

Part II

Launching a Process *Applicable to All*

Part I investigated the reasons for disorientation in responding to the adverse effects of climate change. It examined a myriad of incoherent normative responses. It unveiled different types of systems failure. It exposed systematic failure. It argued for a unified and universal approach to the constitutionalism of international law as a potentially apt response to normative systematic failure in governing the global commons.

Constitutionalism, adherence to constitutional principles, unifies a network of legal norms for a legal system that organises governance according to the law. Constitutions need not be limited to governments or states. Without a universal constitution of the commons, people polarise in the commons and are unable to recognise the space for negotiating compromise.

Part I also conceived and designed a kaleidoscopic normative model to frame the parameters of a unified and universal legal system of the commons. Part II vindicates developing a new doctrine by which to govern a law of peoples, a *jus gentium system*, in the global commons. For a *jus gentium system* to be “constitutional” means it belongs to the very constitution of the commons, it forms the *elements* thereof.

In the chapters that follow, the inquiry starts to develop shared *elements* of the applicable law required to give a systematic account of how legal norms interact in the global commons and the circumstances under which their contribution to the legal governance of international law may evolve (Chapter 4). Secondly, in working out how a unified and universal approach may unfold, the inquiry turns its attention to mobilise the *elements* in the framing of transcendental and auxiliary *lex specialis* principles of international climate law (Chapters 5 and 6). The path would have then been paved for Chapter 7’s concluding observations and a postscript as to the way forward.