

Why do we need laws and punishments? Unfortunately, men are not angels. Although some do what is right just because it is right, many do not. Unfortunately, we presently have neither international justice nor a more just US.

The United Nations was designed by men and women with modern values: representative government and elections, fair play, and something new, thanks to one founder, Eleanor Roosevelt: "human rights." UN's creators were primarily Anglo-Saxon, descendants of a long evolution from monarchy to representative government. However, the majority of member states admitted to the UN do not have such a heritage.

In the General Assembly, all members have equal votes, but many countries are not themselves democratic. Even today's representative governments suffer by electing members of bad character, with no way of checking them.

Why the UN is often toothless and our own country poisonously divided is the fault of their structure. In the UN, the General Assembly can vote, but the Security Council can thwart these votes. This council was designed to have super voting privileges for the five winners of World War II: the US, British, French, Russians, and Chinese, any of which can veto any votes, making accountability for crime impossible to impose.

The difficulty in governing in the United States is also structural: a Congress elected every two years with membership based on population size (democracy), but a Senate with two senators from each state, regardless of population size. Our founder designed this body to "cool down" the possibility of popular frenzy in the House of Representatives. It is not working that way today. It just thwarts.

Both the UN and the US are able to produce law and order, crime and punishment, in some instances, but there is no possibility of uniformity of justice when the state committing the crime is a member of the Security Council with veto power (Russia and China today) or in the US, when a president who violated norms and laws is protected by a Senate, despite Congressional efforts. To impeach. We have had two presidents who violated laws without punishment: Andrew Jackson and Donald J. Trump. Norms and values kept all of our other presidents accountable, but that is obviously not enough.

The International Court of Justice (World Court) is permanently in session. It consists of 15 judges, no two of whom may be nationals of the same state who are elected to nine-year terms by majority votes in the UN General Assembly and the Security Council. The judges, one-third of whom are elected every three years, are eligible for reelection. The judges elect their own president and vice president, each of whom serves a three-year term, and can appoint administrative personnel as necessary.

Unfortunately, it can have no jurisdiction over countries in the Security Council with veto power---power over their own criminal actions and those allies they protect. We are seeing this today with the war criminal Vladimir Putin, who continues to commit war crimes against a neighboring country, Ukraine, whom they invaded without cause. Putin committed war crimes in Georgia, Ukraine, and protected a criminal ally, Syria, with no consequences. This is an enormous crime against justice.

The court's primary function is to pass judgment on disputes between sovereign states. Only states may be parties in cases before the court, and no state can be sued before the World Court unless it consents to such an action. Criminals must consent!

However, the World Court is not totally toothless. They can prosecute and punish with imprisonment war criminals whose countries hand them over. This was done with four criminals: Serbia's Slobodan Milosovic and Ratko Mladic, and Liberia's Charles Taylor. But with a world rife with war criminals in untouchable states, there is no justice or rule of law.

In our own country, imperfect justice is protected by a Senate with such narrow majorities that it can be thwarted by an unprincipled Senate chief when an election votes his party in. And an electoral college gives undue power to low population states, resulting in minority rule.

It is time for the US and UN to have new rules.

687 words

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