance between innovation and ethical usage.¹¹⁰ By contrast, supranational governance may also involve significantly strengthening existing regional bodies such as the European Union, the Association of Southeast Asian Nations, the African Union, or the creation of new regional bodies to fulfill much larger roles in global governance.

(2) A reimagined global governance system should also develop decision-making systems that are based in multipolarity and disseminated authority. This would mean avoiding any form of veto system within global institutions and a prohibition of threats, coercion, retaliation, or corrupt practices to influence the choices of sovereign nations.

(3) A new and better architecture of governance would need to significantly amend the charters of existing global organizations such as the United Nations, the IMF, the World Bank and the WTO (or create new organizations to replace them) to better reflect today's political and economic aspirations and realities as well as provide these institutions the mandate, means and authority to address 21st century challenges.

(4) A new global governance system should also have strong built-in mechanisms to allow for a meaningful participation of non-state actors, including civil society organizations (which could be organized globally and regionally), the private sector,¹¹¹ and indigenous groups. It should also have enforcement mechanisms that do not depend solely on the interests of a few powerful actors to the detriment of the many.

110. For a good analysis of such risks and the considerations that could guide humanity in tackling the deployment and use of artificial intelligence, see YUVAL NOAH HARARI, 21 LESSONS FOR THE 21ST CENTURY, ch. 3 (2018).

111. Although businesses can bring to the table much needed expertise, their participation in global consultations requires the creation of rules to identify, monitor, and address conflicts of interest that may arise.

(5) The paradigm of economic development based on the European and North American economic thinking and growth model needs to be replaced by models that reflect the values, needs and experiences of other countries and continents. As Nobel Prize in Economics recipient Amartya Sen puts it, “economic growth cannot sensibly be treated as an end in itself. Development must be more concerned with enhancing the lives we lead and the freedoms we enjoy.”¹¹²

The creation of a new architecture of governance is a monumental task that requires a robust process of stock-taking, co-creation, scenario planning, transitional arrangements, and eventual implementation. Such a process may seem daunting given the state of today’s fractious world, but it is important to remember that the current global order was conceived while the Second World War razed entire cities and was implemented during tumultuous decades of rebuilding and emancipation, including the decolonization process in the late 1940s through 1960s. This process must therefore begin now.

D. Process and Outcomes of Systemic Transformation

The successful process that led to the adoption of the SDGs in 2015 could be a starting model for the progressive creation of a new global order.¹¹³ The Sustainable Development Goals process was universal (applying to all countries in the world) inclusive, and participatory (through involvement of not only states but civil society, business, the public and minority populations like indigenous groups). It also integrated global issues such as climate change, biodiversity, inequality and governance into accountability mechanisms through the application of Voluntary National Reviews. Though a good process, such a reform agenda would nevertheless need to occur on both an accelerated timetable and far greater scale given the urgency of the governance crisis confronting our world.

A global governance reform process might start with the introduction of a high-level panel and/or a global consultative group under the aegis of the United Nations and mandated to carry out a rigorous, comprehensive and objective stock-taking of the current system, including its stated and unstated values, *modus operandi*, rules and organization, defects, achievements and failures. The mandate of such a panel or consultative group should also include the

112. See AMARTYA SEN, *DEVELOPMENT AS FREEDOM* 14 (1999), available at <https://archive.org/details/amartya-kumar-sen-development-as-freedom-alfred-a.-knopf-inc.-2000/page/13/mode/2up> [https://perma.cc/4TUB-65FF]. For a detailed critique of the current development paradigm, see JOSÉ DO-NASCIMENTO, *LES CHEMINS DE LA MODERNITÉ EN AFRIQUE: POUR CHANGER L’AFRIQUE, CHANGEONS DE PARADIGME* [THE PATHS TO MODERNITY IN AFRICA: TO CHANGE AFRICA, CHANGE THE PARADIGM] 209–358 (trans. provided by eds.) (2017).

113. For more on the history of Sustainable Development Goals, see *The 17 Goals*, *supra* note 65.

drafting of a foundational document reflecting the paradigm change of a new global governance in the form of a Universal Declaration on the Values, Principles, Rights and Obligations to Govern States, International Organizations, Businesses and other Stakeholders in Global Governance (the Declaration on Governance Values). Such a document would be the equivalent of a constitution for the new global governance system.

In coordination with producing such a Declaration, the group might also draft a menu of options for a new global governance architecture, scenario planning for transitional arrangements, timetables for implementation, and the introduction of accountability mechanisms.

This process would need the strong support of a broad and representative group of states and international bodies that could act as the champions of the process. In practical terms, to imbue legitimacy, any such process should result in a report by the consultative group, which would be submitted for broad review and discussion at one or more global summits. The global summits' work might then result in the U.N. General Assembly's adoption of the new Declaration on Governance Values and reforms to the global governance framework. The adoption of the Declaration would be followed by progressive implementation (including its transformation into a Covenant) and scheduled reviews of progress. Despite the urgency, this change process will take time and will need to adjust to major events and changing circumstances in world affairs.

CONCLUSION

In 1968, the late U.S. Senator and Attorney General Robert F. Kennedy, an advocate for global justice, human, civil, social, and economic rights who called for significant shifts in U.S. domestic and foreign policy paradigms, quoted Irish playwright George Bernard Shaw who posited "[s]ome men see things as they are and ask why; I dream things that never were and ask why not?"¹¹⁴ This quote reminds us of the need for paradigm changes from time to time at the domestic or international level to create new and better ways of addressing the challenges faced by human societies.¹¹⁵ It can be applied to the importance

114. U.S. Senator Robert F. Kennedy, Remarks at the University of Kansas (Mar. 18, 1968), *available at* <https://www.jfklibrary.org/learn/about-jfk/the-kennedy-family/robert-f-kennedy/robert-f-kennedy-speeches/remarks-at-the-university-of-kansas-march-18-1968> [https://perma.cc/ZQ73-JUV7].

115. Paradigm shifts are a normal feature of the evolution of power dynamics in human societies, internally and externally. For example, we have moved from chattel slavery being practiced in many human societies until very recently to its elimination and identification as a crime against humanity; from monarchs deriving power from claimed divinity or blood lineage to democratic election of leaders by the people; from brutal domination of nations by colonial

of creating a better global governance system, based on a new paradigm, that serves the interests of the whole of humanity and the planet. This may sound utopian or unrealistic to those who view change only through the lenses of the accepted paradigms of the current global order. However, as the late President Nelson Mandela, another paradigm shifter, demonstrated in South Africa and is reported to have said, “it always seems impossible until it is done.”¹¹⁶

Why not respond together to climate change pressures that threaten the earth’s inhabitants? Why not respond to rising inequality, unrest around the world, and global pandemics—all of which are at least partially the result of current policies? It is imperative that we do this because it is clear such collective problems require collective solutions, and only a truly just and functioning global governance system can provide our shared community and planet the unified front required to meet such challenges.

Crises such as the COVID-19 pandemic, escalating climate emergencies, and geopolitical tensions serve as stark reminders that fragmented and inefficient global governance has real costs. Yet, they also present an opportunity for systemic transformation. The global community must seize this moment to rebuild its governance architecture, ensuring that it reflects the realities and aspirations of the present while preparing for the uncertainties of the future.

The time for incrementalism has passed. The moment for bold, systemic reinvention is now.

Despite its urgency and scale, the reinvention of our global governance framework is only a ripple in a long ‘arc of history’ that has seen many empires, states, and ideologies create governance systems with vast domination and influence, only for those same institutions to be replaced by new governance systems. History has shown that institutions, no matter their power at a given time, are liable to stagnate and fall, and that all human constructions are mortal.¹¹⁷ However, it has also shown that societies are resilient agents of history and can recreate better worlds and structures from the ashes of the old.

empires to the principles of self-determination of people and equal sovereignty of nations. The time may have come to discard the paradigm that a few powerful nations should have more say in the affairs of the world.

116. Amy McKenna, *15 Nelson Mandela Quotes*, BRITANNICA (Jan. 31, 2018), <https://www.britannica.com/list/nelson-mandela-quotes> [<https://perma.cc/5MAT-PXAU>].

117. See generally YUVAL NOAH HARARI, *SAPIENS: A BRIEF HISTORY OF HUMANKIND* (2015); DARON ACEMOGLU & JAMES A. ROBINSON, *WHY NATIONS FAIL: THE ORIGINS OF POWER, PROSPERITY, AND POVERTY* (2012); JARED DIAMOND, *COLLAPSE: HOW SOCIETIES CHOOSE TO FAIL OR SUCCEED* (2004); ARNOLD J. TOYNBEE, *A STUDY OF HISTORY* (Volumes I–XII) (1934–1961).