

**SOCIAL JUSTICE IN AN OPEN WORLD**  
**The Role of the United Nations**

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## FOREWORD

The International Forum for Social Development was a three year project undertaken by the Department of Economic and Social Affairs from November 2001 to November 2004. Financed by extra-budgetary resources and placed in the framework of the implementation of the text adopted in 1995 by the Copenhagen World Summit for Social Development and confirmed in 2000 by the Geneva 24<sup>th</sup> special session of the General Assembly, its overall theme was “Open Societies, Open Economies: Challenges and Opportunities.”

The Forum held four meetings, all in New York at the headquarters of the United Nations. The subjects of these meetings were the following:

- Financing Global Social Development, 7-8 February 2002
- Cooperation for Social Development: the International Dimension, 16-17 October 2002
- International Migrants and Development, 7-8 October 2003, and
- Equity, Inequalities and Interdependence, 5-6 October 2004.

These meetings brought together invitees from different regions and different walks of life for a seminar followed by an open and informal debate with representatives of member states and non-governmental organizations. Findings were orally reported to the annual sessions of the Commission for Social Development and reports or summaries were issued.

The purpose of this publication is to present an overview and interpretation of the debates that occurred at these four Forums, from the perspective of the broad issue of distributive justice. In the year of preparation of this work, 2005, the United Nations has been reviewing the commitments made ten years ago in Copenhagen to promote social development and in Beijing to realize equality between men and women. It has however given considerably more attention, in accordance with the evolution of its mandates and priorities, to the review of its Millennium Declaration and to the assessment of the progress made towards the achievement of the Millennium Development Goals. In September of that same year, the General Assembly hold a summit devoted to the Millennium and to the reform of the Organization proposed by his Secretary General.<sup>1</sup> It is hoped that the analyses presented here will be a contribution to the continuing debate on these important issues.

## INTRODUCTION

The rise of inequality in the distribution of income among people is a feature of the contemporary world that is fairly well documented. It is a feature that has the characteristics of a trend, with a large number of countries ranging from the most affluent to the poorest experiencing it, and with a beginning that can be placed in the decade of the 1980s. At least since World War II, and probably in some countries since the beginning of the 20<sup>th</sup> century, there had been an opposite tendency of narrowing of differences in the income available to individuals and families.

Income related inequalities, notably in the ownership of capital and other assets, in the access to a variety of services and benefits, and in the personal security that money can buy, are growing. There is also more inequality in the distribution of opportunities for remunerated employment, to the extent that unemployment and underemployment – which have been worsening in different parts of the world – affect relatively more that it used to be the case people at the lower end of the social structure. And, inequality between countries, measured in terms of national income per capita, is growing, at least with regard to the gap between the richest and the poorest.

Thus, the popular saying that the rich are getting richer and the poor getting poorer appears to be based on facts. Moreover, extreme or absolute poverty, that is the condition of people whose income is barely sufficient for survival, is still widespread. Indigence has actually become more frequent in the most affluent countries and in the countries that were parts of the Soviet bloc. It has also increased in a number of African countries, roughly remained stable in Latin America, and been reduced in Asia. Extreme poverty and the human suffering it entails is still the condition of a large proportion of humankind

and, in spite of the focus of international organizations on its reduction and elimination, there is no clear sign that the world is heading in this direction.

Are these facts and trends suggesting that the world is becoming more unjust, that social justice is regressing? For an observer using the moral, political and legal framework given by the founding texts of the United Nations, the Charter and the Universal Declaration for Human Rights, the answer is not unequivocal. Extreme poverty, its persistence and even aggravation, is indeed an injustice. People in this situation are deprived of a number of their fundamental rights, as evoked in the Charter and enumerated in the Universal Declaration. And people engulfed in internal conflicts and wars and deprived of their fundamental freedoms are also, obviously, victims of injustices. Poverty does not have only the face of hunger. The increase in the number of refugees, displaced persons and other victims of various abuses is, in addition to material poverty, sufficient reason for a judgment of persistent, if not growing injustice in the world.

The increase in income and income-related inequalities raises more difficult issues of judgment. Unlike justice, without a qualifier, social justice is a relatively recent concept, born with the struggles attached to the industrial revolution and the advent of the socialist, then, in some parts of the world, social democratic and Christian democratic views on the organization of society. It is a concept that has very tenuous roots in the Anglo-Saxon political culture. It does not appear in the Charter, or in the Universal Declaration and its two Covenants. Abundantly mentioned in the text adopted by the World Summit for Social Development held in 1995, it received hardly a brief reference five years later in the United Nations Millennium Declaration.

Some of the adepts of social justice, although very few after the collapse of established Communism, dream of total income inequality. Most, however, hold the view that the inequalities resulting from the engagement of people in an economic activity – not only necessary for survival but for personal accomplishment and contribution to the collective welfare -- should be kept under a certain limit, the threshold between the acceptable and the unacceptable and therefore the just and the unjust varying in time and circumstances. Today, the general increase in income inequality is seen as unjust, deplorable and alarming by those concerned with social justice. Less people might be in poverty if the overall level of living is improving, and this is a gain for social justice. But, in most if not all contemporary societies,

an aggravation of already very unequal patterns of distribution of wealth, income and various public benefits is morally unfair, politically unwise and economically unsound. And the parallel growing inequality between affluent and poor countries is also the product of many injustices on the international scene.

These are political judgments stemming from the use of political concepts. Inequalities in income, and more generally inequalities in living conditions within and among countries are not determined as just or unjust in international texts or in national constitutions. To the argument of some economists that a more equal distribution of income facilitates economic growth through an additional demand for goods and services and through the involvement in the economy of more people with energy and talents, other economists can retort that savings and capital accumulation are helped by the concentration of income at the top of the social ladder. Similarly, at the international level, the call for more equality in the distribution of the world income is hurt by the observation that technological and other innovations that matter for the health of the world economy originate in the most affluent countries. To the argument of sociologists that excessive income inequality hampers social mobility and leads to social segmentation and eventually social breakdown, other social scientists can oppose the examples of economically successful authoritarian or elitist societies. As to the argument of moral fairness, it can be easily disposed of in an atmosphere of moral relativism and cultural pluralism. And current believers in an absolute truth identified with virtue and justice are neither willing nor desirable companions for the defenders of social justice.

Aware of the difficulties inherent to the defense of their cause for a greater equality in the distribution of income, the proponents of social justice are also aware that for the fundamental question of equality of rights, trends are not as clear as for income and income-related inequalities. There is indeed the persistence or even aggravation in some parts of the world of extreme poverty, which is, by current international standards, a violation of the basic human rights of people. But, equality of rights is improving when people freed themselves from authoritarian or totalitarian regimes and this has happened on a massive scale during these past decades. It is also improving when discrimination of all types are reduced or eliminated and, though with setbacks and some alarming signs of regression, the trend towards the treatment of all human beings as members of the same family, set in motion after World War II, does not seem to have been interrupted. Perhaps above

all, equality between women and men is progressing steadily in spite of many cultural and religious obstacles. And there are other manifestations of progress in equality of rights, notably for specific groups such as indigenous peoples and persons with handicaps and disabilities. With regard to migrant workers and refugees, there is at least a better global awareness of their predicament.

The question of equality of opportunities complicates further the judgment on a progress or regress in social justice. Apart from the issue of unemployment, where, lately, social justice probably suffered setbacks, there is the crucial point of the opportunities that society offers to people to choose an activity, to exert it where they wish, be it in a major city of one's country or abroad, and to receive the benefits and personal and social rewards in return for their initiative, talents and efforts. This might be called economic justice, and it is for many simply justice, or fairness. It has been historically the basic understanding of social justice in the economically dominant country of today, the United States of America.

Economic justice is considered here as part of social justice, such choice being justified by the wish to convey the sense that everything concerning justice evidently occurs in a society, this society being a village, a nation, and increasingly, as in the case of migration, the world as a whole, and by the related wish to restore the word "social" in its comprehensive meaning instead of seeing it as an appendix of the economic sphere of life. With the spreading of the basic principles and practices of the market economy, the freedom to move regionally and internationally given to more numerous people, at least those with the skills that are presently valued, the opening of borders to economic and financial transactions, this economic justice has unquestionably grown. Also, this opening of the world economy has given more opportunities to the countries that are in a position to seize them. Such overall change is generally seen as a progress. Many would wish to tame and regulate the forces that are using this openness, including because freedom of movement for capital and other assets leads to concentration of power and is one of the reasons for the widening of inequalities in the distribution of income. But few question that economic freedom is also a basic human right.

Thus, the picture of the state of social justice, or justice in the world in this last quarter of a century is, even when painted with the large brush that has to be used for this sort of inquiry, very composite. And a more precise

analysis complicates it further. For example, there are a number of countries, mostly affluent, where income distribution among social groups has remained stable, or even improved. On the other hand, while equality of rights seems to be progressing, the respect for some of the basic rights of individuals, including the right not to be subjected to torture, has taken setbacks. Moreover, economic justice is hampered by the concentration of wealth and power that seems to accompany the dissemination of the capitalist ethos.

In the previous period, here identified with the decades after World War II until the collapse of the Soviet Union, the picture was also composite. The distribution of income and of access to public services was improving through state intervention and extensive redistribution policies. Even in poor developing countries, if not implemented the model of the welfare state and society was generally accepted. And even in affluent countries with a vigorous liberal tradition, the “deals” that governments and societies had contracted to resolve the economic and social crisis of the 1930s were pursued, including through public programs to fight poverty and universal social security schemes financed by extensive and progressive tax systems. But the spirit of enterprise and entrepreneurship, or economic freedom and economic justice, was suppressed in totalitarian countries and not given a chance to flourish in developing countries that had to devote much attention and resources to the political content to their recently acquired independence.

This spirit was also bridled in a few of the countries with socialist or social democratic regimes, but there is certainly no evidence that it suffered in liberal democracies with free markets and solid redistributive policies. This last point is important for today’s agenda of international organizations, but, to stay within the question of the permanence of a composite image of justice, international justice, seen here essentially in its developmental aspects, was also in an ambiguous shape before the great transformation that swept the world during the 1980s and is still unfolding. Financial and other forms of assistance to developing countries were considered to be in the interest of both donors and recipients and to be normal expressions of solidarity that should help building a more prosperous and more secure world. On the other hand, the world economy being more an addition of controlled markets than an open field with some negotiated common rules and an extensive freedom for the players, developing countries and their dynamic elements having the capacity and will to join this economy and

compete were also subjected to constraints. From this perspective, international economic justice was suffering.

This recurrence, at least in the limited period of history considered here, of ambivalent, sometimes contradictory and often ambiguous trends in the practice of the idea of justice, should be a sufficient deterrent to the temptation of labeling the present and the recent past in strong and unequivocal terms. Especially from the perspective given by the founding texts of the United Nations, it would be imprudent, and incorrect, to state that justice, in both its components of social justice and international justice, has globally improved or globally deteriorated during these last decades. But, diversity of facets of the idea of justice and ambivalence of trends should not lead to moral laxity and political indifference. Progress in one part of the world does not “balance” regression in another. The enjoyment of their rights by some people does not compensate for the violations of these same rights of which other people are the victims. Morally, all injustices are unacceptable.

To see history as a succession of cycles can also lead to laxity and indifference. Regarding justice, the current emphasis on economic freedom and economic justice would be a corrective to the excessive preoccupation of the past with redistributive social justice, and opposite corrections will occur when the present views and policies would have also exposed their limits. This might be true as an *ex post* analysis, but any institution with public responsibilities cannot operate on the assumption that corrections occur automatically and providentially. Correctives are the products of changes in ideas, in power structures, in political processes and in policies. And moral outrage and public protest certainly help channeling such changes in the direction of more justice and more fairness.

The great transformation that shook the world a few decades ago was shaped by the rising to preeminence of the United States of America, a nation embodying a political philosophy, liberalism, and its economic and financial component, global capitalism. Liberalism has freedom and economic justice at the core of its credo. Global capitalism gives to economic and financial forces the power to treat the world as global market. As these ideas and forces swept the world, not only communism was destroyed, but socialism and social democracy retreated, and with them the idea that both nationally and internationally there should be public institutions with the vocation of defining the common interest and the common good, pursuing social justice,

and having the power to act effectively. Not that the promotion of social justice through public institutions had thin roots. Throughout history, including of course the history of the United States, all advances made by humankind were conceived by great individuals – prophets, philosophers, scientists, political leaders or ordinary inspired and courageous citizens – and were implemented by institutions. But these advances are reversible. Individuals, institutions, forces moved and oriented only by power and greed can undo what was believed to be a definite political and social gain. Social justice and international justice, in their distributive and redistributive aspects, are not high in the dominant spirit of the time.

Yet, in the universal perspective stemming from the Charter and the Universal Declaration of Human Rights, the alternative to the pursuit of social justice, in all its dimensions, is the acceptance of a future marred by violence, repression and chaos. Such pursuit calls for a number of observations.

The progression of social justice, except at extraordinary times such as the gaining of political independence, the aftermath of a long war or the depth of a depression of economic activity, requires the pressure of organized political forces. Vehement but brief and sporadic protests against injustices have usually a limited effect. But few political regimes have currently the institutions and processes to promote the orderly and effective expression of their grievances and demands by those who are not benefiting or are hurt by existing economic and social arrangements. Political parties are often reduced to administrative machines aiming at winning elections. Trade unions are declining. And the democratic project is seemingly gaining ground but is at the same time vitiated by the “moneytisation” of a growing number of social relations and social institutions. The concept of “reform,” so often evoked today to facilitate the deregulation and privatization of the economy, could usefully be applied to the capacity of liberal democracies and other regimes inspired by liberal principles to understand the requirements of social justice. To an extent, the United Nations, with its efforts to organize the presence and contribution of the civil society, is taking the lead and paving the way for international and global democracy, which is a prerequisite for global social justice.

Social justice is not possible without coherent and strong redistributive policies conceived and implemented by public agencies. Through taxation, “fair,” “efficient” and “progressive” taxation, as said in the text of the

Copenhagen Summit, the duties of the State can be performed, including providing security to the citizens, financing infrastructure and public services – notably education, health and social security – and giving protection to the members of the community who are temporarily or permanently in need. The accomplishment of such tasks as well as possible in the context of the level of wealth of the country requires a greater financial participation of those who happen to have more at their personal disposal. This is a sacrifice, which, in well functioning liberal and social democratic societies, is accepted as part of the social contract binding the citizens together. Official development assistance to poor and developing countries is a step towards redistributive justice at the world level and various proposals for taxes on global transactions participate from the same logic of solidarity. These redistributive ideas and practices are currently under attack, intellectually and politically. Governments international organizations oscillate between adjustment, neglect and abandonment of redistributive policies. Alternatives, however, are far from having demonstrated their social, political, and even economic viability.

Social justice is not possible either without coherent and strong economic policies. Economic policies as well as social policies, fiscal as well as monetary policies, while pursuing specific objectives, have to be geared towards the overall social goal of ensuring the welfare of the citizens of the nation and, increasingly at an age of interdependence and shrinking distance between peoples, of the citizens of the world. The welfare or well being of citizens includes a broad based and sustainable economic growth, economic justice, the provision of employment opportunities and in general the creation of the conditions for a free development of the person as an individual and as a social being. Macro economic policies, or fiscal and monetary policies, however presented in a complicated manner by experts or justified by politicians with self-serving arguments, can always be divided between those favoring a few and those giving a chance to the many. The same for trade policies. Difficulties at elaborating and implementing such policies in order to balance different interests and progress towards social justice are of course enormous, especially for countries which have yet to develop their economic, institutional and political foundations. But what is critical is the belief that the goal is worth pursuing and that shared efforts are necessary.

Social justice can no longer be understood as a fair and compassionate distribution of the fruits of a maximized economic growth. This growth has

to be sustainable, that is respectful of the integrity of the natural environment, Spartan in its use of non-renewable resources and aware of the right of future generations to enjoy a beautiful and hospitable earth. The conception of social justice has therefore to integrate these dimensions, starting with an equal right of all human beings to benefit from a safe and pleasant environment and including a fair distribution among countries and social groups of the cost of protecting the environment and developing safe technologies of production and safe products for consumption. This great progress of the 20<sup>th</sup> century, which is the development of the consciousness that humankind is both the guest and the custodian of Nature – perhaps, together with a greater equality of women and men, the only real progress of this tragic century, has been ignored by the Communist regimes and hardly integrated in the socialist way of approaching the management of human affairs. And it has yet to be an integral part of the dominant conception of modernity. Social justice cannot flourish in an atmosphere of deification of production and consumption.

When income and income-related inequalities reach a certain level – varying with each society but identifiable and usually above the threshold defining extreme poverty – those at the bottom of the ladder are no longer in a position to enjoy a number of their basic rights. Inequalities become cumulative. Apart from the all too real risks of social breakdown, the human suffering that these situations entail is sufficient reason for public action. In terms of international justice, there is a parallel in the likely breakdown of the project of building an international community when a number of countries are experiencing a deepening of the gap that separates them from the most affluent.

The use of wealth is more important than its distribution. For reasons that are understandable in the context of the blatant exploitation that marked the industrial revolution, the proponents of the concept of social justice directed their anger and criticisms more at wealth itself, at its possession by a few private hands, than at its use by these hands. This attitude generated an excessive reliance on public ownership and public intervention in the economy and had some responsibility in the neglect of economic justice by the regimes inspired by the pursuit of social justice. John Rawls, who will be often referred to in this work, wrote in his *The Theory of Justice* that “there is no injustice in the greater benefits earned by a few provided that the situation of persons not so fortunate is thereby improved.”<sup>2</sup> It is not clear

whether the indeed very great benefits earned by the today's few – individuals, corporations and nations – are usefully “trickling down.”

There might a link between the rise of various types of inequality and the division of communities and nations between those who succeed and win and those who do not, and the excessively simplistic vision of life and society that is the current vulgate of utilitarianism. There is a price to pay for the human person and for society when success is seen in terms of winning over competitors and as an opportunity for further expansion and power. It is perhaps again the responsibility of certain misguided and overly sentimental adepts of the idea of social justice that generosity, compassion, solidarity and, ultimately, justice itself, have come to be considered in the dominant part of the world culture as belonging to the “soft” and therefore dispensable part of the self and society. Also, social justice has too often carried an excessively benevolent perception of human nature and a too naively optimistic belief in the capacity of good ideas and institutions to transform the world in a secure and agreeable place. The capacity to judge and sanction is an indispensable part of any community of any size, including the international community. But the exclusive reliance on “simple” and “straightforward” instincts will only lead to injustice and violence. It would indeed be more advisable to revisit and “update” the concept of social justice than to act as if it was obsolete.

Among the domains of human relations and institutional arrangements that would benefit for further reflection, including in the United Nations, are the conception and use of power by those who happen to have the privilege to hold a parcel of it. Private holders of power have to accept to be submitted to a variety of laws and regulations that limit their freedom to use the fruits of their activity as they see fit. Those who have the great honor and privilege to hold political and administrative power have to understand that their legitimacy is entirely related to their capacity to serve the community. Power is service. Social justice is impossible without a full understanding of this elementary but demanding notion. Obviously, a reflection on power, its legitimacy and use, has to go together with a reflection on self-interest, enlightened self-interest, general interest and the common good. The essence of democracy resides in a shared understanding of these concepts. And, in the same vein, there seems to be a need to rejuvenate the notion of social contract, within societies and for the world as a whole. Neither positivism nor utilitarianism yield very promising fruits for the future of humankind. All in all, a reflection on social justice, and an empathy with the innumerable

victims of injustice, make one wonder if moderation is not the virtue that would be the most desirable in the circumstances of the beginning of this third millennium. Moderation in the use of power, moderation in production and consumption, moderation in the expression of one's interests, views and beliefs, and moderation in the conception and manifestation of self and national interest.

Even the "passions" for equality, justice and freedom should be subjected to moderation and reason. Justice and freedom entertain uneasy relationships. In philosophy and political theory, in individual experience as well as in collective endeavors, the protection and pursuit of these two basic human aspirations is a difficult conquest, is more an occasional and fragile reconciliation than a natural harmony. All along human history, when confronted with extreme situations of political oppression, people have revolted in the name of both freedom and justice. And, through innumerable acts of heroism, great strides have been made. At the very least, the idea that all human beings share a common humanity, have fundamental rights simply because they are human, and the idea that oppression and misery are not necessarily part of the human condition, have started to permeate the collective consciousness. But setbacks and regressions occur more regularly than advances and, in a fast moving world, societies and political regimes, included those founded on democratic principles and ideals, have problems in realizing and maintaining a balance between individual freedom and social justice. But even if Sisyphus is unhappy, he has to pursue his work.

The chapters below attempt at providing some material for such reflections and debates.

## Chapter 1

### THE VARIOUS DIMENSIONS OF INTERNATIONAL JUSTICE AND SOCIAL JUSTICE

#### *1 International justice: legal and developmental aspects*

The distinction between international justice, or justice among nations, and social justice, or justice among people, is not explicitly made in the Charter of the United Nations.

The Charter, to which the Statute of the International Court of Justice is attached, treats justice, without qualifier, as a principle that ought to be applied in international relations. In the preamble and in Article 1, justice is associated with respect for international law. In Article 2, justice is linked to the sovereign equality of all members and to the maintenance of peace and security. Equality of nations and peace imply that each state refrains from the use of force against the territorial integrity or political independence of any other. It also implies that the organization itself does not intervene in matters which are “essentially within the domestic jurisdiction of any state” (paragraph 7 of Article 2), except to enforce measures decided by the Security Council in application of Chapter VII. And one of the concrete manifestations of this sovereign equality is the “one country one vote” rule in the General Assembly.

Justice, so understood, will be called here *international justice*, and the principles of sovereign equality, non-intervention and equal voting rights will constitute the *legal aspects of international justice*. Another dimension of international justice emerged with the process of decolonization, which culminated in the mid-1960s. Since that time, the United Nations took the responsibility of helping its formerly colonized new members engage in a

process of economic and social progress, the concept of development became a substitute for this progress, international cooperation for development became together with the maintenance of peace and security the second pillar of the activities of the Organization, and the closing of the gap between developed and developing countries became the main objective of this cooperation for development. This objective, the closing or at least the narrowing of the distance that separates poor from affluent countries, will be taken as representing the *developmental aspects of international justice*.

## ***2 Social justice: a recent and politically charged concept***

*Social justice*, the concept and the reasons for its use here, require more explanations. It is a relatively recent concept. Neither Plato, nor Aristotle, nor Confucius, nor Averroes, not even Rousseau or Kant felt the need to tie justice to the social fabric and to see the redress of injustices in a social perspective. The concept appeared in the Western thought and political language in the wake of the industrial revolution and the parallel development of the socialist doctrine. It was invented to express a protest against what was perceived as the capitalist exploitation of labor and to summarize the measures to be taken to improve the human condition. It was born as a revolutionary slogan and as the expression of an ideal of progress and fraternity. After the revolutions that shook European countries around 1848, social justice became a rallying motto for progressive thinkers and political activists. Proudhon, notably, identified justice with social justice and social justice with respect for human dignity.

By the mid-twentieth century, social justice had become a concept central to the ideologies and programmes of all political parties of the left and center of the political spectrum – not only in Europe but in the world – and few dared to oppose it frontally. Social justice was the essence and the *raison d'être* of the social democrat doctrine and ideal that gave its mark to the three or four decades that followed World War II. Also, and this is of importance in the context of this discussion, social justice is a concept related to the emergence of social sciences and to the creation of economics and sociology as separate disciplines from philosophy and notably moral philosophy. Social justice became intelligible when the social sphere was separated from the economic sphere and became a mainstream preoccupation when a number of economists became convinced that the vocation of their discipline was not only to describe phenomenon but also to propose criteria for the distribution of the fruits of human activity.

Social justice calls for a geographical, sociological, political and cultural framework, within which relations among individuals and groups can be perceived and ascertained as just or unjust. In modern times, this framework has been the nation, or country. The unit of observation and measurement of various facets of social justice, for instance the distribution of income in a population, is typically the country, not only for national governments but also for international organizations and even for the European Union, a regional organization that has elements of supra-nationality. At the same time, however, social justice traditionally had for most of its theoreticians and proponents a universal dimension. Humanity, is its subject. Slaves, exploited workers, oppressed women, are above all victimized human beings whose location mattered less than their condition. This universalism has more and more concrete illustrations and applications as the physical and cultural distances between peoples are shrinking. When considering for instance the situation of migrant workers, the Forum acknowledged these national and global dimensions of social justice.

### ***3 Social justice: the equivalent of distributive justice***

Social justice will thus be identified here with that branch of justice which is distributive justice. This is often the case in common parlance, and, in the international language, if social justice, or, for that matter justice with a distributive meaning, is absent from the texts having a legal or quasi legal content – notably the Charter and the Universal Declaration for Human Rights – it is also used interchangeably with justice, and abundantly, in the Copenhagen Declaration and Programme of Action adopted by the World Summit for Social Development in 1995. Even in academic and theoretical work, social justice is frequently treated as synonymous to distributive justice, usually abbreviated in justice. This is precisely the case in the *Theory of Justice*, the masterpiece produced by John Rawls in 1971. On several occasions, in the most important tone-setting first chapter of this book, Rawls, when formulating his two “principles of justice” – of which more will be said later – calls them “principles of social justice.”<sup>3</sup>

Other reasons for the use of social justice as synonymous to distributive justice, which again is often identified with justice without qualifier, are more conjectural and related to the specific context of the United Nations. In its work, for reasons that will be examined below in Chapter 5, the United Nations has separated, practically from its beginning, a human rights domain

and an economic and social domain, the latter being more or less contracted into a concern for development. Issues of the distributive and redistributive effects of social and economic policies, that is issues of justice, have thus been treated separately from issues of rights, including rights inscribed in the Covenant on Economic, Social and Cultural Rights. The unfortunate consequences of such divorce need to be stressed. To choose to highlight the concept of social justice is to argue for a reconciliation of these two approaches in a social perspective, meaning a perspective that always seek to place the individual endowed with rights and freedoms within the framework of the duties and responsibilities attached to the living in society. This is all the more difficult, and, from the standpoint adopted here, all the more necessary, that the expression social justice has, since approximately one decade, practically disappeared from the international language and, quite probably, from the official language of most countries as well. Here, the position will be taken that the United Nations ought to try restoring the integrity and appeal of social justice, seen as distributive justice.

Coming back to the text of the Charter, it might be argued that, although the words are not written, justice -- justice among people and justice for peoples -- is its *ultima ratio*. International justice is a means to that end, since nations are made of peoples that governments have the purpose to represent and serve. Justice for people is expressed in the Charter as a reaffirmation of “faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women (...)” It requires the promotion of “social progress and better standards of life in larger freedom” and of “the economic and social advancement of all peoples.” It underlies the third purpose of the Organization, after peace and friendly relations among nations, which is “to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.” This purpose is then repeated in Article 13 (b) as one of the functions of the General Assembly, enriched with some precisions in Article 55 on International Economic and Social Cooperation, and repeated again in its essence in Article 62 of Chapter X, The Economic and Social Council. Justice is equality of rights for all peoples and the possibility for all human beings, without discrimination of any type, to benefit from the economic and social progress that will be disseminated and secured by international cooperation.

#### ***4 Economic justice: a component of social justice***

*Economic justice*, defined as the provision of opportunities for work and employment and the dispensation of fair rewards for the activities of individuals, will be treated as an aspect of social justice. Such distinction between economic justice and social justice is intellectually not very satisfactory. It seems to legitimate the dichotomy between an economic sphere and a social sphere, which has many shortcomings, particularly in organizations having a normative function on matters of development. But, what has been happening lately in the international discourse is actually a quasi disappearance, together with the concept of social justice, of the related concepts of social development and social policy. The social sphere has been reduced to questions of marginality and, even in this domain, it is pushed aside by the fast development of a humanitarian approach to international problems. In this context, to emphasize social justice and to make economic justice a part of it, is again to argue for a social perspective to human affairs. Moreover, it will be argued later that one of the reasons for the decline of the idea of social justice was the neglect, by its advocates and practitioners, of one of its essential dimensions, which is precisely the possibility for individuals to exert their initiative and use their talents and to be fairly rewarded for it. To label economic justice this dimension of life in society, and to place it under the umbrella of social justice, is to draw attention to a “mistake” of great magnitude and consequence and to suggest that the distributive and redistributive aspects of justice do not have to be separated and perceived as antagonistic.

#### ***5 Universal grounds for the determination of the just and the unjust***

International organizations, national public authorities, institutions of all types and of course individuals make judgments on what they consider just or unjust in relation to a complex and generally unformulated framework of moral and political values. Such frameworks vary considerably with historical periods and cultures but, along the centuries there have regularly been prophets and intellectuals trying to identify a common ground where all human beings and successive generations could meet and agree on a definition of the right and the wrong, the good and the bad, the just and the unjust. And it is often said that all great religions and philosophies have the same core of principles and values, and, beyond different metaphysics and institutional settings, the same belief in the capacity of Man to make moral judgments and seek some form of perfection. The idea of progress was

spiritual before been applied to the fruits of human technical ingenuity and the idea of justice has retained a great part of the immanence attached to its religious roots. The United Nations is an expression of this quest for the universal, of this purposeful search for a common humanity. Notions such as human nature and natural law have been transformed into social contract and social compact. To give to justice among people a concrete meaning, the United Nations used the language of *rights*, and of *equality*, *equity* and *inequality*, both positively, as objectives to be pursued, and negatively, as situations to be corrected.

### ***6 Three types of equality and equity***

There are three main types of *equality* and *equity* that emerge from the Charter and from the Universal Declaration for Human Rights and its two covenants and that are reflected in subsequent texts adopted by the General Assembly, notably the Copenhagen Declaration and Programme of Action and the United Nations Millennium Declaration. These are:

- *Equality of rights*, implying in particular the elimination of all forms of discrimination and the promotion of respect for the fundamental freedoms and civil and political rights of all individuals. This is the most fundamental form of equality. It is expressed in Article 1 of the Universal Declaration, “All human beings are born free and equal in dignity and rights(...), and in more details in Article 2: “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”
- *Equality of opportunities*, aiming at creating social, economic, cultural and political conditions enabling all individuals to express their potential and contribute to the economy and to society. Interpreted restrictively, this form of equality is very close to equality of rights and means “simply” that societies and governments refrain from any discrimination and let individuals express freely their aspirations and talents within the moral and legal limits imposed by the respect of the freedom of others. It is thus often identified with justice, and, in the sense given above, with economic justice. It has given rise to the *laisser-faire* doctrine and is, in philosophy, very close to liberalism and utilitarianism. Interpreted extensively, equality of opportunities requires deliberate actions, particularly in the form of public policies, to

correct and offset as much as possible the numerous “unnatural” inequalities that separate individuals from different socio-cultural backgrounds and milieus. With such corrections, only natural talents, characters, efforts, types of ambition, and “chance” would determine the destiny of individuals and in particular their degree of success in financial and social terms. Meritocracy would be its logical outcome. Policies on education, and also on health as well as on housing, are traditionally seen as particularly important to achieve this type of equalities of opportunities, or “egalite des chances.” In political philosophy, it belongs to the tradition of the social contract and it is a critical aspect of social justice, as understood by the socialist and social democratic traditions.

- *Equity in living conditions*, for all individuals and households, and expressing the degrees of equality, or, more commonly the levels of inequality in income, wealth and other aspects of life in society that are considered “equitable,” or just, or fair at any given time in any particular community or in the world as a whole if universal norms do apply. This shift in language, from equality to equity, stems from the fact that equality in levels of living and living conditions has never been practiced – except to some extent by small religious or secular communities --, has never been seriously envisaged by political theorists and moralists – except in the form of attractive or more often repulsive utopias – and is today commonly perceived as incompatible with freedom. For Marx, the principle of justice “From each according to his abilities, to each according to the amount of work performed,” would apply, and for a very long time, to a post-revolutionary society. The truly equalitarian principle, “From each according to his capacities, to each according to his needs,” would only prevail in the distant and quasi-utopian communist “end of history.”<sup>4</sup> It is therefore equity that has to be the concept to sort out the just and the unjust in matters of living conditions. But what is, for instance, an equitable distribution of income among social classes, or occupations, or age-groups? And from which standpoint are various manifestations of equity and inequity being assessed? What are the universal norms that allow the United Nations and other international organizations to make judgments and give advice on equity in the living conditions of peoples around the world? Equity is an inherently vague and controversial notion. And a pervasive preoccupation and sentiment in all societies, affluent and poor.

Also, has every society, even a laissez-faire society, practiced some sort of distributive and redistributive policy of income and wealth – generally in favor of the poorest, but sometimes in favor of the richest – issues of equity in living conditions are at the core of the thinking and debates on social justice.

### ***7 Six types of inequalities in the distributions of goods, opportunities and rights***

Building on these three forms of equality and equity, the Forum went a step further in the concretization of the idea of social justice in identifying six types of inequalities, or issues of distribution. Started in the negative, they correspond to situations that, in the view of those directly concerned or of an “impartial observer,”<sup>5</sup> require corrections. In an order reflecting partly their relative importance and partly an ascending difficulty at measurement, these six types of inequality are the following:

- *Inequalities in the distribution of income.* The distribution of income among the members of a community and nation, these members being classified in socio-economic groups, professions, gender, locations or simply and most commonly deciles or quintiles on an income scale, is the most largely used measure of the degree of inequality that exists in a society. Though the statistical difficulties and notably the problems of comparisons across countries cannot be over-emphasized, the distribution of income is relatively amenable to measurement and the problems caused by a correct interpretation of the resulting data are not, with the necessary prudence, insurmountable. Most importantly, the availability of an income is for an individual and a household a condition for the capacity to make choices and an immediate command to many amenities. Income distribution remains, for most contemporary societies, the most legitimate indicator of the overall level of equality and inequality.
- *Inequalities in the distribution of assets.* This concerns the distribution of capital and of physical assets such as land and buildings. Their distribution is normally correlated with the distribution of income and there are data of various sources that are generally available to governments or independent statistical offices wishing to document what has traditionally been in most societies both a determinant of social status and political power and a source of

political upheavals and revolutions. It will be recalled that Article 17 of the Universal Declaration of Human Rights reads as follows: (1) Everyone has the right to own property alone as well as in association with others, and (2) No one shall be arbitrarily deprived of his property.

- *Inequalities in the distribution of opportunities for work and remunerated employment.* This is in contemporary societies, developed or developing, the main determinant of the distribution of income and a key to economic and social justice. The distinction between work and employment is important because “work” is meant to cover all independent economic activities and what is called the spirit of entrepreneurship, the creation of small enterprises and in general the offering by society of economic opportunities to all its members who wish to seize them. Statistics on the distribution of employment opportunities, and on unemployment, are of course more readily available than data on, for instance, the proportion of young people from different socio-economic origins who managed to get a bank-loan to start an enterprise. As economies diversified and become more and more service oriented this sort of information will be increasingly useful. At the same time, the United Nations and its agencies, notably the International Labour Organization cannot ignore that the vast majority of people in the world work in order to survive. Also, the distribution of working conditions among professions and social groups, including immigrants, is part of this item.
- *Inequalities in the distribution of access to knowledge.* Here are issues of enrollment in schools and universities for the children of different socio-economic groups as well as issues of the quality of education delivered in various institutions and regions. Education, including technical training and adult education, is a key to access to decent work, a key to social mobility and, in most societies, a strong determinant of social status and an important element of self-respect. As schools and universities are no longer the only dispensers of knowledge and as new tools such as the Internet have been invented, the distribution of access to various technologies is an issue here included. Although the distinction between information and knowledge remains pertinent, a number of statistical publications present together the distribution, for example by gender, of television sets, of books’ acquisitions and of enrollment ratios in primary and secondary schools.

- *Inequalities in the distribution of health services, social security and a safe environment.* Traditional indicators of well-being such as life expectancy and child mortality rates, broken down by gender, socio-economic groups and urban/rural location, are parts of this fifth facet of inequality in the distribution of amenities that all societies attempt to bestow to their members. Like for education, issues of availability and access to health services of different quality are critical and difficult to analyze and measure. “Everyone, as a member of society, has the right to social security and his entitled to the realization through national efforts and international cooperation(...) of the economic, social and cultural rights indispensable for the dignity and the free development of his personality,” states the Universal Declaration in his article 22. Social security, now often reduced to social protection and the deployment of safety-nets, was at the core of the welfare-state model that prevailed in the world after World War II. The distribution of its benefits within a community, in relation to its sources of financing, remains a pressing issue. The right to a healthy and pleasant environment, not polluted by uncontrolled and predatory human activities, is considered by its proponents as part of the third generation of human rights, the first being in the civil and political rights domain and the second in the economic, social and cultural realm. Pollution, generated for instance by the Tchernobyl or the Bhopal catastrophes, does not choose its victims. But it is nevertheless true that rich and poor people have an unequal capacity to enjoy a safe environment. There would be some logic in placing under the same item the distribution of personal security and safety. Crime, under its multiple forms, is growing in most societies and, as it has traditionally been the case, the lower classes and income groups are disproportionately affected. The suffering and losses due to internal conflicts and wars are also very unevenly distributed. The Forum, however, hesitated on the placement of this increasingly critical issue here or in the next and last category of distributional problems.
- *Inequalities in the distribution of opportunities for civic and political life.* This form of inequality is hardly discussed in international circles, perhaps because of its inherent complexity and sensitivity and perhaps also because the practice of democracy, to which it refers, is usually reduced to the holding of elections. Are implicitly considered as participating in political life those who vote for the elections of a president or a parliament. Beyond the electoral process, the forum

asserted that those inequalities and inequities that marked political institutions and processes are fundamental reasons for the occurrence of inequalities and inequities. The way power is organized and distributed in the various institutions of society, and the manner in which the political processes take place, have a profound influence on the manner citizens see and find their place in the social ladder and their role in the social fabric. This does not mean, however, that the distribution of political power is always the direct cause of other forms of inequality. Simple relations of causality do not apply to the understanding of this highly complex phenomenon in which personal and social factors are intertwined. But the distribution of power, and the manner in which those who have power exercise it, are at the core of the different forms and manifestations of inequality and inequity.

### ***8 The need for further distinctions and precisions***

Before attempting an assessment of recent trends in social justice and international justice, two further points need to be made to complement this sketch of conceptual framework.

Firstly, the six types of inequality evoked above might be called ***“vertical” inequalities***. They are the results of a division of an entire population – usually of a nation, but also of a region, or a city, or an age-group -- along scales determined by level or income or other variables such as degree of political participation theoretically applicable to all. In line with the importance traditionally attached to the distribution of income as an overall measure of inequality in a nation, the Forum focused on this approach. But there are other forms of inequality or inequity that might be called ***“horizontal” inequalities***, where comparisons are made between the situations of a-priori identified segments of the population. Sex, origin, urban/rural location are cases in point. It would be important to establish some sort of typology of the forms of horizontal inequality – as attempted above with vertical inequalities -- that are currently commonly considered and that could be seen as important from the viewpoint of social justice. The Forum was only in a position to make a few comments, notably with regard to the progress made in the essential domain of equality between women and men.

Secondly, another conceptual effort would be required to examine the extent to which the three forms of equality/equity – in rights, opportunities and

conditions – and the six forms of inequalities in distribution that have been identified to give an operational content to the notion of social justice, could also be applied to international justice in its developmental aspects. A number of these categories clearly are valid for both dimensions of justice in the world, notably distribution of income, assets and access to knowledge, and others, for example distribution of opportunities for political participation are applicable with some modifications in language, in this case a mention of the participation of countries in the management of international organizations and other international arrangements such as the meetings of the group of eight industrialized countries. Other categories, more suited to the question of international justice in a fragmented and conflicted world, would probably be the fruits of further reflections and debates. Nevertheless, in chapter 2, on the basis of some information, an assessment is made of the current level of international justice. Chapter 3, within the framework given above, provides a more detailed account of recent trends in social justice.

## Chapter 2

### RISE OF INEQUALITIES AMONG COUNTRIES

In attempting an assessment of current trends in international justice, the Forum focused on its developmental facets while giving some attention to its legal and political dimensions.

#### *1 National sovereignty and right of intervention*

The Forum noted that on two recent occasions force had been used against Members of the United Nations without formal approval of the Security Council and outside the provisions of Chapter VII of the Charter. Even before these events, however, the “right of intervention”, legitimized by the protection of human rights, particularly the prevention of genocide, had been openly and vigorously debated in international circles. Today, few would argue that national sovereignty and non-interference in the domestic affairs of a state can be legitimately invoked to let unchecked and unpunished violations of basic human rights and fundamental freedoms. Intolerance for such violations represents a progress in human consciousness and a necessary step towards the building of a true world community. Vexing questions arise, however, on the practical legal regime that ought to govern this right of intervention. Assuming that a satisfactory agreement could be found on the nature and extent of the violations that ought to prompt different degrees of condemnation and different modalities of intervention and assuming also that the role of a renewed Security Council on such matters would be clearly established, even-handedness and fairness would remain critical for the credibility and durability of such a system. Powerful states would have to be subjected to the same rules than weak states. The

current state of affairs regarding the use of the International Court of Justice and, even more clearly, the situation of the International Criminal Court, suggest that the world is not yet ready for an international legal regime subordinating national sovereignty to respect for fundamental human rights. But, for all those who believe there is a universal core of values defining a common humanity and common standards of decency, the desirable direction of change in international law and international relations is at least clear.

## ***2 Equality of Member States and inequalities in power***

The sovereign equality of all members of the United Nations is expressed – one could even say ‘symbolized’ – by the rule that each of them has one vote in the General Assembly, regardless of size, population, economic, financial and military power, and cultural and political prestige and standing on the international scene. With quasi universal membership, this rule gives to the organization its uniqueness and its legitimacy. Yet, international justice also means recognition of these differences in power. Power means influence and responsibility. An international organization that is not a world government and that would ignore this fact would be condemned to impotence and irrelevance. Accordingly, the Charter established a balance between these two facets of international justice with the respective compositions and functions of the General Assembly and the Security Council.

Such balance is still in place sixty years later, but with increasing difficulties. Apart from the reform of the composition of the Security Council, the role and effectiveness of the General Assembly are in question. Voices asking for the abandonment of the one country one vote principle and for its replacement, at least for some issues, by a weighted voting system, have been so far rather muted, but the “solution” adopted by those member states that are impatient with international democracy has been to strip the General Assembly of its powers. Particularly since the call for a New International Economic Order by developing and non-aligned countries in the mid-seventies gave rise to accusations of “a tyranny of the majority”, the General Assembly has been largely reduced to an annual forum without much influence on world affairs. In the mid-1980s, the major contributors to the budget of the United Nations imposed a reform of the organization. Initiated by General Assembly resolution 41/213 of December 1986 on efficiency in the administrative functioning of the United Nations. The main

elements of this reform were a reduction in the number of international civil servants, a *de facto* freeze of its regular budget financed by assessed contributions, and the substitution of the practice of consensus to the voting system in its deliberative bodies, notably the General Assembly. These elements are still in place. In exchange of such major concessions by member states interested in a growing and dynamic United Nations, the main powers promised to ensure a viable, secure and predictable financing of its mandated activities.

Some twenty years later, suffice to note that the United Nations is in great difficulty, financially and otherwise, and that the search for consensus is still a prevalent practice in the General Assembly as well as in the Economic and Social Council and its subsidiary bodies. This practice nullifies the one country one vote principle and means that the decisions, resolutions and other declarations of the United Nations, notably in matters of development and globalization, reflect the least common denominator of member states with largely different views and interests. And, obviously, powerful countries have a much greater capacity than weak countries to impose the terms of a consensus. In his report for the 59<sup>th</sup> session of the General Assembly the Secretary-General stated that “unfortunately, consensus (often interpreted as requiring unanimity) has become an end in itself. It is sought first within each regional group and then at the level of the whole. This has not proved an effective way of reconciling the interests of Member States. Rather, it prompts the Assembly to retreat into generalities, abandoning any serious effort to take action.”<sup>6</sup> To echo past controversies one could also assert that a “tyranny of the majority” at the time of the New International Economic Order has been replaced by a “tyranny of the minority” in the age of globalization.

### ***3 The developmental aspect of international justice: does it remain a legitimate and relevant concern?***

Several arguments were advanced to question the legitimacy of an inquiry on the developmental aspects of international justice:

- The State is no longer the main actor on the international scene and its relevance will continue to diminish as the process of globalization unfolds. They are transnational actors, above all corporations and banks but also international organizations and social and religious institutions and movements which play an increasing role. Modern communication and information technologies ignore borders and

national sovereignty. National policies, including those aiming at affecting inequality in poverty, are routinely ignored and bypassed by decisions of global institutions regulating international finance and trade. The most powerful nation-states can still impose their views and influence on others, but even they do not seem to be able or willing to control the transnational forces that have been unleashed on the world scene. And many States are too small or too weak – economically, financially and politically – to have a say in international affairs affecting their development. As the Westphalian order is collapsing there is no point in being concerned with the equality of its protagonists. Those interested in issues of international justice, should work on the processes and institutions that could regulate and balance the interplay of the new transnational forces rather than be preoccupied with inequalities among entities that are destined to be marginalized and ultimately disappear.

- In the same vein comes the argument that there is some futility in working on more equality among nation-states in levels of development when there is no authority able to enforce measures that would realize such objective. Demands for more justice among people were and are still addressed to an entity – the Prince or the Monarch or the Government and the State – with a recognized authority and responsibility for the security and welfare of the group concerned. The United Nations does not have such authority. Other international organizations with more power on economic and financial matters, particularly the WTO, the World Bank and the IMF, have different mandates. And a world government that will ensure some equality between its components is not on the foreseeable horizon.
- Besides, an objective of greater equality of countries in levels of development presupposes that “development” is a clear concept accepted by all concerned and acceptable from the perspective of the common interest of humanity, including future generations. That was perhaps true in the 1960s and 1970s, but many believe today that the dominant pattern of economic development is unsustainable physically, politically and morally. It encourages and actually feeds on acquisitiveness, consumerism and a predatory attitude towards nature. Others are convinced that development is a superfluous notion as what matters most is a freeing of economic initiative – more economic justice – and a participation in the world economy through trade and openness to foreign investment. For both the adepts of a search for a different meaning of economic and social progress and

- the believers in a laissez-faire political philosophy, ranking countries along a scale determined by a few economic aggregates and then trying to bring them all at the top of this scale is an artificial exercise.
- Finally, even if inequality in development among countries could be considered a legitimate issue, to give it too much attention ought to be seen as a distraction from the pressing problem of growing inequality among people and persistent extreme poverty in various parts of the world. The worst problems of inequality and inequity are within societies. And States still have, notwithstanding globalization and interdependence, the capacity to alleviate, or aggravate these problems. Inequality among countries, particularly inequality between developed and developing countries, is a long term problem of growth and development. Social injustice, inequalities and inequities within societies, is an issue that is amenable to a large array of decisions with immediate effects, including by changes in the tax systems and in the institutions that deliver public services. International organizations are in a position to at least influence those decisions.

Sensitive to these arguments, the forum felt nevertheless that international justice, including in its developmental aspects, should remain high on the agenda on the United Nations for two compelling reasons:

- Firstly, States remain the indispensable building-blocks of a viable international community. International organizations should be modified, expanded and created to address global problems and respond to global aspirations, In particular, global economic and financial powers need to be checked and balanced by global political institutions representing the peoples of the world and having the function of trying to define and promote the common good of humankind. But such institutions, starting with the United Nations of today will not be seriously improved or established on solid grounds without the active participation and informed consent of strong and responsible States genuinely seeking the best interests of their citizens. A peaceful world community cannot emerge from the will of a few powerful countries or from the interplay of private interests and forces. It requires responsible nation-states. More equality in levels of development, as traditionally measured, or with indicators more sensitive to social and political conditions of the people, will mean more countries in a position to participate in the management of global affairs. This is not based on a kind of international angelical optimism assuming universal benevolence of peoples and their

governments. Simply, countries and governments less plagued with disorder and poverty and blessed with such intangibles as hope, respect from others and sense of their worth and dignity, have a better capacity and a stronger likelihood to contribute to the building and maintenance of a harmonious world community. The various facets of international justice are linked.

- Secondly, there are not only the links between reduction of the gaps in levels of development and respect for the territorial and political integrity of each nation, but there are also the links between international justice, so understood, and social justice. Issues of inequality among countries and issues of inequality within countries are first related through the prevailing ideas on how to organize the economy, both at the domestic and international level. Views on, for instance, deregulation of markets, free trade and protection of domestic markets, competition, labor costs and labor standards, systems of taxation, tolerance for tax exemptions and tax havens, have direct effects on various forms of equity and equality at the national and international levels. Generally, the “rules of the game” set for international transactions have strong effects on domestic conditions and the distribution of the fruits of economic activity. And currently, the freedom of action enjoyed by a few major public and corporate powers to set these rules of the game is paralleled by the relative impotence of a majority of lesser actors, including the majority of Members States of the United Nations. This was a recurrent theme of the Forum. For a large number of countries, a reduction or prevention of inequalities and inequities at home would be greatly facilitated – and is sometimes dependent upon a reduction of inequalities and inequities at the international and global levels. The current features of the world political economy, including those generally viewed as positive such as the relatively free movement around the world of individuals with valued managerial or technical abilities, create domestic imbalances and inequalities. The “passage” from the international to the domestic scene is made through the emergence of a transnational market for certain skills. This market affects national patterns of distribution of salaries and incomes, including through people of developing countries who decide not to move abroad but are nevertheless in a better position to bargain because they are in demand elsewhere. This relatively new phenomenon of increased inequality among groups across national borders – with a degree of homogeneity at both ends of the income

and status ladder for both highly valued and little valued skills – is an important development. And so is the question of increasing regional differentials and inequalities within countries that is also partly due to the characteristics of the global economy and is another manifestation of the entanglement of various types of inequality and inequity within and among countries. International justice and social justice progressed or declined in parallel.

#### ***4 Evidence of the decline of international justice in its developmental aspects***

Measured by the level of per capita income, the gap between rich and poor regions and countries has been deepening since the beginning of the 1980s. Regional per capita incomes, as shares of the high income OECD countries evolved in the following manner between 1980 and the beginning of the 21<sup>st</sup> century: the shares of Africa declined from 3.3% to 1.9%, of the Middle-East and North Africa from 9.7% to 6.7%, and of Latin America and the Caribbean from 18% to 12.8%; the shares of South-Asia, however, progressed from 1.2% to 1.6% and of East-Asia and the Pacific from 1.5% to 3.3%. At the same time, a larger proportion of the African population has fell into the bottom quintile of the world distribution of income during the 1990s. Put differently, as in the World Bank Atlas of 2004, the 2.3 billion people in low-income countries have an average annual income of \$450 a person, with some economies at a level as low as \$90; for the 3 billion people in middle-income economies, the average is \$1,920; and for the 971 million in high-income countries, it is \$28,550. Or, 80% of the world's GDP belongs to the one billion people living in rich countries, whereas the other 20% is shared by the five billion people living in developing countries. And, within regions, income inequality among countries has also grown.<sup>7</sup>

This increasing income inequalities among countries is accompanied by an also growing difference in the ability of various regions and countries to reduce the extreme poverty affecting part of their population. The share of people living on less than \$1 a day appear to have fell from 40% in 1981 to 21% in 2001, but this average conceals opposite trends in different regions. It seems that East Asia and the Pacific, led by China, had the largest decline in poverty rates, from 58% in 1981 to 16% in 2001, with, as already noted, a parallel worsening of domestic income inequality. There was also a decline of the poverty rates in South Asia, from 52% to 31%, but in Latin America poverty affected around 20% of the population throughout the period. And,

poverty rates rose dramatically in the former Soviet Union and in Central Europe. In Africa the number of people living in dire poverty nearly doubled.

In political terms, inequality among countries has certainly not been reduced during this period of transition to a new millennium. Not only has one country gained hegemonic position and the Security Council has kept the same permanent members, but developing countries have seemingly less leverage in world affairs than they had twenty years ago. They have achieved meager results in their quest for a greater say in the management of the world economy and for the control of private economic and financial forces. Practices on matters of trade and finance are still favoring the most powerful and exceptions to general rules are more reluctantly and more exceptionally granted. There are strong inequalities and imbalances in global processes of decision-making affecting all countries. These processes and *modus operandi* for the elaboration, implementation and evaluation of regulations and rules that govern the functioning of the world economy are still heavily dominated by the rich countries. In addition, a number of governments of developing countries are still dependent on official development assistance to run their daily operations. On matters of personal security, countries at different levels of development remain extremely unequal in their degree of exposure to various risks and in their capacity to alleviate the consequences of natural catastrophes or man-made conflicts and violence. And a small or medium-size and power developing country has certainly no more political autonomy than it had some decades ago. Among nations, the distance between rich and poor, powerful and weak and dependent, is becoming an abyss.



## Chapter 3

### RISE OF INEQUALITIES AMONG PEOPLE

During the last quarter of the 20<sup>th</sup> century the distribution of income among people became more unequal, whereas a reverse trend of steady reduction of income inequality had marked the post World War II period. This aggravation of income inequality, presently continuing and affecting most countries of the world, received considerable attention from the Forum. And an attempt was made to replace income inequality in the context of other distributional issues. But the Forum noted that in addition to progress in the effective enjoyment of equality of rights, notably with regard to the situation of women, economic justice had also progressed.

#### *1 Issues of reliability and diversity of sources of information*

It is necessary to mention first the problems of information and analysis that marred this vast question of an appraisal of distributional issues in the world. There is the vastness of the question, which is in itself a challenge to the research capacity and analytical ability of any institution or group of people meeting periodically to share their knowledge and views, and there is the paucity and poor quality of data. Justice, equity and inequality is a subject that can legitimately be treated from a philosophical, moral or political viewpoint, even by those who can only admire and envy the breadth and depth of a John Rawls, John Stuart Mill or Jean-Jacques Rousseau. In fact, one could argue that in the United Nations itself more attention should be paid and more debates devoted to the philosophical, moral and religious foundations of the idea of justice and to the current understanding of the notion of universal human rights. But, in a modest exercise of the nature of this Forum, some insights on the scope of theoretical problems have to be fed and accompanied by a confrontation with facts and data.<sup>8</sup>

And there are some significant problems with data and their interpretation. For a significant number of developing countries, basic statistics on population, gross national product and *a-fortiori* income and its distribution do not come from these countries themselves but are elaborated by international organizations, at best through sample surveys and more often through comparisons, projections and extrapolations. These statistics can only convey a very partial and superficial picture of living conditions of the

people concerned. And it is probably an unfortunate aspect of the bureaucratic or technocratic culture of international organizations that one is reluctant to complement and enrich these limited statistical data with personal impressions, testimonies of those directly involved, travelogues and works of fiction. A better mix will have to be found, at some point in the United Nations, between different forms of rationality and different forms of knowledge.

In any case, when there are national reliable sources of data, the much used and indeed indispensable aggregates and averages, for instance on income per capita or enrollment ratios, need to be broken down, especially to capture the situation of local population groups at both ends of the social ladder. Data on the share of the top 5% or 1% income earners and assets owners would need in some countries to be further disaggregated to expose the situation of the super-rich. Similarly at the bottom of the scale are the extremely poor, or indigent whose condition also escape regular analyses. And, not only percentages and ratios but also levels need to be considered. The use of the Gini coefficient, on which most analyses and comparisons of trends in distribution of income are based, provide a case in point. For example, an observed increase in inequality in the United Kingdom since the beginning of the 1980 has a different meaning than a similar increase observed in the United States of America during the same period, if one realizes that the United Kingdom has currently a Gini of 32.5 – a level comparable to those of the developing countries – whereas the United States, with 41.4, is close to the levels of most Latin American countries. In addition, current statistics and indicators are glaringly inadequate to apprehend the most qualitative facets of inequality. Only very specific and detailed enquiries could, for instance, expose the extent of open and covert discrimination that, in most societies, affect people with a physical appearance different from that of the majority.

## ***2 Trends in the six components of inequality among people***

Yet, in spite of the complexity and scope of the subject, and in spite of the difficulties at measuring or simply assessing its dimensions, the Forum find it possible to state with a reasonable degree of certainty that ***there has been an overall aggravation of inequality in the world since the beginning of the 1980s***. A movement towards greater equality, clear in most regions since the end of World War II, has been halted and, to a significant extent, reversed in the last quarter of the 20<sup>th</sup> century. And everything points out

towards a continuation of this tendency at the beginning of the 21<sup>st</sup> century. In reaching this conclusion the Forum relied on its own observations and on the results on regional studies it had commissioned. Also, it had the immense intellectual comfort to be in agreement with the findings obtained by the comprehensive research conducted by the World Institute for Development Economic Research (Wider), the results of which were published at the beginning of 2004.<sup>9</sup> In some details and regional distinctions when possible, here is the evidence of an overall aggravation of inequality in different societies during these past decades.

(i) *Rising inequality in the distribution of income*

Income distribution became more unequal in most countries of the world during the last twenty-thirty years. Typically, the share of total national income accruing to the top 10% of households increased and the share of the bottom 10% decreased. At the very end of the scale – the 1% of very rich and the 1% of very poor – gaps became wider. This aggravation of income inequality was accompanied in a number of countries, most notably in Asia, by a reduction of extreme poverty measured by the dollar a day formula or by national poverty lines. But, in other cases, probably a majority of the countries of the world, developed and developing, both income inequality and extreme poverty increased in number and proportion of the population.

- In **Africa**, where data are scarce and where poverty in a context of insufficient economic development is a dominant problem, income inequality is nevertheless an issue of growing importance. Estimates put the Gini coefficient at 44% and the shares of total income by the top 20% and the bottom 20% of the population at 50% and 5% respectively. And it seems that about a quarter of people living in Africa are in a situation of long term poverty and that up to 60% are extremely vulnerable and move in and out of extreme poverty. Variations among countries of levels of inequality and incidence of poverty are however significant and there are some indications that a reversal of these negative trends has recently been initiated in some parts of the continent.
- In **Asia**, income inequality grew very rapidly and very significantly in some countries, including in particular China, and grew steadily in most other countries, notably India, Pakistan, Bangladesh, Thailand, Indonesia, Malaysia and Sri-Lanka. In China, the Gini coefficient is estimated to have jumped from 25.% in 1084 to 37.2% in 2000. At the same time, overall levels of living increased with fast economic

growth and, as already noted, extreme poverty today affects a smaller proportion of the population of the region than ten or twenty years ago. This movement towards a reduction of extreme poverty, initiated several decades ago, resumed in recent years after an interruption due to the financial crisis of 1996-1997.

- **Latin America**, traditionally characterized by high level of income inequality – with a Gini coefficient at around 44% -- experienced a further increase of this inequality during these past decades, notably in Brazil, Chile and Venezuela. According to national households surveys, 211 million people of the region were the victims of absolute poverty at the end of the 1990s, as compared with 136 million in 1980 and 200 million in 1990.
- In **Eurasia**, the region encompassing the former Soviet Union and Central and Eastern Europe, a dramatic increase of both inequality and extreme poverty occurred in the wake of the great political and social transformation that marked the brutal passage from planned to market economies. In the Russian Federation, between 1991 and 2001, the income share of the poorest 20% of the population declined from 11.9% to 5.9%, while the share of the richest 20% rose from 30.7% to 48.3%. During the same period 80% of households experienced a fall in their income. Absolute poverty affected 50% of the Russian population at the end of the 20<sup>th</sup> century, and 80% in most of the Central Asian republics. At least with regard to extreme poverty the resumption of a certain level of economic growth brought some improvement in the region during these past few years.
- In the **OECD countries**, income inequality increased notably in Australia, New-Zealand, the United Kingdom and the United States of America. Towards the end of the 1990s Gini coefficients were 41.7% in Australia, 41.4% in United States and 40.2% in New-Zealand. Such income inequality, however, measured with the same method of the Gini coefficient, remained stable in other OECD countries, including France, Germany, Sweden, Japan and the Republic of Korea, and was actually reduced in Canada, Italy, Norway and Spain. A few other such exceptions to the general trend of worsening income distribution were noted, notably in Latin America with Honduras and Uruguay and an apparent stability in Mexico. For the Forum, these exceptions suggested that at least governments wishing to do so had the possibility to somehow resist the wave of liberalism that, as it will be argued later, explains the deepening of income inequalities in the world. But it would be imprudent to attach too much meaning, and,

for the proponents of a reduction of income inequalities among people, too much hope, to these cases of deviance from the general trend. They might represent a postponement rather than a refusal. And, in all OECD countries, France and Germany as well the United Kingdom and the United States of America, absolute poverty, measured with national poverty lines, became more prevalent during these last twenty-twenty-five years. Also, there is no compelling evidence that in the other distributional domains considered below those countries with stable or improved income distribution managed to avoid an aggravation of inequalities.

**(ii)** *Rising inequality in the distribution of assets*

Though less documented than the distribution of income, the distribution of assets, most notably of capital, has unquestionably during the same quarter of a century become more skewed in favor of the top of the economic, financial and social ladder. As labour has lost ground in relation to capital for the remuneration of the factors of production, the share of capital income in total income has increased. And this capital has become more concentrated rather than more evenly distributed. The almost universal movement of privatization that swept the world in the last part of the 20<sup>th</sup> century rarely, if ever resulted in the spread of “popular capitalism.” Instead, it created a concentration of assets in a few private hands. The main “winners” of the transformation process from a state-dominated, or state-controlled, or even state-influenced economy to a liberal economy which took place in various parts of the world, were those that happened to be in a privileged position of power or influence. Nowhere did workers, employees and small entrepreneurs succeeded in modifying in their favor the national distribution of assets. They hardly had a chance to try. Also, the much freer circulation of capital and ability to invest across national borders, combined with this privatization movement, led to a redistribution of assets from national to foreign hands. In mid-1990s, transnational corporations controlled half of the first one hundred and accounted for 43% of the sales of the five hundred largest companies in Latin America. Capital flight is another phenomenon contributing to skewed distribution of assets in addition to hampering national development. Capital flight from severely indebted countries of Sub Saharan Africa was recently estimated at \$22 billion. Overall, Latin America, the Middle East and Africa are the three regions with the highest incidence of capital flight. An added element to a worsening distribution of assets in the world is, with few exceptions, the

disappearance of land reform and land redistribution from the agendas of most countries. And, to complete and secure this set of policies in favor of the “have,” tax systems have evolved almost everywhere for the benefit of the owners of capital.

**(iii)** *More work opportunities for a few and more unemployment and underemployment for the majority*

Keeping the distinction made above between opportunities for work, seen indeed as capacity for initiative and entrepreneurship, and opportunities for employment, it is likely that the former have improved in a number of countries, particularly those having abandoned or opened their rigid communist or socialist economic systems. The Forum was not apprised of studies estimating the number of young Chinese adults who were during the last few decades put in a position to exert their entrepreneurial talents, either independently or in a domestic or foreign firm, but this number must be impressive. Besides the well-publicized cases of oligarchs and plutocrats the opening of the Russian economy must have also given a chance to young men and women to prove their worth and be rewarded accordingly. The same must have happened in the former socialist countries of Eastern and Central Europe. And, in a long standing democracy like India, economic reforms and an overall policy more favorable to free markets and capitalism have certainly given more and better opportunities, at home and abroad, to young graduates and professionals. Even in a number of long established economies, where market-oriented reforms have been more a controlled movement than a revolution, there are now more economic opportunities to seize than twenty years ago. The United Kingdom is a case in point. Overall, this suggests some progress in economic justice. At the same time, the commitment made at the World Summit to pursue the goal of full employment has been largely neglected. Unemployment and underemployment have globally become worst and have affected a much larger proportion of people in the lower parts of the social ladder – the poor, the uneducated, those having skills not valued by the economy – than people with education and social connections. Also, unemployment and underemployment affected disproportionately women and youth, in developed as in developing countries. Further, rural people, still representing a majority in a number of developing countries, continued to be penalized as work and employment opportunities were generally more scarce in rural than in urban areas. In India, for instance, the growth of rural employment was at 0.67% by the end of the 1990s, the lowest rate in post-independence

history. In a great number of countries, the gap between the salaries offered for jobs in rural areas – in agriculture and in other sectors – and those in cities seem to have widened. Moreover, across the world, new job opportunities opened predominantly in services and, especially in developing countries, a majority of these were part of the informal sector, which means that they were poorly remunerated, not protected by basic labor standards, and not providing any kind of social security. In the same logic -- which evokes the treatment of labor as a “commodity” denounced more than a century ago, notably by Marx -- precarious working conditions became more the rule than the exception. Seemingly everywhere, wages and remunerations have become more unequal among and within sectors, between nationals and immigrants, skilled and less skilled, urban and rural, and between regions. Even within public services, which have generally been trimmed, differences in remuneration have widened in an attempt to reward initiative and competence rather than dedication and seniority. Thus, economic justice, the rewarding of initiative and talent, has made progress, while inequality has also grown. Employment and work opportunities have become better for a minority and have deteriorated in quantitative and qualitative terms for the majority of people in the world.

**(iv)** *A better distribution of information, perhaps of knowledge, but a worsening distribution of opportunities for quality education*

This complicated and ambiguous title reflects more an interrogation and an invitation to those interested in issues of distribution to pursue a line of inquiry than a set of informed conclusions reached by the Forum. The dissemination of information to segments of the population that were previously untouched by it is evident. Radios, televisions, newspapers reached every corner and every social strata of every nation. With and without telephone lines, Internet users are multiplying in every region of the world. This revolution in information and communication is often considered as one of the defining elements of globalization and its huge social and political consequences have yet to be understood. Information, but also knowledge is disseminated through these means. And there is continuing progress in enrollment ratios in schools and universities. Even in Africa, considered as lagging behind in the development process, estimates suggest that enrolment ratios in primary schools progressed between the 1980s and 2000 from 78% to 89% for girls and from 85% to 95% for boys. Also in Africa, illiteracy declined from 61% to 46% for women and from 40% to 29% for men. In Latin America, it is estimated that enrolment in the

first level of education is now complete. In India, the literacy rate grew from 52% in 1991 to 65% in 2000, and in China, also in 2000, enrolment in primary schools was 98.6% and the proportion of primary school graduates entering secondary schools was 97%.

There is therefore, in the world, a greater proportion than ever of young people from poor and modest households that have access to knowledge. The quality and depth of this knowledge is however an open question. Comments are often made on the poor quality of education that is provided in primary schools, in the Western world and elsewhere, and it also seems that differences in the quality of colleges and universities might be growing. Children of wealthy and well connected families have a much better chance to go to prestigious or simply good universities, including abroad, than children of families with modest means. And the reproduction of inequalities from generation to generation is an old and general problem. In Latin America, for example, around 75% of young people in urban areas are from households in which the parents received less than 10 years of education and, on average, more than 45% of them do not reach the educational threshold – currently put at 12 years of schooling – indispensable to have a chance to have a decent and stable job and income. Just over 30% of young people whose parents did not complete their primary education manage to finish the secondary cycle, whereas 75% of children whose parents had had at least 10 years of schooling did succeed at this secondary level of schooling.

It seems likely that the current trend is towards a worsening of this type of inequality. What mainly justifies the assertion in the title of this section of a possible aggravation of inequality in the distribution of opportunities for an education of quality, is the recent tendency to commercialize education and to treat it as a commodity that should be subjected to trade and other rules of an open and competitive economy. For years, on the occasion of structural adjustments programmes international financial institutions encouraged governments of developing countries to charge fees for the delivery of primary education. Protests have provoked a retreat of this ideological stance, but there are many other signs that in a general context of weakening of the notions of public service and universal social programmes, education risk being treated as a merchandise and pupils as customers. In this case the privileged classes will always find schools and universities of quality whereas the masses will have to be satisfied with cheap and mediocre institutions.

(v) *Growing inequality in health care and social security and emergence of the environment as a possible new source of inequality*

In health like in education traditional indicators suggest overall progress. An increase in life expectancy at birth from 67 to 70 years, as was the case in Latin America, obviously benefited the majority of the population and not only the 5% or 10% that occupy the top of the income ladder. Similarly, the decline of infant mortality in Africa from 96 to 85 deaths for 1000 births did not benefit exclusively the small affluent urban elite. Yet, such data and the optimistic image they might convey need to be qualified in several respects. There is first the HIV Aids pandemics. It is a tragedy of great magnitude – comparable to the great plagues of the past --, causing enormous suffering and debilitating a number of countries to their core. It is a problem of such dimension that it is almost indecent to evoke its distributional aspects. But it remains true that poor countries and poor people have particular difficulties to cope with this disease and to find the means to confront it. It should be recalled that one of the Millennium Development Goals is to provide access to affordable essential drugs in developing countries, in cooperation with the pharmaceutical industry.

Then, there are countries and regions that, even in terms of broad indicators such as life expectancy and infant mortality, have regressed during these last decades. This was particularly the case in the countries of the Eurasia region. At least until recently – and the evidence of a reversal of trend is far from being overwhelming – health conditions were dramatically deteriorating, notably in the Russian Federation in a context of general neglect and under-financing of public services and breakdown of a large range of social institutions. An actual decline of life expectancy was registered, and this is rather exceptional in the recent history of humankind. This overall regression of health conditions was accompanied by growing inequality, as the affluent minority had access to privatized and onerous health facilities at home or abroad. Generally, perhaps in an even more pronounced manner than education, health care is fast becoming an industry with supply and demand, producers and consumers, and those with means are in a position to secure more and better services than the poor. Social security systems are embattled and private insurance is increasingly considered an alternative to publicly financed systems of protection. And the affluent and informed are at the same time in a better position to see the limits of commercial and

advertised health care and to purchase healthier products. Poor people are starving in developing countries and suffering from obesity in affluent countries. As to the environment, the upper echelons of the social ladder are also more aware of the various dimensions of the problem and more able to protect themselves from pollution and other hazards. Consuming more energy, the affluent countries and social groups are the biggest polluters but they are also the most able to benefit from a clean environment.

(vi) *Ambiguous trends in the distribution of opportunities for participation in civic and political life*

The Forum was not in a position to treat this vast and complex subject beyond a few general observations. Judgments on progress or regression of political participation are very much dependent on the perspective and criteria adopted by the observer, even more so than in other aspects of inequality. In the current international discourse, apart from the issues of violence and security that have become dominant in late years, emphasis is placed on the progress of democracy, as evidenced by the number of countries that, following the collapse of the Soviet Union, have shifted from dictatorial or authoritarian or military regimes to various forms of presidential settings characterized at least by the periodic holding of elections. Not only in and around the Russian Federation but in Latin America, in Africa, and to some extent in Asia, democracy, so understood, has indeed become more the rule than the exception. Remaining authoritarian and one-party regimes seem to be on the defensive as isolation and strict control of more informed citizens are allegedly more difficult to achieve and sustain.

Also, political participation is presumably less hampered than in the past by the inequalities in social status, the various privileges that were attached to various social classes, positions and professions, and the resulting subservient passivity of the masses. In social structures that are both hierarchical and entangled, and where roles, duties and responsibilities are clearly defined, those in the lower and larger part of the pyramid have little choice between acceptance – “to keep one’s place” – and revolt. At the time of Adam Smith and Voltaire this was called social inequality and was seen as the main obstacle to political and social progress. When money became the main determinant of social stratification, and when social mobility – real or imagined – made possible movements upwards and downwards the social ladder, political participation is theoretically easier as it depends more

directly on the choices of the individuals. And there is the related increased awareness that individuals and communities have of their rights. More aware, more informed, people around the world should logically have a better consciousness of what separates legitimate and illegitimate use of power, of what constitutes an abuse of their human rights, and of the possibilities that are to open to them to seek protection from and redress for such abuses.

On the negative side, however, it is easy to point out that for a very great number of people political participation is inaccessible and is often not even an intelligible aspiration. There are still around the world oppressive political regimes, structures and institutions. Democratic forms are often mere facades that hardly mask authoritarian, plutocratic, or, at best, elitist and technocratic political structures, institutions and processes. And there are conditions of indigence and misery that constrain people to a constant struggle for survival and do not leave much room for participation in a *res publica* that, even for economically and socially integrated citizens, is sometimes distant and abstract, sometimes personalized and revered or hated, and rarely understandable and accessible.

The old debate between a Marxist and a liberal perspective on society, between adepts of “real” rights and freedoms and believers in “formal” liberties has not lost its relevance, as the official doctrine of the United Nations on the inseparability of the two “sets” of human rights – civil and political on the one hand and economic, social and cultural on the other – has yet to find general acceptance and to be translated into effective policies. Few political regimes make a serious attempts to reach the poor and disenfranchised. An occasional vote for the election of a president or a representative is indeed important to keep alive the shell of democracy and allow a renewal of political elites and, above all, an alternation of political views in the exercise of power, but citizenship involves other privileges, duties and responsibilities. Political parties and unions, which were since the 19<sup>th</sup> century conduits for political participation and vehicles for the expression of claims and views on the organization of society, are, at present, considerably weakened.

Many members of the national and international political and financial elites assert that there should be a consensus on how societies ought to be organized and which objectives they should pursue. And resistance to such consensus could only be attributed to lack of information, ignorance and

obscurantism. The majority of established political parties seem to share this view, or to be unable to challenge it effectively, but there are other organizations and movements that are trying to question such alleged “end of history.” The advent of non-governmental organizations and, more generally, of the civil society as a political force is indeed a concrete manifestation of political participation on the part of responsible citizens. But for these organizations to replace or complement political parties and unions, new forms of political representation, that is new structures and processes for the expression of views and the placing of claims would have to be invented. At present, the weakening of the public sphere – except as an instrument to ensure law and order – and the increasing power of the corporate sector, are not conducive to organized and meaningful political participation. Neither is the growing violence that, in its various forms and manifestations, is plaguing the world.

With violence, comes an overt and insidious militarization of societies. And mobilization is not participation. The latter is an expression of the informed free will of the individual. It implies the possibility not to participate and the use of one’s critical judgment. It cannot be motivated by fear. And it required a peaceful environment. At present, a significant proportion of the world population is exposed to the traumatic experiences of war, ethnic conflict, terrorism and torture, not to mention natural disasters. Again, as with the case of HIV/Aids, these phenomenon are intrinsically bad and ought to be prevented by all means possible. But, in addition, they affect mainly the economically, socially and politically weak. Individuals and families with money, a social position and social connections are usually better able to protect themselves from man-made and natural threats than are poor people.

### ***3 Progress in critical aspects of “horizontal equality”***

Although it did not have this subject on its agendas, the Forum recognized that, slow and uneven as it may be, and subject to local reversals, the equality of rights, opportunities and conditions for women and men was a fundamental dimension of justice that was steadily improving. Significant advances have been made in legislation – primarily in the form of corrections of long-standing male biases and outright forms of discrimination against women – in the provision of educational opportunities, in the availability of opportunities for work and, though much less, in the respect of the principle of equal pay for equal work, and in the

equal access to political processes and institutions. There are still numerous instances of biases, prejudices, discrimination, and very few societies can pretend to have achieved real equality between women and men. Moreover the recent surge of various forms of religious fundamentalism and secular obscurantism represents a threat to the very idea that all human beings have equal rights and fundamental freedoms. But, on the whole, it does seem reasonable to state that the movement towards equality between men and women has not been stopped, or reversed, during this period of social, political and intellectual upheaval.

The Forum also noted that other forms of “horizontal” equality, notably between “ethnic” groups, or with regard to minorities of various types, tended to gain preeminence on the national and international agendas. A significant example was the recent creation within the United Nations of a forum for indigenous peoples. And in a number of countries and regions, for example in Asia, the political debate was increasingly concentrated on the relative wealth and social position of groups defined by their ethnicity or race, rather than on the increasing income gap between rich and poor. In a different domain, more overall equality is currently sought, at the initiative and with the active help of the United Nations, for people suffering from various types of disability and handicap. These various facts suggest that in today’s world inequalities associated with some form of discrimination have a much better chance to be addressed, if not redressed, than have inequalities stemming from the functioning of the economy.

#### ***4 More economic justice and a greater social injustice?***

From a worsening distribution of income and assets to a class determined access to health and education and a declining participation of the average citizenry to public affairs, there are lot of indications that social justice is retreating, both as an objective of governments and as a feature of societies. Adding to this an aggravation of absolute poverty, especially in the economically affluent countries, it is difficult not to reach a conclusion of overall social regression in the world, at least if one uses the traditional yardsticks of the founding texts of the United Nations. With the spreading of a global culture of consumption, competition and greed, many societies gain the appearance of being more democratic with the holding of elections and the weakening of traditional forms of social inequality related to privileges of birth and status, but are actually a mix of plutocracy and elitism.

Yet, there is also the overall opening of most societies to individual freedom and private initiative. In the common perception of peoples of different cultures, the idea that individuals should receive from society what they deserve in relation with their talents and efforts, is indeed extremely important. Economic activity should not be hampered and should be fairly rewarded. In that fundamental sense, justice, fairness and freedom are closely related and mutually reinforcing. And, during the same recent decades that have brought an aggravation of inequalities, the spreading of the basic principles of the market economy have given to an increasing number and proportion of individuals the possibility to exert their initiative and be financially and socially rewarded for their activity. Is there a relation between this trend and the aggravation of income inequalities? Is economic justice more a “phagocyte” than a “component” of social justice? But, is the progress in economic justice more felt than real? Has the average small entrepreneur more facilities to operate and more chances to succeed than twenty years ago? Is there in the contemporary world a concentration of economic and financial power that hampers or nullifies the economic justice brought by the market economy? At what level and under which conditions are economic justice and fairness and redistributive solidarity harmoniously mixed? Some of these questions will be addressed in chapter 6, after a detour through the evolution of the treatment by the United Nations of the notions of international justice and social justice.

## Chapter 4

# INTERNATIONAL JUSTICE AND THE UNITED NATIONS: FROM THE NEW INTERNATIONAL ECONOMIC ORDER TO THE MILLENNIUM DECLARATION AND MILLENNIUM DEVELOPMENT GOALS

### *1 Auspicious beginnings for development and international justice*

By the end of the 1960s, international cooperation for development had become the most visible endeavor of the United Nations. As the cold war was largely “freezing” the Security Council and its peace-making and peace-keeping activities, and also forcing a lid on the potentially immense responsibilities of the organization on matters of human rights and fundamental freedoms, development, seen as the progressive reduction and eventual closing of the gap between developed and underdeveloped countries, took the lead in the international agenda. In terms of allocation of resources, for example, economic and social development absorbed close to half of the regular budget and mobilized an equivalent proportion of the staff of international civil servants. By contrast, “political” activities, including the Security Council, legal issues and the development of international law and human rights, taken together represented less than ten per cent of these resources. New programmes and funds were created, including the United Nations Development Programme (UNDP), the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Fund for Population Activities. Extra-budgetary resources, namely voluntary contributions from affluent countries additional to their assessed contributions to the regular budget and to – at that time small peace-keeping budgets, were channeled to the organization to give it flexibility in its activities for development.

These additional resources were devoted to major issues of international concern such as refugees and later on the environment and habitat, but they were also allocated to research, analyses and publications by the Secretariat on conceptual and political problems of development and economic and social progress. Governments providing these voluntary contributions clearly had a political agenda, as it is the case at present, but such agenda included for instance a strengthening of the capacity of the Secretariat to elaborate economic models and forecasts or reflect on social and

environmental accounts that could complement economic accounts and provide a comprehensive measure of the progress or regress of societies. In a context of steady growth of the regular budget of the organization, such loosely “tied” financial aid – representing by the beginning of the 1980s about 35% of the total annual expenditure of the United Nations -- gave to the Secretary-General and the Secretariat the capacity to have a strong and respected voice in the debate on development and a significant role in concrete developmental activities. The development of the “Third World” was the dynamic part of the United Nations and its most recognized face in rich and poor countries alike.

At the beginning, the model offered by the regimes of the countries victorious of the Second World War and, very rapidly, the example given by the quick reconstruction and economic recovery of defeated countries, most particularly Germany and Japan, were obvious and unquestioned. Economic growth, through judicious investments, the creation of a modern infrastructure, employment creation, education and training, and a mix of public and private initiatives, was the key to development. Outside the Soviet Union and its sphere of domination in Central and Eastern Europe, the influence of communism on development theory and practice was relatively limited. After all, the concept of ordering investments and other public activities for economic development within the framework of an annual or medium-term plan had been conceived and put in practice in some of their colonies by England and France since the end of the 19<sup>th</sup> century. Communism and the power of the Soviet Union were, for the countries of the third-world, more a source of political leverage in their efforts at gaining independence from the colonial and neo-colonial powers, than an inspiration for their development strategies.

The non-aligned movement was, as indicated by its name, a political effort to reject dependence on either superpowers of the time. It proposed ideas and tactics to relate effectively to these superpowers, to define the position and status in the world of formerly colonized countries, and to combat neo-colonialism. It did not elaborate, for instance, a new theory of economic growth or a new vision of social progress. Also, Western countries were all more or less adepts of Keynesianism and were implementing policies representing a rather happy mix of liberalism and socialism. Ideological controversies were essentially circumscribed along the East-West divide. In this context, it proved for instance possible for the Western countries to agree in 1969 on the objective of devoting between 0.7 and 1 % of their

Gross National Product to official development assistance for the developing part of the world. International Development Strategies were adopted by the General Assembly and their monitoring showed that they not only shaped international cooperation for development but had some influence on the national policies of both developing and developed countries. The United Nations, it seemed, was on track for promoting development and greater international justice.

## ***2 Questioning the model of development and seeking a new distribution of power in the world***

Quite normally, difficulties and controversies marked the path of international cooperation for development through the United Nations. The model itself was seen in progressive quarters as flawed. Relying on exports of primary commodities and imports of manufactured goods by developing countries, it assumed a continued dependence of the countries of the “periphery” over the “centre.” Strategies of import-substitution and, more ambitiously of economic and political self-reliance were devised. Traditional industrial development accompanied by internal migrations from rural areas and the spreading of urban slums was sought to be corrected by rural development. Different styles and patterns of development were imagined by social scientists, particularly in Latin America. The concentration of experts and politicians on economic variables was seen as excessive and gave rise to calls for institutional development, social development and cultural development.

The articulation of social and economic considerations and policies was a much debated issue. Methods for a “unified approach” to economic and social development, including the use of social accounts and social indicators, were actively devised. Social planning found a niche in the institutional structure of the United Nations. The development of trade relations prompted initiatives of the Secretariat such as the “general system of preferences” through which developing countries could participate in world trade without full exposure to the competition of advanced economic powers. The rise of transnational corporations led to the creation at the United Nations headquarters, in New York of a Centre on Transnational Corporation and of a Centre on Science and Technology. Corresponding intergovernmental commissions on these issues were also established. These initiatives were not welcomed by the most powerful Western countries, but, on the whole, amidst successes and failures, international cooperation for

development through the United Nations and its specialized agencies continued its course. It was generally recognized that the United Nations system deserved some credit not only for the decolonization process but also for significant steps in the betterment of the human condition in a number of developing countries.

A turning point in the brief history of the United Nations as a forum and an agent for development and international justice occurred with the “oil crisis” at the beginning of the 1970s and the adoption by the General Assembly of resolutions on the Declaration and Programme of Action on the Establishment of a New International Economic Order and of another resolution on the Charter of Economic Rights and Duties of States. These events change the attitude of the major industrialized countries, first and foremost the United States of America, vis-à-vis the treatment of the question of development in the United Nations. There was the realization of a dependence, particularly for Europe and Japan, on oil producing developing countries which, through the establishment of cartels, had the capacity to raise the prices of their product. There was, again chiefly in Europe and Japan, the consequent and long-lasting lowering of the rates of economic growth. And, most importantly, there was the evidence of developing countries using this opportunity to try to modify in their favor the balance of economic power in the world and to practice an active form of economic nationalism that could put serious obstacles to the development of global capitalism.

The above mentioned documents on a new order emphasize the right of every State to regulate and control foreign investments and transnational corporations as they deem appropriate. Nationalizations and expropriations were also fully within the purview of any State, as was the choice of its political and socio-economic system. Other controversial provisions of these texts related to the transfer of scientific and technological achievements and to cooperation in fundamental research. Full disarmament was also envisaged, as well as cooperation for the protection of the environment. The Charter of Economic Rights and Duties of States was adopted by the General Assembly in December 1974 by a vote of 120 in favor, six against, and ten abstentions. Subsequently, in March 1975, the Second General Conference of the United Nations Industrial Development Organization adopted the Lima Declaration and Plan of Action on Industrial Development and Cooperation. In this Declaration, it was stated that the share of the developing countries in total world industrial production “should be

increased to the maximum possible extent and as far as possible to at least 25 per cent of total world industrial production by the year 2000, while making every endeavor to ensure that the industrial growth so achieved is distributed among the developing countries as evenly as possible.”<sup>10</sup> Irrespective of its substantive merits, this target was immediately taken by commentators of the Western world as a symbol of the irresponsibility of activist developing countries and their supporters in the secretariats of international organizations. It was both ridiculed as an unattainable objective and denounced as an attempt at putting the world economy and its market forces under the straightjacket of world planners and technocrats.

### ***3 The new consensus of the Millennium***

It is probably accurate to state that, from thereon, the most powerful developed countries decided to neutralize the United Nations and its specialized agencies as forums for debates and decisions regarding the important aspects of the functioning of the world economy. From the mid 1970s, these countries put a renewed emphasis on the role of the better controlled Bretton- Woods institutions and pressed for the already mentioned reform of the United Nations that was formally initiated at the end of 1986 and that is still very much on the international agenda. With the disappearance of the Soviet bloc at the end of the 1980s, the United States and its allies had no more major obstacles to the spreading of their views on the organization of the world economy and on the meaning of international justice.

Developing countries themselves, through a mix of conviction and realist adaptation to this new global political configuration, have abandoned their demands for revolutionary changes in the world economic and political order and adopted an incremental approach to the defense of their interests. They try to attract private foreign investments, notably through various fiscal incentives, rather than control the activities of transnational corporations in their territories. Nationalization and expropriation have disappeared from their political language. They seek arrangements and agreements through the World Trade Organization in order to promote their exports and gain access to the markets of affluent countries. Trade and participation in the world economy are the order of the day and self-reliance and self-sufficiency are perceived as antiquated concepts. Developing countries continue to press for progress in traditional items of negotiations between the North and the South, notably debt reduction and increase of official development

assistance, but the essential of their efforts bears on gaining an active participation in the dynamic sectors of the world economy. Justice is sought through the removal of practices that tend to perpetuate the advantages of the countries that occupied first the international scene, for example the subsidies that these countries give to their agriculture. If the organizing principle of the world economy is competition in an open and even playing field, say the leaders of the developing countries, let's remove the obstacles to this fair competition.

The most important text adopted by the United Nations during these last decades, the Millennium Declaration<sup>11</sup>, reflect this consensus on what constitute just relations between countries of uneven power and affluence. First, it is a text centered on peoples rather than nations. There is a mention in its introductory section on “values and principles” to “the sovereign equality of all States, respect for their territorial integrity and political independence, resolution of disputes by peaceful means and in conformity with the principles of justice and international law(...)” But among the six values considered “essential to international relations in the twenty-first century,” “freedom,” “equality” and “solidarity,” are applied to peoples rather than countries. So is “tolerance,” which refers to differences and richness within and among societies and a culture of peace and dialogue among civilizations. “Respect for nature” is also a value transcending national boundaries. As to the last of these values, “shared responsibility,” it evokes the management of “worldwide economic and social development,” its multilateral exercise and the central role of the United Nations.

Secondly, consistent with this focus on peoples, the section on development of this Declaration is entitled “development and poverty eradication.” The right to development is mentioned, but its application for “everyone” and to “the entire human race” suggests an individual and collective right rather than a right of nations. Extreme poverty is approached as the “abject and dehumanizing” condition of billions of “our fellow men, women and children.” No mention is made of the distribution of income and wealth among countries and of the various gaps that separate developed from developing countries. Development will depend first on “good governance within each country” and, also, on “good governance at the international level and on transparency in the financial, monetary and trading systems.” The multilateral trading and financial system ought to be “open, equitable, rule-based, predictable and non-discriminatory.” Then, the “special needs” of the least-developed countries are addressed and the industrialized

developing countries are called upon to take a number of measures in their favor, including cancellation of bilateral debt “in return for their making demonstrable commitments to poverty reduction” and the granting of “more generous development assistance,” again “especially to countries that are genuinely making an effort to apply their resources to poverty reduction.”

Thirdly, and most importantly given the great visibility and notoriety of the Millennium Development Goals derived from this Declaration, the eighth of these goals, “Develop a global partnership for development,” which is the only one directly pertaining to international development cooperation, is indeed perfectly representative of the “new deal” or “new global contract” between developed and developing countries. This goal, reproduced below in Annex IV, is all about the creation of “an open, rule-based, predictable, non-discriminatory trading and financial system” (the word “equitable” mentioned in the Declaration is being omitted here), the special needs of least-developed, land-locked and small island developing states, the debt issue and the cooperation with the private sector for providing access to essential drugs and information and communications technologies. In addition, “strategies for decent and productive work for youth” are to be developed and implemented in cooperation with developing countries. Attached to these various dimensions of Goal 8 are 17 “indicators for monitoring progress” pertaining to official development assistance, market access, debt sustainability, unemployment rate of 15-to 24-year olds, and access to essential drugs, telephone lines, personal computers and the internet.

These texts, especially the “M.D.Gs,” have become, from the time of their elaboration, very much part of the international discourse and have even found their way in national political debates of both developing and developed countries, not to mention the boards and policies of the World Bank, the regional Development Banks and the International Monetary Fund. Even the World Trade Organization, notoriously little interested in the development activities and pronouncements of the United Nations, has expressed its commitment to the realization of these goals. And this interest and approval has not been limited to “official” circles and to the political establishment: most movements of the civil society and non-governmental organizations have expressed their support and are working in the “field” to implement the goals and targets set in New York at the beginning of the new millennium. This is truly exceptional for an initiative of the United Nations.

Some important aspects of the spirit of the time and some responding chords of the popular sensitivity must have been touched for a resolution of the General Assembly to reach such notoriety.

#### ***4 International justice through cooperation and partnerships***

The conception of international justice embodied in these Millennium Declaration and Goals is indeed in tune with the dominant political culture of the time. Countries are seen as engaged in a global partnership for development. Partnership evokes mature, pragmatic, practical and efficient relationships. Partners are not necessarily equal, but they ought to have a minimum respect for each other and they draw comparable benefits from their interaction. Trade is the basis of these relationships. Trade, as the theory goes, is beneficial to everyone, at least in the long term. Trade, the act of exchanging, is a basic characteristic of life in society and, as globalization extends society to the whole world, trade unites all countries and all peoples. Moreover, the old functionalist idea which is one of the intellectual and political pillars of the United Nations, namely that trade brings development and prosperity and that prosperity brings peace, has still a wide appeal. Countries that are partners in the search for material prosperity are no longer from the “North” or from the “South.”

This division of the world into opposite poles, with its connotations of superiority and obligation, demands and concessions, is avoided in these texts. All countries meet in the global market. If the rules prevailing in this market are transparent, predictable and fair, the rich will get richer and the poor will get rich, and one of those much heralded “win-win” situations will occur. For this prevalent culture of partnership for development does not envisage that the rich and the powerful countries would have to sacrifice a part of their wealth to help the less affluent. The words “distribution” “redistribution” “taxation” or “transfer” are carefully avoided. And the notion of “solidarity” – one of the six values listed at the beginning of the Declaration – is absent from the body of the text and from the Goals. The least developed countries are to be treated with some sort of positive discrimination with regard to trade, debt and development assistance, but this is not as a moral obligation or a sense of global justice but as an exchange for their dedication to poverty reduction.

Under the terms of this global partnership, developed countries and international organizations, notably the WTO, are to promote a world

economy with open, rule-based and predictable arrangements in trade and finance, in other words an even and equal terrain for competition. Affluent countries and international agencies are also to provide development assistance, but an increasing proportion of this aid is to be given to the least-developed countries. Developing countries, for their part, have to put order and efficiency in their domestic affairs. Good governance is a *sine qua non* condition for development. Unless otherwise indicated, good governance is understood as the creation of institutions that operate according to the rule of law, that are uncorrupt and that facilitate the free exercise of private initiative coming from domestic or foreign sources. This central role of private initiative and of the private sector is emphasized in Goal 8. The private sector is a partner for cooperation on a par with states. Good governance is also normally associated with the practice of democracy and with respect for human rights.

Such conception of international justice, roughly identified with fair competition with an element of solidarity or even charity for the poorest and weakest countries, is not only reflecting the dominant political culture, but also meeting a long lasting current of thought among the intellectual and political elites of developing countries. This current of thought has to do with national pride. It might be perceived as humiliating to receive aid and assistance and to feel obligated towards the donor. And assistance is always assorted of conditions. It does not really matter that these conditions have changed from the use of financial aid for importing material and goods from the donor to the holding of elections or the practice of human rights. In fact, the latter are even more intolerable than the former. They represent an interference with domestic affairs that is more intrusive than the traditional mercantile attitude of the former colonizer. They are often hypocritical and marked by double standards. Moreover, external aid, in all its forms, is either ineffective or detrimental to the fabric of society. It prevents the emergence of those attitudes of responsibility, initiative and entrepreneurship that are indispensable to the development of any society. What developing countries needs is indeed access to international markets for their products and freedom of circulation for their peoples. Suffice to consider the countries that are making great economic strides and at the same time gaining respect on the international scene. It would be difficult to attribute even part of their success to traditional bilateral or multilateral aid and assistance. In sum, from this perspective, Millennium Development Goal number eight represents a step in the right direction, which is the

cleaning of the notions of international justice and international cooperation from their vestiges of paternalistic assistance.

### *5 Critical views on the prevalent conception of international justice*

From another perspective, the United Nations, in conceiving this “global partnership for development,” has indeed reflected the dominant political culture of the time but this culture is essentially expressing the interests and views of the most powerful actors on the international scene. It represents a regression in the conception and practice of international cooperation that unfolded since the creation of the United Nations. The following points were made during the course of the Forum:

- Goal 8, in its dryness and lack of ambition, bears no resemblance with the values and principles that are proclaimed at the beginning of the Millennium Declaration. Equality, solidarity and shared responsibility cannot be reduced, when it comes to relations between developed and developing countries, to open trade, partnerships with the private sector, and traditional aid for the least developed countries. When there is such a divorce between values and policies, force is to conclude that values are treated as empty rhetoric and policies are made in accordance with the most traditional recipe of political realism.
- Goal 8, on the other hand, suggests a remarkable faith in the benevolence of the private sector and in its capacity to bring development to all nations of the world. When private economic and financial forces, with the support of powerful governments, dominate the world economy so completely, which entities – the United Nations? A developing country or a group of them? – will be able to “cooperate” with these forces in a position of strength or simply in equal terms? The history of capitalism shows that it is an economic system that serves well a nation or a region when it is regulated, controlled and balanced by political forces and legitimate political powers. A fortiori, global capitalism requires global political control and the development of international law and regulations to steer it towards the common good of a maximum of nations and peoples. The United Nations should pave the way, intellectually and politically, for such an enlightened and democratic management of globalization.
- In the same vein, Goal 8 is silent on the financing of development and of these global public goods – as well as global threats – that are part of the process of openness, interdependence and globalization.

- Questions of taxation, at the national and global level, are ignored. If the “Monterrey consensus” – which was established after the Millennium Declaration – has the value that is commonly attributed to it, its conclusions should have at some point been incorporated in the Millennium Development Goals. Would it be considered to do this on the occasion of the 2005 review of the Millennium commitments and goals? To progressively gear official development assistance towards its exclusive use by the least developed countries is to give it a connotation of temporary charity. Rather, both the emerging global problems and threats and the requirements of international justice should lead the United Nations to consider this official development assistance as a sketch for a world redistribution system.
- What sort of “development” is this global partnership supposed to bring to developing countries and to the world? Is it sustainable development? If so, why is the crucial point made in the Declaration under the value Respect for nature – “The current unsustainable patterns of production and consumption must be changed in the interest of our future welfare and that of our descendants”— not reflected in Goal 8 and in Goal 7 on environmental sustainability? Is it a development respectful of cultural diversity, pluralism and national responsibilities and choices? Such notions are totally absent from the Millennium Development Goals. It seems, then, that it is the traditional, uniform model, where development is identified with growth and the latter with an increase of the gross national product, which is proposed to the developing countries. And the developed countries, unconcerned by the M.D.Gs, presumably represent this model. Does this mean that these developed countries have no problems with their current path to economic and social progress? Are the voices claiming that the currently dominant civilization is physically, politically, morally and spiritually unsustainable to be totally ignored?
  - In any event, Goal 8, with all its limitations, is largely ignored. When it comes to the Millennium and its Goals, all attention is focused on the reduction of poverty. It is as if this Goal 8 and the issue of development had been put in the M.D.Gs “pour memoire.” As if, once poverty will have been reduced, development will be achieved. Meanwhile, the “rules of the game” governing the world economy, including its trade and financial aspects, are still heavily biased in favor of the affluent and powerful countries. And a greater participation of developing countries in the management of world

affairs in general and the world economy in particular – an objective conspicuously absent from the Millennium Development Goals – is not been achieved.

For these critics, international justice, understood as the search for equality of all members of the international community, is disappearing from the international scene and the United Nations is failing to stop this trend. In fact, the very notion of an international community is endangered, not only as a working reality but as a project and an ideal.

## Chapter 5

### **SOCIAL JUSTICE IN THE UNITED NATIONS: THE DIVORCE BETWEEN HUMAN RIGHTS AND ECONOMIC AND SOCIAL DEVELOPMENT**

The evolution of views on international justice in the United Nations and the changing perception of the relevance of social justice in the same organization are two stories with many links. The second and third committees of the General Assembly have different agendas and are to an extent the domains of delegates, non-governmental organizations and members of the Secretariat with different sensibilities and habits of the mind. If the same person moves from one committee to the other he or she will commonly mention a “change of hat.” And economic matters, including inequalities among countries, are well-known to be “serious” and resting on “hard” facts, whereas social questions are marred with “political” or, worse, “philosophical” connotations and calling on “soft” values. But the fates of these two notions – international justice and social justice – are mingled through changes in the spirit of the time and culture of the Organization that reflect evolving political configurations and intellectual currents. In fact, there is a coherence in the evolution of the treatment of the various issues that are in the mandate of the United Nations that ought to be astonishing only to those who underestimate the power of ideas in the life of an institution. What justifies here a “story” of social justice in the United Nations separated from an evocation of the avatars of international justice in the same organization is the “parti pris” to highlight and attempt to explain the divorce between human rights and development<sup>12</sup>.

#### *1 Auspicious beginnings for the promotion of human rights and justice*

The Universal Declaration of Human Rights, in its Preamble, states that “the highest aspiration of the common people” will be “the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want,” and associates “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family” with “freedom, justice and peace in the world.” The Declaration then, in its thirty articles, provides a catalogue of the rights – and also duties notably in Article 29 – the enjoyment and respect of which shall bring justice to the peoples of the world. Whether stated in the positive – “Everyone is entitled

to (...)” or “has the right to (...)” or “has duties to the community” – or stated in the negative – “No one shall be held in slavery,” “shall be subjected to torture,” to “arbitrary arrest”(…) – these rights and duties are addressed to all members of the human family and are inalienable. In the two Covenants that were elaborated and became enforceable some two decades later, the Declaration is repeated and elaborated, with the same conception of justice for people.

The Charter and the Universal Declaration provided the United Nations and its Secretariat with a solid basis for contributing to the propagation of justice in the world. Decolonization, self-determination, human rights for all without discrimination including equal rights for men and women, equal opportunities for education and work, improvements in living conditions with attention to the development of excessive inequalities, social security, were linked. There were all objectives that were part of a new beginning for humankind. At least intellectually, and even politically, the promotion of justice seemed a legitimate undertaking. There were enormous problems, but the road to progress seemed reasonably well marked. The ideals of justice, equality and equity were shared. The ideological competition and then confrontation of liberalism with communism/socialism was about freedom and the meaning of democracy, much more than about the need for basic forms of equality and equity in society.

## ***2 Social justice seen as a substitute to the protection of human rights***

“Social justice” first appeared in United Nations texts in the second part of the 1960s. It was used in the Declaration on Social Progress and Development adopted in 1969 at the initiative of the Soviet Union and with the support of developing countries. It was also used in the already mentioned Charter of the Economic Rights and Duties of States. In chapter 1, enumerating the fifteen principles that should govern relations among States, number thirteen was the “Promotion of international social justice.” It might be noted that the first principle was “Sovereignty, territorial integrity and political independence of States” and the eleventh “Respect for human rights and fundamental freedoms.” By then, social justice had become of common use in the parts of the Secretariat of the United Nations involved with social issues, as the Social Commission, one of the first created subsidiaries of the Economic and Social Council, became the Commission for Social Development. Social justice, equality, equity, were sometimes defined and more often used loosely and interchangeably.

Why this emergence of social justice in the agenda of the United Nations by the end of the 1960s? Why was it felt useful to add this qualifier to the venerable word “Justice”? Some explanations might be advanced in the hope that they are relevant to an understanding of the present situation.

The divorce in the United Nations between the work on human rights and the work on the economic and social advancement of peoples was completed in the 1960s. Linked in the Charter, as they are in the human experience, these two domains became identified with different disciplines – law for human rights and economics for the “social progress and better standards of life” of the Charter that had become development --, different political philosophies – liberalism for human rights and various degrees and forms of dirigisme and socialism for development – and different constituencies and clienteles – lawyers and Western states for human rights and developing countries with the help of non-governmental organizations and the tactical occasional support of the Soviet Union for development. Beyond these constituencies, development, as mentioned earlier, became a cause, benefited from relatively large resources, and expanded in a number of funds and programmes. Human rights activities, associated with the political units of the Secretariat, located in Geneva, confronted with the open hostility or suspicion of a majority of the membership of the United Nations, barely survived.

As development was occupying the center stage and was the apanage of economists, those – Member States with a social democrat or socialist leaning, non-governmental organizations often of Christian origin and members of the Secretariat with similar inclinations – who had preoccupations with the distribution of the benefits of economic growth looked for concepts and rallying political mottos that could bring peoples at the center of the debate and of the international development strategies that were being drawn. Social development was one of these concepts, with the two main components of social participation and social justice. Social justice became identified, primarily with reference to developing countries, with questions of distribution of income and wealth, distribution of opportunities for work and distribution of opportunities for access to social services, above all education and health. These issues of distribution gave its content to the notion of equity and the pursuit of growth with equity was a widely accepted objective of development.

Work on development, growth and equity, at Headquarters and in the field under the form of technical assistance and other forms of development cooperation, proceeded as if the Universal Declaration and its Covenants did not cover the same issues as rights, for example the right for everyone to “a standard of living adequate for the health and well-being of himself and of his family (...)” (Article 25 (1) of the Declaration). Or, to mention only one other example, studies were undertaken on the respective merits of general education and technical training, and resolutions were passed in the Economic and Social Council on this subject, in complete oblivion of Article 26 of the same Declaration that says that “Education shall be directed to the full development of the human personality (...)”

In parallel, the work on human rights proceeded as if the work on development did not exist. The Committee on Economic, Social and Cultural Rights, established by the Economic and Social Council in 1985 to monitor the implementation by state parties of the International Covenant on Economic, Social and Cultural Rights that entered into force, as the other covenant, in 1976, produced an abundance of reports with a wealth of information on conditions and policies in developing and developed countries, but these reports had, and still have a limited audience, even within the Secretariat and its different departments. And the General Assembly adopted regularly resolutions on economic and social development and resolutions on respect for the economic, social and cultural rights of peoples as if the two subjects had nothing in common.

The perspective of the work on human rights was the individual. The perspective of the work on development, and social justice, was society and international cooperation for development. Social justice, implying some equality in the living conditions of social groups and classes, involved an active role of public authorities. Distributive and redistributive policies were the necessary instruments for societies, and eventually the whole international community, to progress towards social justice. By contrast, human rights, at least the most traditional and, for many people, the most important of them – i.e. “the right to life, liberty and security of person,” the right not to be “held in slavery and servitude,” the right not to “be subjected to torture or to cruel, inhuman or degrading treatment or punishment,” and others fundamental civil and political rights – were historically gained against arbitrary and abusive powers. They imply restraint on the part of public authorities and the possibility for citizens to protect themselves from the authorities that govern them. As traditional moral prescriptions – “Thou

shall not kill (...) Neither shalt thou bear false witness against thou neighbour (...)" – these human rights are stated in the negative. Social justice calls for positive and deliberate actions.

Before going further, it is important to emphasize that this divorce in the United Nations between the work on human rights and the work on development has been, to a significant extent, avoided for the critical issue of the rights and situation of women. It is stated in the publication of the Department of Public Information on Basic Facts About the United Nations that "the Organization has played a leading role in the global struggle for the promotion and protection of women's human rights, and in efforts to ensure that women have equal access to public life and to opportunities in all aspects of economic and social development." This is a legitimate claim. The legislative work on the question, whether from a human rights or from a development perspective, is done by the Commission on the Status of Women and the monitoring of the respect of their obligations by states parties to legal instruments is done by the Committee on the Elimination of Discrimination against Women. These two bodies, one intergovernmental and the other composed of experts, are served by the same unit of the Secretariat in the Department of Economic and Social Affairs. If it remains true that two committees of the General Assembly – the Second and the Third – have competence on the question, it is nevertheless clear that the Secretariat and the United Nations in general have been given a chance to think and act in a coherent manner on the various dimensions of the issue of justice for women.

This is also true for the rights and situation of children, at least in the work of UNICEF, and it is becoming true for two other "categories" of people, namely indigenous peoples and persons with disabilities. The Permanent Forum on Indigenous Issues, a subsidiary of the Economic and Social Council, has a comprehensive mandate and an integrated Secretariat. And the General Assembly is currently drafting a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities, with the assistance of the Department of Economic and Social Affairs working in close cooperation with the Office of the High Commissioner for Human Rights. Lastly, there is some political momentum behind the idea of letting the United Nations do meaningful work on the question of migrant workers. At present, there is on the one hand an International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, that came into force in

2003 but has been ratified by a limited number of countries, and, on the other hand, a mandate of the Commission on Population and Development on the relevant provisions of the International Conference on Population and Development held in 1994 in Cairo. Debates on migrations in this Commission have so far been limited.

Thus, on some issues of great magnitude like the situation of women in the world the United Nations was and remains in a position to act effectively for more justice. And, until the great ideological shift of the mid-1980s, it was also contributing to the general lessening of inequalities that, for some three decades, was one of the characteristics of the post World War II world. As already noted, growth with equity was more than a slogan. The International Development Strategies had a number of distributional objectives, both among and within countries. Developing countries were offered technical assistance to put in place systems of taxation and of social security. All the world conferences that attempted -- in the wake of the Stockholm meeting of 1972 on the question of the environment -- to shape the international agenda and create a global consciousness had at their core objectives of equity and equality among and within countries. The split between human rights activities and development activities was hampering but not rendering totally ineffective the contribution of the United Nations to social justice.

### ***3 The Summit of Copenhagen: an attempt at reconciling social justice and the protection of human rights***

The World Summit for Social Development, convened in Copenhagen in March 1995, was an attempt to put together and reconcile in a coherent vision of the world and its future all the aspirations, interests and ideological currents that were crisscrossing the United Nations at the end of the 20<sup>th</sup> century. The Copenhagen Declaration and Programme of Action represented, in the words of Secretary-General Boutros Boutros-Ghali, “a new social contract at the global level;” it reflected “a sense of solidarity within nations and between nations;” “social problems, which once could be confined within borders, now spread across the world; once considered to be the exclusive responsibility of national Governments, (they) are now of global scale and require global attention.” But, continued the Secretary-General, “the potential for cooperation has never been greater. The east-west divide has disappeared and the north-south confrontation is gradually giving way to a more global approach (...) Not even the strongest economies today can escape the problems of social development, of poverty, unemployment

and social disintegration (...) True and lasting success in putting the Copenhagen agreements into action will require a coalition of all societal actors, working together towards the same objectives. Governments will need to act in partnership with experts, parliamentarians, grass-roots and religious organizations, harnessing their talent and enthusiasm. Together we must continue our collective efforts to help shape a better common future for all nations, communities and people.”

The Copenhagen text is replete with references to social justice (also to justice, without qualifier, but generally with the meaning of just societies), to equity, equitable, equality and equal, and to inequities and inequalities that have to be redressed. Social development is often associated with social justice (“social development and social justice”), as if to impress upon the reader that the second is an intrinsic component of the first. And the societies – developed and developing, affluent and poor -- in which justice has to prevail are not simply oriented towards the production and consumption of goods for better standards of living. They must eliminate extreme poverty and reduce relative poverty, but they must also pursue the goals of full employment, social integration – including all aspects of equality between women and men – and health and education for all. Further, they “must respond more effectively to the material and spiritual needs of individuals, their families and the communities in which they live.”

An “ethical and spiritual vision for social development” is evoked. Ethics and morality is an underlying theme. The notion of responsibility, not only for governments but also for citizens, appears frequently in this text. The need for creativity is mentioned, particularly in the context of the functions of the education systems. And creativity is attached not only to artistic pursuits but also to entrepreneurship, to the functioning of a good and efficient market economy, and to appropriate public policies. In sum, “economic activities, through which individuals express their initiative and creativity and which enhance the wealth of communities, are a fundamental basis for social progress. But social progress will not be realized simply through the free interaction of market forces. Public policies are necessary to correct market failures, to complement market mechanisms, to maintain social stability and to create a national and international economic environment that promotes sustainable growth on a global scale. Such growth should promote equity and social justice (...)”

Social justice and development were, in this text, no longer separated from the respect for and promotion of human rights. Since the “east-west divide” had disappeared, the Western countries were in a position to convince developing countries that, although they still had the “primary responsibility” for their development, they had to conform to international norms, first of all the International Bill of Human Rights. At the beginning of the Copenhagen Declaration, it is stated that “social development and social justice cannot be attained in the absence of peace and security or in the absence of respect for all human rights and fundamental freedoms.” The principles and goals that precede the commitments include this respect for all human rights, together with “the equitable distribution of income and greater access to resources through equity and equality of opportunity for all.” Among these principles and goals are also “equity among generations,” the protection of “the integrity and sustainable use of our environment,” the recognition of “the interdependence of public and private spheres of activity” and of “the importance of transparent and accountable governance and administration in all public and private national and international institutions.”

For developing countries, and for a number of developed countries – notably those with a socialist or social-democrat tradition – human rights are indeed indivisible and include social and economic rights as well as civil and political rights. To mention, in the Copenhagen text or in other declarations of this nature, “human rights,” represents a commitment of the international community to act positively for the realization of the right to food, or the right to education, or the right to social security. It is a commitment additional to the commitments taken on behalf of international development cooperation. Being aware, however, of the controversies that this notion of indivisibility of rights continue to generate, developing countries take the precaution of insisting on the mention of the right to development. Typically, therefore, there will be a reference to human rights and fundamental freedoms, followed by the coda “including” the right to development. This is the case for example in paragraph 26(j) of the Copenhagen Declaration. For other countries, especially the affluent countries with a liberal tradition, human rights are actually identified with civil and political rights. Economic, and a fortiori social and cultural rights are noting more than objectives of countries or specific social groups that have been unduly presented as rights under the pressure of Marxist intellectuals and regimes that were disrespectful of the obligations vis-à-vis their citizens inherited from the Magna Carta, the American Declaration of

Independence and the French Declaration of the Rights of Man and the Citizen. Moreover, these so-called economic and social rights, like the right to strike or the right for everyone to form trade union are transitory and inseparable from certain types of economic, social and political conditions. Economic globalization, the emergence of a knowledge economy and of an economy of services rendered such “rights” obsolete.

For this school of thought, to mention human rights is therefore a shortcut for civil and political rights, including equality of women and men. And to dispel any doubt and make their message fully explicit, these same countries insist on references to democracy, good governance and various forms of transparency and accountability of public institutions. It is then a type of regime, roughly the liberal capitalist democracy, which is presented as a model to the world. The notion of good governance, often used as a code word to evoke a political regime whose main function is to facilitate the interplay of market forces, appeared in the United Nations towards the end of the 1980s and found its way into the text of the Summit before becoming a “*lieu commun*” in international parlance. As to the right to development, mention of it is tolerated by these same countries on the grounds that it is so vague a notion as to be completely harmless. It represents a costless concession to developing countries.

To complete this comprehensiveness, or political syncretism of the text adopted in Copenhagen, international justice, or the pursuit of equality among countries and the reduction of the various gaps that separate developed from developing countries, is a central part of this text. Social development, and notably elimination of poverty, full employment and social integration, demands international cooperation and the creation of an international environment favorable to national efforts. Commitment 1, the creation of an environment that will “enable people to achieve social development,” includes, at the international level, the strengthening of international cooperation, a supportive economic environment through macro-economic policies, trade liberalization and the “mobilization and/or provision of new and additional financial resources.” Commitment 9, on these financial resources, has all the traditional provisions on finance, technology (with, however, the use of the word “flow” instead of “transfer”), on Official Development Assistance, on debt, and has also some new points such as the monitoring of “the impact of trade liberalization on the progress made in developing countries to meet basic needs.”

#### *4 The short life of the commitments made in Copenhagen*

This particular commitment was never acted upon. Actually, all the commitments made at the World Summit, but one, were rapidly forgotten by the most powerful governments and international organizations, including the United Nations. The Forum was not in a position to try explaining the reasons for this fate of a conference that was, at the time and by all accounts, a “great success.” Among the explanations that would need to be sorted out and weighted would be the difficulty of the subject, its comprehensiveness and its lack of appeal for the media, the normal rather short “life-expectancy” of international pronouncements, the conjunction of personalities that made the Summit possible in spite of formidable obstacles and that would have been needed to ensure its follow-up, the change of leaders in various institutions and governments, and, perhaps above all, the evolution of the ideological and political context. The Forum, nevertheless, noted some facts and formulated some hypotheses.

That, for some participants and perhaps even organizers, the successful conclusion of the Summit was an end in itself, is evidenced by the weakness of the provisions for its follow-up. Contrary to what happened for most United Nations conferences of some significance the text did not request a reinforcement or reorganization of the Secretariat responsible for the preparation and implementation of the Copenhagen Declaration and Programme of Action. A vague paragraph (s) of Commitment 9 on supporting an increase of resources for operational activities and strengthening the capacity of the United Nations and the specialized agencies to fulfill their responsibilities in the implementation of the outcome of the Summit, had no effect whatsoever, at least in the United Nations. The relevant unit in the Secretariat was weaker after the Summit than before. There was actually a prior and tacit understanding between the Secretariat and the Member States that this particular conference will have no implications for the regular budget of the Organization. On the intergovernmental side, difficult negotiations were needed for interested countries to obtain from the major contributors that a special session of the General Assembly be organized five years later to review the implementation of the outcome and “consider further actions and initiatives.”

At that special session, in Geneva in June 2000, a report of the Secretariat analyzing rather candidly the lack of implementation of the major

commitments and recommendations of the Summit was debated and the Assembly adopted a resolution with a comprehensive annex in which each commitment taken five years earlier was extensively commented upon. This document included a Political Declaration in which one could read the following: “Social development requires not only economic activity but also reduction in the inequality in the distribution of wealth and more equitable distribution of the benefits of economic growth within and among nations.” In the section on Further actions and initiatives, under Commitment 9, are a number of recommendations on the mobilization of resources for development at the national and international level that amplify those that were adopted in Copenhagen. For instance: “Exploring ways to combat the use of tax shelters and tax havens that undermine national tax systems.” Or: “Exploring ways and means of promoting the micro-and small enterprise sector whereby it becomes a possible vehicle for a new development model.” And, in a coded allusion to the Tobin tax and other proposals to levy taxes at the international or global levels: “Conducting a rigorous analysis of advantages, disadvantages and other implications of proposals for developing new and innovative sources of funding, both public and private, for dedication to social development and poverty eradication programmes.” But, with regard to the monitoring of such renewed commitments and recommendations, the Assembly could only agree to the following: “(...) and request the Economic and Social Council to assess regularly, through the Commission for Social Development, the further implementation of the Copenhagen commitments and the outcome of the special session, not excluding the possibility of bringing together, at the appropriate time, all parties involved to evaluate progress and to consider new initiatives.”

As it had since the Summit, the Commission for Social Development examined each year a particular issue and submitted its conclusions to the Council. There, the specific message of the Summit and of Geneva 2000 tended to disappear into the integrated treatment of all world conferences. Each year also, the General Assembly had an item on the World Summit and adopted routine resolutions. In 2005, ten years after Copenhagen, the Commission for Social Development struggled to elaborate and adopt by consensus a short declaration essentially reaffirming that the Copenhagen and Geneva texts “constitute the basic framework for the promotion of social development for all at the national and international level.” There was no initiative to “bring together all parties involved.” If ten years after Copenhagen do not constitute an “appropriate time,” it is abundantly clear

that, for the membership of the United Nations, the agreement made at the World Summit for Social Development is no longer, if it ever was a source of inspiration and decision.

### *5 The focus on the eradication of poverty*

Such judgment, retort those representing what might be called the mainstream thinking in the United Nations, ignores the fact that the commitment made in Copenhagen that not only was not forgotten but became the centre piece of international cooperation is the eradication of poverty. What was presented in Commitment 2 of the text of the Summit as “an ethical, social, political and economic imperative of humankind” became in the Millennium Declaration a concrete step to “free our fellow men, women and children from the abject and dehumanizing conditions of extreme poverty”, so formulated: “To halve by the year 2015, the proportion of the world’s people whose income is less than one dollar a day and the proportion of people who suffer from hunger; and also, by the same date, to halve the proportion of people who are unable to reach, or to afford, safe drinking water.” And this is followed by related and equally precise objectives pertaining to education, health and urban conditions. These objectives, or targets constitute the first six goals of the Millennium Development Goals, completed by Goal 7 on the environment and Goal 8 on partnership for development.

Thus, as goes the reasoning, the Social Summit has provided the core of the Millennium Development Goals. It has accomplished his role, which was to prepare the terrain for the formulation of an essential component of the strategy of the United Nations, and of the world community at large, for the first part of the 21<sup>st</sup> century. To deplore that the tenth anniversary of the Copenhagen Summit has been neglected, and to draw negative political conclusions from this fact, is to ignore the essential, which is the new prominence on the international agenda of issues that matter directly to people. The reduction and elimination of poverty is an all encompassing goal. For the peoples of the world, for governments and for international institutions, it summarizes, with peace, all dreams, aspirations, and *raison d’etre* of public institutions and policies. Is there a better way to put people at the centre of national and international policies, as recommended by the Summit, than to fight poverty? And the Forum was made aware of additional arguments that strengthen this position:

- The Millennium Development Goals, and singularly the target of reducing poverty by half before 2015, has generated an unprecedented mobilization and cooperation of international organizations, governments and social movements and non-governmental organizations. From the governments of the strongest countries to the poorest and weakest, the MDGs are known, debated and acted upon. There is no better proof of the validity of a policy that such widespread support by public and private agencies, across the world and across national or institutional traditions, ideologies and political orientations.
- These MDGs come from the United Nations, its Secretary General and its General Assembly. They come from an organization with universal membership and which represents the closest approximation, ever, of international democracy. In this case, the United Nations has managed to convince powerful governments and powerful international organizations, notably the Bretton Woods institutions, to accept and follow its leadership. This fact should rejoice all internationalists and multilateralists. With the elimination of poverty, the United Nations has launched a goal commensurate with the ambitions of its Charter.
- To fight extreme poverty and hunger is a concretization of this call for social justice that is so insistent in the text adopted by the Copenhagen Summit. And it is a concretization of the value of solidarity defined in the Millennium Declaration: “Global challenges must be managed in a way that distributes the costs and burdens fairly in accordance with basic principles of equity and social justice. Those who suffer, or who benefit least, deserve help from those who benefit most.”
- The reduction of poverty is the *ultima ratio* of all development efforts. It is an objective that cuts cross economic and social policies. It puts in perspective different approaches such as economic development, social development, or human development, and it exposes the limits of the debates and sometimes quarrels that oppose the adepts of these approaches and disciplines. An economist, a political philosopher, an international lawyer and a sociologist can all agree on the usefulness of lifting people out of material poverty. And, also, it is difficult to conceive of a better bridge between the human

rights perspective and the development perspective than the shared determination to fight poverty in the world.

- To concentrate the developmental efforts of the United Nations and other international agencies on the reduction of poverty is not only most useful to people in their concrete living conditions, but it is also the less intrusive and most respectful strategy from the viewpoint of the developing countries themselves and their governments. To reduce poverty is to provide peoples and their countries with an economic base, from which they can both exert their choices and decide on their future. Notions such as individual autonomy, cultural diversity, respect for the traditions and social mores of communities and nations, make sense and can flourish only when survival is no longer a constant challenge and preoccupation. Again, this is true for individuals, for families, as well for nations. Only with this economic base freedom is possible. To reduce poverty is to promote both social justice and international justice.

However, most participants in the Forum had a different view on the filiation between the Copenhagen Summit and the Millennium Declaration and on the merits of the Millennium Development Goals and their focus on the reduction of poverty. There are important differences in the manner the goal of eradicating poverty has been approached in the Copenhagen agreement and in the Millennium Declaration and Goals. The Summit referred to poverty in the world, whereas the Millennium Development Goals are clearly focused on developing countries, if not on the least developed of them. The Summit requested the formulation or strengthening of national strategies to reduce “overall poverty in the shortest possible time (...) by a target date to be specified by each country in its national context.” By contrast, the Millennium established a global target (understood however as limited to the developing world) of halving the proportion of poor people by a specific date, 2015. The Summit did not “define” the poor. It mentioned “overall,” “absolute,” “extreme” and “relative” poverty, leaving to each country the understanding of these terms. The Millennium defined “extreme” poverty as the condition of those “whose income is less than one dollar a day.” On this basis, the Millennium stated that “more than a billion” people suffered from extreme poverty. The Summit, did not venture an estimate of the number of poor, at least in its Declaration and Commitments. It did so, however, quite illogically, in its Programme of Action, referring to

the same “over 1 billion” figure that had been estimated by the World Bank at the beginning of the 1990s.

Leaving aside controversies on the merits of the “dollar a day” definition and on the accuracy and meaning of the now universally quoted “over one billion poor,” the approaches of the Summit and the Millennium have indeed not much in common. The decision to have a global target by a specific date – already recommended by the Secretary- General in its report to the Millennium Summit – was probably made necessary by the requirements of visibility in a media dominated age. It seems that imagination and enthusiasm were indeed stimulated by this target that looked both ambitious and realistic, as the “halving” gave the impression that calculations had been made to separate the achievable from the ideal. What in the Millennium approach had been gained in simplicity, visibility and appeal, had its drawback in terms of depth, comprehensiveness and rigor. Also, the Forum could not help noting that what was presented as an innovation and a decision requiring political courage – the agreement on an apparently precise objective – had been a long standing practice in the United Nations and other international organizations with consistently disappointing results.

There had been in the last decades of the 20<sup>th</sup> century a large number of targets adopted by various conferences on most aspects of human welfare – from food to education and health and housing – and promising satisfaction to all generally by the year 2000. Such promises were rapidly forgotten. The World Summit itself had resisted the temptation to adopt a target on poverty, but, in its Programme of Action, had no less than fourteen targets on various aspects of education, health and shelter. Most of these had two time horizons, 2000 and 2015 and several have been incorporated in the MDGs. But nothing happened in 2000 in Geneva, or in 2005 at the meeting of the Commission for Social Development, in terms of assessing the degree of realization of these targets. Skepticism on the substantive interest of targets is therefore amply justified. But the Forum was ready to suspend judgment with regard to the Millennium. Perhaps after all, the very exceptional political atmosphere of enthusiastic consensus that has surrendered the MDGs, and the serious effort at monitoring them that has so far been done, will prove to be sufficient to maintain its targets alive. And, it is precisely this political impact of targets that matters most. The Forum had, however, two more fundamental criticisms of the approach to poverty taken in the Millennium Development Goals.

Firstly, the texts of the Millennium Declaration and Goals are extremely discreet on the national and international policies that would be required to progress towards the target of halving extreme poverty by 2015. As to national policies, the Millennium Declaration mentions the creation of an environment – at all levels including the national – which is “conducive to development and to the elimination of poverty.” No further precision is given, except that the meeting of these objectives (development and reduction of poverty) “depends, *inter alia*, on good governance within each country.” There is no mention of economic growth and of the policies that stimulate it, no mention of social policies, nor of fiscal and monetary policies.

This is in sharp contrast with the Copenhagen text. There, as in the Geneva 2000 text, are references to policies that would “address the root causes of poverty,” to policies ensuring that those living in poverty “have access to productive resources, including credit, land, education and training, technology, knowledge and information, as well as to public services, and participation in decision-making,” to policies for the creation of “a regulatory environment that would enable (the poor) to benefit from expanding employment and economic opportunities,” to policies ensuring that “all people have adequate economic and social protection during unemployment, ill-health, maternity, child-rearing, widowhood, disability and old-age,” and to policies ensuring that “national budgets are oriented, as necessary, to meeting basic needs, reducing inequalities and targeting poverty, as a strategic objective.” In the Copenhagen Programme of Action are observations such as “poverty has various causes, including structural ones, (...) is a complex multidimensional problems with origins in both the national and international domains (and for which) there is no uniform solution,” or “poverty is inseparably linked to lack of control over resources, including land, land, skills, knowledge, capital and social connections.” And there is also the crucial commitment to “ensure that, in accordance with national priorities and policies, taxation systems are fair, progressive and economically efficient (and) cognizant of sustainable development concerns.”

The absence, in the Millennium texts, of such policy orientations is hardly explainable by the care for brevity that is a characteristic of the current diplomatic culture in the United Nations. It means, in any case, that existing policies, including those that international institutions and particularly the Bretton Woods institutions recommend or impose to developing countries,

are expected to promote the reduction of poverty. It means also, implicitly, that economic growth alone – without purposeful public distributive and redistributive policies – will reduce poverty. And economic growth itself – also implicitly – will stem from the liberation of economic forces unimpeded by regulations and constraints and operating in national markets progressively or brutally integrated into global markets.

International policies, or the creation of an international environment to facilitate development and the eradication of poverty, are more present in the Millennium texts than recommendations for national policies, but in a manner that is both general and less “committing” than what was done in the Copenhagen agreement. To ensure that globalization “becomes a positive force for the world’s people” is seen as the “central challenge” of the day. In now usual fashion in international circles, as was done in Copenhagen and even more clearly in Geneva at the special session of the General Assembly, globalization is presented as offering “great opportunities” and “great challenges” as its “benefits are very unevenly shared while its costs are unevenly distributed.” Thus, says the Millennium Declaration, “only through broad and sustained efforts to create a shared future, based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable.”

This is admirable language, but those efforts are not further defined and the Millennium Goals have nothing even remotely evoking a management of the globalization process for the general interest of humankind. Similarly, “good governance at the international level” is not further elaborated and the measures that industrialized countries are to take in favor of the least developed countries – from “duty-and quota-free access” to their exports to the “granting of more generous development assistance” – aim indeed at creating a favorable economic environment for these least developed countries but in a sort of circular fashion as they are dependent on “demonstrable commitments” of these countries to poverty reduction. The recommended cooperation with the private sector is perhaps potentially useful for development and poverty eradication, but at this point there is still need to gather enough evidence of this meeting of capitalist interests with the problems and concerns of the poor. Again, and as already mentioned, the Copenhagen and Geneva texts were far more demanding towards the rich countries of this world and far more opened to new institutions, new developments in international laws and new global arrangements to create more social justice in the world.

Secondly, to reduce and even eradicate poverty would be a great step towards social justice, but it would not exhaust this quest. Policies to reduce poverty are not synonymous with policies to promote equity and equality. To the contrary, an exclusive focus on poverty and the poor can lead to a perpetuation and even aggravation of inequalities. To single out part of a population as “poor” is always to take the risk of segregating these individuals and families, in their own eyes and in the eyes of society. To be designated as poor, to see oneself as “different” from others is disempowering. All the more so today that the old clichés of laziness, inability to work and other personal defects of character have reappeared as common explanations of the causes of individual poverty. And public charity remains charity, though without the element of empathy that private charity often entails. Organized and targeted assistance to lift individuals and groups out of poverty is efficient, it seems, only when it is an adjunct to an overall economic and social policy directed at growth and equity. Moreover, the poor/non poor dichotomy is somehow artificial as it does not correspond to the reality of poverty. The “poor” do not make a homogenous and unchanging group. There are indeed, in developed and developing countries, peoples who stay poor all their lives and families that are destitute through generations, but they are also people who move in and out of poverty, people who are so marginalized that they are beyond the reach of public administrations, and people who, while being just above the defining threshold – for instance the one dollar a day – are experiencing much of the same living conditions than those below this threshold. And the pertinence of a focus on poverty and the poor is even less obvious when these poor people represent the majority of the population of a country.

The Copenhagen text put the eradication of poverty in the context of a reduction of inequalities. To emphasize this point again, the national policies and strategies that individual countries were to put together were to reduce inequalities and eradicate absolute poverty “by a target date to be specified by each country in its national context.” And paragraph (f) of Commitment 2 reads as follows: “(We will) Seek to reduce inequalities, increase opportunities and access to resources and income, and remove any political, legal, economic and social factors and constraints that foster and sustain inequality.” Also, this commitment on the eradication of poverty is not separable, in the text and spirit of this Summit, of the other commitments on full employment, social integration, access to education and health, equality between women and men, and creation of a favorable international

environment. The links between the pursuit of the goal of full employment and the reduction of poverty is particularly stressed. The Millennium Declaration does not include the words “employment”, “unemployment” or “underemployment” and has, only in its “second” set of resolves the clause “to develop and implement strategies that give young people everywhere a real chance to find decent and productive work.” This is part of the Millennium Development Goals and has not been neglected. The United Nations, the ILO and the World Bank are collaborating on a specific project on this issue. But nobody would pretend that it exhausts the issue of employment and work in an age of global markets.

However, the point to note in the context of this discussion is that the texts of the Millennium take the reader from a rather elevated invocation of principles of equity and social justice to “dry” targets. The introductory section of the declaration not only lists six “fundamental values” but is rich in concepts and expressions, such as “shared future,” “common humanity,” “asset of humanity,” “culture of peace and dialogue among all civilizations,” “prudence,” “responsibility,” “equity and social justice,” that evoke the language of the Summit and proceed from the same political philosophy that inspired the authors of the Charter and of the Universal Declaration of Human Rights. The text of the Declaration is actually more easily readable and more consistently elegant and inspiring than the text of the Social Summit, as it was much less negotiated. Even in the section on Development and poverty eradication, which has only one reference to equity (a-propos the trade system), one to equality (gender equality) and none to social justice, one can assume that the mention in the first paragraph of the commitment to “freeing the entire human race from want” encapsulates all the dimensions of justice for the peoples. Then, the goals, targets and indicators of the MDGs are couched in the sober and “non-philosophical” language of economists and statisticians.

For the believers in the virtues of the Millennium Declaration and Goals, this deductive sequence from values and principles to precise targets is precisely the model of how international agreements, which are not treaties but more than a catalogue of good intentions, should be. What is the best expression of a commitment to equity and social justice than the decision to cut poverty in the world by half? Why have a long text repeating *ad nauseam* values or principles that are very general and on which there is in any case a universal agreement? And if there is no consensus on the understanding and practical implications of some of these values and principles, what purpose is served

by their evocation? Is it not preferable to have an objective of cooperation with pharmaceutical companies for access to affordable essential drugs in developing countries – and to make concrete progress in this direction – than to insist on, for instance, a legislated code of conduct for multinational companies, which is both an unrealistic and bad idea? Is it not this same cooperation with the private sector eminently useful to facilitate the dissemination of Internet to peoples of developing countries? Is it not such dissemination a tangible and appreciated expression of global social justice?

Again, the holders of an equalitarian ideology would like to see in such texts a denunciation of the growing “gap” between rich and poor countries and of the growing inequalities between rich and poor peoples in most national settings. But, whatever one thinks of those gaps and income differentials, it is certainly more appropriate, rather than state those generalities, to develop a rule-based and non-discriminatory trade system and, among other targets, to build schools for universal access to primary schooling. And, if it was possible to have a consensus on such targets in the Millennium Declaration and Goals, it is precisely because care was taken to avoid divisive and ideologically charged pronouncements. Moreover, this is not an “ordinary” but a sincere and committed consensus. There are many difficulties for the realization of the Millennium Development Goals, but the commitment of all, notably the main economic and financial powers, cannot be doubted. Such commitment has even remained strong in a context of a growing preoccupation of these powers with security in the wake of repeated terrorist undertakings.

This type of apologia of the Millennium approach could be extended, but the ultimate argument of its proponents is that it was not only the best but the only possible approach, given the powers relations and political configuration that prevail at the beginning of this 21<sup>st</sup> century. This is a strong argument. And an argument that was certainly in the minds of some of the key players in the organization and holding of the World Summit for Social Development when they decided to focus on this particular commitment to eradicate poverty and, for all practical and political purposes, to let the others commitments fell into oblivion. This was clear in a number of the concluding statements made in Copenhagen in March 2005, notably by delegations of western countries and of international agencies and funds, most particularly the World Bank and the UNDP. The Summit had taken place when the great ideological and political transformation that shook the world from the mid-1980s was already in full swing. For some idealists, or

politically naïve, this was the beginning of a new era in international cooperation for the building of a just, prosperous and peaceful world community. They thought it was significant that a document accepted by so many heads of State or Government appeared to mix so happily the “old” and the “new,” social justice and economic freedom, active state intervention in society and vibrant market economy, social democracy and tamed and regulated global capitalism, solidarity and competition, international cooperation for development and regulated economic and financial globalization. These idealists – members of the Secretariat, of NGOs and of some delegations -- knew that this syncretism was a utopia, but they thought it was a mobilizing utopia that would guide the efforts of all actors in the building of a viable world community.

But others players, including certainly the most influential, knew that the only objective –or goal, or commitment – fully acceptable to the now dominant view of the world and its future was the eradication of poverty. For a convinced neo-liberal, the liberation of all initiatives and energies from constraints imposed by governments and archaic social structures will provide opportunities for work and employment and *ipso facto* reduce poverty. Those who for one reason or another will be unable to seize these economic opportunities will be rescued by safety-nets. Similarly at the international level, developing countries will have a chance to take off economically and socially if they open their borders to trade and investment and integrate the world economy. Aid and assistance will be provided to those countries that, least-developed or low-income, are temporarily unable to do such integration. With this thinking, justice is essentially the provision of equal opportunities to all, individuals and countries, to exert their initiative and talents and to be rewarded accordingly. Social justice, with its redistributive connotations and evocations of a “society” having a sort of preeminence over individuals, is suspect. It is a concept that should be avoided or emptied from its content. Equality is equality of opportunities and also equality of rights, notably for women, but certainly not anything evoking equality of conditions. Equity, is a vague but convenient concept and a good substitute for the word Justice, which, with or without a capital “J”, is a bit grandiloquent when applied to something else than the judiciary. And the eradication of poverty is all the more acceptable as a goal that it is the normal outcome of free markets and good functioning of economies, including the world economy.

A variant of this way of thinking, very influential at the time of the Copenhagen Summit, was the human development approach. Briefly, this approach, where “human” replace “social”, seeks to achieve growth with equity and to account for all aspects of human welfare. The performance of governments and countries is then assessed by reference to an index which is less crude than the traditional gross national product per capita. Centered on the individual and on a benevolent vision of human affairs whereby, with good intentions and political will, a “human face” can be put on most aspects of modernity, including globalization, this approach was elaborated in opposition to the concept of social development, seen as interventionist, old-fashioned and vaguely socialist in its orientations. Perhaps because of its novelty and also because of its paternalistic and somewhat intrusive overtones, the human development concept did not find its way into the Copenhagen Declaration and Programme of Action. Its proponents, however, played an important role in the concentration, or reduction of the outcome of the Summit on the issue of eradication of poverty and in the related weakening of the concepts of social development and even of social policy, both concepts being associated with redistributive social justice and state intervention.

Two years after the conclusion of the World Summit for Social Development, the Agenda for Development was published by the United Nations. Conceived as a pendant of the Agenda for Peace, its preparation in the Secretariat had been concomitant to the preparation of the World Summit, but it had been negotiated for several years before being finally adopted by the General Assembly in June 1997. Comprehensive and ambitious, it has a policy framework where development is identified with sustainable development and has three components: economic development, social development and environmental protection. Social development is presented as agreed at the Social Summit, with equal emphasis on the three major commitments of eradication of poverty and hunger, employment and social integration. The adoption of this Agenda for Development, however, was lived by many of those involved more as a relief for the conclusion of a long and arduous process than as a useful step for a fruitful international cooperation. It was getting difficult to even attempt a cohabitation, if not a reconciliation of the familiar conception of development and international cooperation with the new and aggressive orthodoxy.

If it proved still possible to do just that in Geneva in 2000, it was because the Secretariat and a few delegations work hard to keep alive the message of the

Social Summit and because the main powers decided to let this celebration take place in full awareness that there will be no further follow-up. At the same time, with the issuance of the report of the Secretary General in preparation of the Millennium Summit, the stage was set for the presentation of the Millennium Declaration and the subsequent Millennium Development Goals as both a synthesis of past efforts, notably the results of the conferences held by the United Nations in the 1990s, and a blueprint for cooperation and the role of the United Nations in the 21<sup>st</sup> century. As noted earlier, the ten-year review of the Social Summit was reduced to a few days debate in the Commission for Social Development and the short statement issued by this Commission is unlikely to have any impact on the deliberations of the General Assembly in September 2005. The report of the Secretary General in preparation of this meeting is focused on the relations between development, security and human rights and development is understood as presented in the Millennium Declaration and Goals. Social development and social justice are not part of this document. It is presumably assumed that the goal of reducing poverty summarizes and expresses the essence of past concepts and efforts.

## Chapter 6

### **ARE INTERNATIONAL JUSTICE AND SOCIAL JUSTICE POLITICALLY OBSOLETE CONCEPTS?**

There are the increases of various types of inequality, the changes in the orientations of the United Nations pronouncements on matters of justice and development, and there is also the shift in the international language. Words such as equity, equality and redistribution have largely disappeared from mainstream United Nations documents, as have the words compassion and solidarity. Social justice appears only once in the Millennium Declaration. And the closing of the development gap between developed and developing countries is no longer a mobilizing objective. What are the reasons for this decline of once powerful ideas? Is it a temporary decline due to the current political configuration in the world? Or is it the manifestation of profound societal changes? Have the people of various regions, notably the poor and the middle class, lost interest for matters of equity and justice? Or is the apparent change in the spirit of the time simply reflecting the domination of a new international upper class?

#### *1 Less redistribution because of lack of resources?*

Indeed, rates of economic growth were in the 1980s and 1990s on average below those achieved in the 1960s and 1970s and, in addition, were very unevenly distributed. Apart from the former Soviet Union and Eastern and Central Europe where, for years, the national income actually declined, there was no growth in most of Africa and Latin America – in the latter region income per capita was on average the same in 2003 than in 1998 – whereas large parts of Asia grew very fast. By contrast, there was no such unevenness of economic performance in the previous period: growth occurred in the developing world in the 1960s and 1970s, including in Latin America and in Africa, and so did average levels of living, at least when the demographic pressure was not too extreme. Thus, a number of countries, developed and developing, had less resources than before to allocate among competing sectors and social groups.

Yet, this observation needs to be qualified in several respects. The world as a whole was wealthier in the 1990s or now than it was in the 1970s. There was

therefore no financial justification for the general advice and injunction to curb public expenditures and reduce social transfers that was given *urbi and orbi* from the 1980s onward by international organizations, particularly the international financial institutions. Moreover, the countries with less economic growth were not always those where governments reduced their involvement in matters of distribution and redistribution and let inequalities and inequities follow their course. To the contrary, and to stay with that aspect of inequality which is the distribution of income, countries with a worsening income distribution were also those with the most steady and high economic growth, notably the United States of America. And other countries with very slow growth managed to keep or improve towards less inequality their patterns of income distribution.

To this argument, it will be retorted that one of the reasons why certain countries experienced high rates of economic growth is precisely the determination of their governments not to meddle with the “natural” distribution of income and assets resulting from the “normal” interplay of market forces. In short, economic justice would be promoting economic growth, whereas social justice would be an impediment to such growth. This is far from being an irrelevant point. Suffice to say here that there are counter examples of countries with dynamic economies and high levels of social justice. Trade-offs are rarely as straightforward as those anxious to prove their point or promote their interests would like them to be.

It cannot be denied that most countries, including the developing countries, were relatively more wealthy in the 1990s than they were in the 1970s and *a-fortiori* in the 1950s and 1960s when comprehensive welfare schemes were put in place or at least seen as an objective to be reached as soon as possible. Decisions on the size of the national income allocated for public use and on the relative priority of various objects of public expenditure and public transfers reflect political choices. These choices are generally incremental, as few governments have ever the possibility or the misfortune to be able to make decisions from a *tabula rasa*. But incremental choices, for instance a 0.5% growth of the defense budget repeated for several budget cycles, result in very significant shift of resources. The same is obviously true for decisions modifying the tax system so as to reduce level of taxation of the high income groups. Once these choices are made, their effects are presented as the results of constraints that nobody has the capacity to overcome. In recent years, a global shift of resources in favor of the private sector has occurred and a number of governments have started to allocate

relatively more of their resources for military and security purposes. Such choices might be analyzed, and the ease with which they were and are accepted, notably in affluent countries, is certainly intriguing, but the decline of international justice and of social justice cannot be attributed to an overall dwindling of resources that would have occurred during these recent decades.

## ***2 Different policies accounting for different patterns of distribution***

Policies do matter. It is useful to risk this truism particularly because it is sometimes forgotten that *laissez faire* is a policy. Provided it is not the unintended result of governmental and administrative incapacity, the non-intervention of a government in the economic life is as much a deliberate policy as is a policy to orient investments towards certain sectors or to protect one's agriculture through price support and controlled imports. The Forum identified three broad types of policies that were pursued during these last decades with regard to issues of distribution and redistribution: policies ignoring distributional issues or deliberately creating more inequalities; policies aiming at maintaining or improving distributional patterns; and policies too weak to resist the various forces generating inequalities.

### *(i) Policies directly accounting for the rise of inequalities*

The countries, most prominently the United States of America, that have given its shape and orientations to the global political agenda of the last quarter of the 20<sup>th</sup> century, have pursued domestic policies with a number of ingredients aiming at giving a free rein to economic forces. With varying degrees of emphasis, these ingredients were the following: on tax structures, a reduction of their progressiveness, including through a shift from direct to indirect taxes, a fall in the average income tax rates through cuts at the top of the income distribution, and a reduction of corporate taxes and taxes on unearned income; on public expenditures, a reduction of the share of social programmes, such as unemployment compensation and old-age pensions, thus diminishing public transfers to low-income households; on finance, a deregulation provoking a shift in the distribution of national income in favor of profits and revenues and rents derived from financial transactions, including of course speculation; and, on the power and influence of different socio-economic groups and classes, an actively promoted decline of the trade-unions. The latter had numerous consequences, including less resistance of workers and employees to insecurity of employment, imposed

by employers under the rationale of the flexibility of the labor force required by economic competition, a *de facto* abolition of the right to strike and the neglect of labor standards and minimum wages, and the political feasibility for governments and employers to slice the proportion of national income going to labor.

In a very different economic, social and political context, the countries of the former Soviet Union and Central and Eastern Europe also gave freedom to entrepreneurial and capitalist forces, and, again in a different context, major countries of Asia, notably China and to some extent India and also Pakistan, albeit with many nuances, pursued the same policies. In these countries, increased inequalities, not only in income but also in assets and in access to essential services, were the accepted if not intended results of policies oriented towards the views and interests of the economic and financial elites.

(ii) *Policies aiming at avoiding the rise of inequalities*

It was indicated in chapter 3 that a majority of Western European countries, and also the Republic of Korea and a few countries of Latin America managed during this period to keep stable or even make more even the distribution of income of their population. The governments of these countries did not pursue economic and financial policies radically different from those of the leaders of the neo-liberal approach to the management of human affairs. They did not seek economic independence and certainly did not try a new model of economic development. To the contrary, and to the dismay of their critics on the left of the political spectrum, they opened further their economies to foreign and transnational capital and influence, they privatize many public assets and public services and they more or less abandoned the idea that public authorities had the responsibility to conduct industrial policies, investment policies, income policies, and even research policies.

But, holding to some or perhaps the essential of their traditions ranging from conservative liberalism to liberal and social democracy, these countries manage to maintain some balance between the interests of the big corporations and the interests of the majority of their population. They refrain from writing off from their social and political processes unions that were already weakened by the shrinking of their traditional industrial base. They kept some form of collective bargaining on the distribution of the fruits of economic growth between labor and capital. They maintain the basic

features of their tax and welfare systems. Their governments continued to act on the assumption that the general interest was more than the sum of the private interests that had enough influence to be heard. They tried, with an uneven degree of success, to harmonize the requirements of social cohesion with the needs of economic initiative and entrepreneurship.

*(iii) Policies of countries with a limited range of options*

Large and small and representing a great variety of economic, social and political conditions, developing countries, with a few exceptions, still have in common a limited weight and say in world affairs and a limited capacity to conceive and implement their own policies. This condition is of course relative, for in an interdependent world no country can pretend to full autonomy, but there is still a clear political line of demarcation between the “developing” and the “developed” parts of the world. When, to use the words attributed at the beginnings of the 1990s to the then leader of a large country of Latin America, neo-liberalism became “the only game in town,” developing countries had little choice but to open their economies and societies to the dominant ideas and forces. Governments of the South were pressed to reduce or to avoid building their control over the interplay of domestic and foreign economic and financial actors. Such free interplay, without the checks and balances provided by distributive and redistributive public policies – “distribution and redistribution being understood comprehensively to include not only income but also power and influence – logically led to more economic and social differentiation and more inequality.

This picture of passivity and quasi-victimization of the developing world by external forces playing the role of the colonial powers of the past need to be nuanced in at least two respects. Firstly, a number of governments were unconcerned by, or accomplices with ideas and strategies that were maintaining domestic social and political structures. The idea that equality is an idea universally intelligible and cherished is an illusion sometimes entertained by intellectuals of Western background. Respect for social rank and economic and political power is actually a more “natural” and certainly a more widespread sentiment. Justice, social justice in particular, is a conquest. More on this below, but the point here is that a number of governments were very receptive to the message they heard from international advisers and consultants that the increase of income and other “differentials” brought by the opening of their markets to transnational

forces was a necessary and temporary phase of the process of accumulation and development. Secondly, a few governments of the developing world, not only of socialist obedience, tried to continue to pursue their own strategies of development and to strike some balance between growth and equity and economic openness and independence. Their efforts certainly deserve attention and support.

The above three types of policy stances were outlined from the viewpoint of inequalities within countries. But the same ideas which, imposed upon or accepted *volens nolens* by a majority of developing countries were a source of aggravation these inequalities within countries were also the main cause of the deepening inequality between the rich and the poor parts of the world. The integration into a global economy governed by liberal principles necessarily deepened inequalities between the strong and the weak, at least in the short and medium term. An open and neutral playing field, involving players of very uneven strength, leads to the domination of the strongest. Rules applicable to all have replaced various preferential systems, which means that at the international level also economic justice, understood as “to each country according to its capacities and strength,” tends to supplant social justice. Several features of this social justice at the international level, notably official development assistance, technical assistance, efforts at debt relief, are still alive but with limited support from the main players. And the emphasis on the least developed countries, logical as it may be from the perspective of the new global compact between developed and developing countries, has connotations of charity that parallel the emphasis on humanitarian action seen as a substitute to social development.

### ***3 A great political and intellectual transformation with deep implications for the idea of distributive justice***

These national and international policies briefly evoked above were giving effect, tempering, or riding along a set of ideas with revolutionary power. A political and ideological shift of great magnitude has indeed swept the world since the mid-1980s. Prepared by various intellectual currents, one of which having been the rise of the monetarist school among economists, fed by the power, prestige and accomplishments of the United States of America during the course of the 20<sup>th</sup> century, made possible by the coming to power in this same United States and in the United Kingdom of charismatic political leaders with a conservative and in many respects both reactionary and revolutionary agenda, greatly facilitated in its dissemination throughout the

world by the collapse of the Soviet Union and, perhaps as importantly, by the tremendous changes in the techniques of communication, this shift and transformation certainly marked the end of the 20<sup>th</sup> century and the beginning of a new era. For some, it was even the “end of history,” but subsequent events tragically evidenced the fallacy of this judgment. All the ideas that presided over this revolution were certainly not new. It has been argued that the world is “simply” finding again the course set by the Enlightenment and the American and French revolutions. Interrupted by two world wars and by the aberrations of Fascism and Communism, this course was now restored. This is probably again a too linear vision of history, but what matters most in the context of this discussion is that, old or new, these ideas had and still have a remarkable appeal and politically transforming power.

If one word had to be selected to qualify this transformation and its appeal, it would have to be freedom: the freedom to produce, exchange and consume the fruits of human activity, which is lived as the freedom of the individual to operate in a society that do not put obstacles to his or her initiative and let him or her “be.” In terms of political economy, this is translated as the freedom of market forces in the organization of society. In this logic, perceived obstacles to the exercise of such freedom, as the control of movements of capital across borders, or the taxation of profits and capital, or more generally the public regulation of the activities of private corporations, are combated and, to a great extent eliminated.

In the same logic, the idea, dominant in national and international political and intellectual circles since the great economic depression of the 1930s, that the State had precise responsibilities in the economic and social domains that could include the public appropriation of certain means of production and in any case interventionist economic policies and extensive redistributive policies financed by progressive taxation, was denounced as passé. And, more decisively for the spreading and depth of this transformation/revolution, freedom is perceived by people across the world in a very tangible and simple manner as the possibility to find work and income, the possibility to attend a good university, the possibility to see the world and its wonders, and the possibility to escape the constraints of an often narrow social milieu. That such aspirations and dreams often turn out to be illusory – and one think in particular of the countless number of migrant workers who look for an El Dorado and find a nightmare – is, from

the perspective of the people concerned, a moot point. Freedom includes opportunities and risks.

Social justice has little place in this perspective and discourse. And neither has international justice, at least in its redistributive aspects. Individuals and nations do their best, compete and succeed or fail. A charitable hand might be extended to those who fail, and sometimes a second chance, but certainly not a permanent support. And, as suggested by the history of ideas and political changes, the popularity of this vision or ideology has been nourished by the shortcomings of the ideology that had been since a century an alternative, a competitor and, during a significant period after World War II, a dominant view of the organization of societies and the world. For lack of any succinct formulation of this alternative, it might be labeled the social-democratic ideology. At the last meeting of the Forum, it was asserted, with an expression of regret, that social democracy, as an idea and a project, was dead. There are still in the world a number of successful social democratic regimes but social democrat political parties are short of new ideas and are everywhere on the defensive. This death sentence might however be as imprudent as the judgment of an end to history and social democracy will perhaps, and for many should have a rebirth even with a different name and a renewed doctrine.

In any event, the victorious neo-liberalism (this word is used here also for lack of a succinct alternative that would capture the truly liberal, the often conservative and even resolutely reactionary, and the sometimes revolutionary characteristics of the regimes that embody the dominant ideology), could easily capitalize on the real or perceived failures and shortcomings of the social democratic approach to government. There was the problem of high levels of unemployment, and this problem still gravely affect a number of affluent countries that are otherwise reluctant to espouse all the tenets of the neo-liberal doctrine. This failure is all the more damaging that these same countries, and social democrat and socialist regimes in general (not to mention communist regimes) were accused, often rightly, to neglect this freedom of initiative and related reward that has been called here economic justice. With this neglect, social justice took a soft image. It became associated with the protection of the weak, the social rewarding of personal failures and, at the limit and with the help of the propaganda of the opposite camp, it was seen as an encouragement to laziness and social dependency. Courage, dynamism, enthusiasm and optimism, responsibility and faith in the capacity of human beings to

overcome adversity and have successful lives, all these sentiments virtues once attached to the quest for social justice became the attributes of liberalism, or rather, for those unfamiliar with such abstractions, of regimes and societies perceived as incarnating its values. Youth itself, as an age-group and as an attitude and a value, tended to abandon the old-fashioned dream of social justice.

The same problems, and the same resulting disaffection, occurred with the idea of international justice and the ambition of closing the gap between developed and developing countries. The normal difficulties of the process of development were interpreted as failures requiring a complete change of strategy, the latest of these being the rapid and complete integration of all economies, including the poor and small, into the world economy. Occurrences of misuse of financial and technical aid by the recipients and by the donors were construed as indicative of a basic flaw in the very idea of international cooperation for development. Instances of corruption were publicized as suggesting an overall incompetence and malevolence of governments and public institutions in general. Deficiencies of public services were taken as an invitation to weaken them further and replace them by private institutions. Reluctance of transnational corporations to be subjected to an international code of conduct was perceived as a sufficient reason to rely only on voluntary and non-binding commitments.

For each of these developments, one could find a partial explanation in the weaknesses of the previously dominant theory and practice. For instance, the once widely accepted public-oriented, plan-inclined and interventionist approach to development grossly neglected the role of what is called the private sector of the economy. It confused in the same suspicion large corporations and the multiplicity of small and medium enterprises that constitute the essential of the social fabric of a society. It transferred its reluctance towards the idea of profit to a misunderstanding and neglect of the basic drive of every human being, and every well-functioning society for work and creativity. Similarly, those individuals, experts, non-governmental groups and international institutions that were sincerely committed to the development of the then Third World often let their thoughts and actions be shaped by an excessive idealism and faith in the a-priori benevolence of those who had suffer great injustice in the distant and recent past and were still in a position of political inferiority. On these grounds, realism and sometimes cynicism can easily flourish and a conception of international justice as fair competition in an open field can prevail.

#### *4 The dangers of a world indifferent to justice*

A common reaction to the suggestion that justice is no longer a concern for the dominant political elites is to remark that history is made of cycles, each period correcting the excesses and imbalances of the previous one. Such judgment, usually made by persons who do not suffer from excessive interest in political doctrines and issues, implies a fatalistic or providential view of history. It implies also a detachment from action. And it is fundamentally conservative. It seems more appropriate, especially at the current juncture, to consider trends as modifiable and problems as solvable. There is no guarantee that the world will modify its course and evolve towards less violence and less injustices, but positive changes will not occur without thinking and without political action.

Another common reaction to the current state of affairs is the comfortable belief that everything is dependent on a change in the political majority of a few leading countries. The election of parliaments and governments with a leaning on the left of the political spectrum would bring back issues of justice. This hope is not without foundation, but meaningful political action has to be based, even implicitly, on some coherent view of the state of the nation – and of the world in an age of interdependence – and on a perception of the desirable. With regard to justice, social as well as international, it is assumed here that its neglect is not only due to the domination of countries and social classes whose interests are well served, in their estimation if not objectively from the impartial spectator viewpoint, by the present state of affairs. This is indeed the case, but the formulation of an alternative, or even of correctives to the apparent decline of the idea of justice demands that many conceptual and political problems be addressed and many questions be properly formulated. Focusing on the likely consequences of a continuation of present trends, the Forum identified a number of problems.

At a certain level of inequality among the groups or classes of a society, social mobility is hampered. It is generally assumed that for their harmonious functioning, and perhaps for their survival under conditions of freedom and creativity, societies require a degree of social mobility within a given generation and even more so from one generation to the next. And education, often accompanied with geographical mobility, has traditionally been the privileged means to move from one station of life to a better one.

The increase of inequality in access to quality education mentioned in chapter 3 is an obstacle to this mobility in poor and affluent countries alike. In some of the latter, it seems that, through a conjunction of increase in the incidence of extreme poverty and increase in various forms of inequality, an average individual has now less chances to move upward on the social ladder than twenty-five years ago.

Lack of social mobility, combined with high income inequality and low political participation, leads to a segmentation of societies. Social groups identified by their level of income and wealth, by their geographical location, by the common ethnic origins of their members, or by a combination of several of these and other factors, become *de facto* separated. They coexist more or less peacefully within the borders of a country but they have less and less in common and do not communicate with each other. Such segmentation or atomization of society is a prelude to social disintegration, which is in turn one of the surest roads towards authoritarian regimes. At the international level, the marginalization of a number of countries also leads to a segmentation of the world, to violence and to attempts at order through domination that are antithetic to the notion of an international community.

Also at a certain level of poverty and income inequality among people, combined again with absence of political involvement for the lowest groups on the social ladder, the basic equality of rights that is fundamental to democratic societies tends to become meaningless. The marginalized individuals and groups are no longer in a position to exert or even to have a perception of their basic rights and fundamental freedoms. Then the progress evoked above on “horizontal” forms of equality, including progress in equality between women and men, is emptied of its content. As for the question of mobility, the threshold in inequality that provokes this incapacity to enjoy one’s basic rights varies in time and space and is difficult to determine. But it seems that in a number of societies the risks of such marginalization and alienation are mounting.

Excessive inequality is even an obstacle to economic growth, or more precisely to the broad based and sustained growth that the United Nations and other international and regional organizations see as a requirement for sustainable, inclusive and people centered development. High rates of growth can be obtained through activities that are socially and morally questionable and through methods of organization and management that are

prohibited by the Universal Declaration of Human Rights. But growth in democratic and free societies is oriented towards the aspirations and needs of all and facilitated by a maximum and voluntary participation in economic activity. Such participation is incompatible with extreme poverty and hampered by excessive inequality.

Besides social mobility, social cohesion and economic growth, there are others elements of society, which might be called basic organizing principles and also entertain close and complicated relations with justice, seen itself as one or the main of such principles. In *A Theory of Justice* John Rawls gives particular attention to “coordination”, “efficiency” and “stability<sup>13</sup>.” These elements of the social structure are tightly connected to justice for, says Rawls, the following reasons: “In the absence of a certain measure of agreement on what is just and unjust, it is clearly more difficult for individuals to coordinate their plans efficiently in order to insure that mutually beneficial arrangements are maintained. Distrust and resentment corrode the ties of civility, and suspicion and hostility tempt men to act in ways they would otherwise avoid. So while the distinctive role of conceptions of justice is to specify rights and duties and to determine the appropriate distributive shares, the way in which a conception does this is bound to affect the problems of efficiency, coordination and stability.”

It is true, as frequently noted by people reasonably satisfied with their station in society and with the position of their countries on the international scene, that intellectuals of all times and all cultures have always detected and deplored signs of “distrust,” “resentment,” “corrosion of the ties of civility,” and others societal weaknesses and failures. But the price paid for not paying attention to Cassandra can be extremely high. Besides, in this particular case, the intention of Rawls was above all to place the search for social justice on solid philosophical grounds. Can such a need in the world of today be seriously denied?

In the same work, Rawls identified two “principles of justice” that should “apply to the basic structure of society and govern the assignments of rights and duties and regulate the distribution of social and economic advantages.” First principle: “Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.” Second principle: “Social and economic inequalities are to be arranged so that they are both: (a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and (b) attached to

offices and positions open to all under conditions of fair equality of opportunity.<sup>14</sup>”

Liberal and social democracies are built upon such principles, with large differences in the relative emphasis placed on the second principle and different understandings of the nature and modalities of the critical links between the two principles. And, of course, principles of justice are both theoretical foundations and ideals that societies never completely and securely achieved but that governments and their citizens have the responsibility and duty to pursue. But it seems that there is regression in many aspects of the application of these two principles, particularly the second principle regarding the proper “arrangements” of social and economic inequalities.

One aspect of this second principle as formulated by Rawls is the question of “just savings principle.” It deserves to be highlighted here because of its importance and because one of the signs of the indifference towards social justice is the silence on the concentration and utilization of wealth. It is for instance noticeable that international texts on the eradication of poverty are remarkably discreet on developments at the other end of the income and wealth ladder. Attitudes towards wealth and its uses are critical at all times and for all societies. There are moral issues, stemming from the obligations and responsibilities that most traditional philosophies and religions assign to those that have more than others. There are political issues, related to the difficulties that democratic States -- even those that have an egalitarian view of the general interest -- encounter in maintaining or establishing progressive tax systems and redistributive policies. And there are economic issues, pertaining to the use of wealth for consumption and investment. Capital formation remains key to sustained economic prosperity and development, including the prevention and reduction of poverty.

The reasons why some countries invest more than others, and more or less at particular times of their history, are difficult to fully comprehend but the behavior of the rich 10, 5 or 2% of the population is one of the explaining factor. There is no automatic link between the rise of profits and the propensity to save and invest productively. The view that if a minority of people get rich, or richer, society will automatically get richer, is not always verified either. It seems that if a minority of the population owns too large a share of the national income, capital formation goes down. It was also noted at the Forum that in the Keynesian tradition, investment should be seen as a

social tax on profit. In recent years, in the most affluent countries, the income of wealth of the leaders of the private sector has reached – by the standards informally developed since the industrial revolution – extraordinary levels, and it might be appropriate for governments and international organizations concerned with equity to look again at the “just savings principle.”

Moreover, not only principles of justice seem to be increasingly transgressed in societies that were built on them, but the recognition of their importance and the acknowledgment of their existence appear to be in question. Other organizing principles of society and the world, such as the reign of force, are finding their way back in the political discourse. Retributive justice involves the legally authorized and codified use of force. But neither social justice nor international justice can be brought by force.

## Chapter 7

### CONCLUDING NOTES ON THE ROLE OF THE UNITED NATIONS

Among the current doctrinal orientations of the United Nations, the Forum, trying to inform its judgment with the spirit of the Charter and the Universal Declaration of Human Rights, identified six particularly positive points from the perspective of a greater justice in the world:

- The emphasis on the close links between respect and promotion of civil and political rights and economic and development is welcome and important. Even if concepts such as good governance call for reservations, notably because its relations with good government are not clarified, and even if the word democracy is used with a certain looseness, the bringing back together of the pursuit of fundamental freedoms and of the drive for improved standards of living is critical. Peace, development and human rights are indeed inseparable and it is essential for the future of humankind that the United Nations proclaims this message *urbi and orbi*.
- Related and equally critical is the message that national sovereignty and non-interference in domestic affairs can no longer be invoked by governments to escape the consequences of abuses perpetrated on their citizens. Provided it is the fruit of the development of international law under the aegis of the United Nations, and provided it is applicable to all, some form of what has been called the “right of intervention” will have to be elaborated. The development of humanitarian law is a progress reflecting the slow emergence of a global consciousness and awareness that respect for human rights and human dignity should ignore borders. The establishment of the International Criminal Court is a step towards international justice.
- The notion of equality of rights, a foundation of social justice, is an important part of the international discourse and, overall, is probably gaining grounds, at least in the global consciousness. Progress towards the ineluctable gender equality has been repeatedly mentioned. Other groups traditionally discriminated against and having now some hope for equal rights are indigenous peoples, persons with handicaps or disabilities, and, hopefully soon, migrant workers. And, cutting across gender and specific groups, the idea that, irrespective of their social and economic position, all members of the human family have “equal and inalienable rights” seems to be slowly

penetrating different societies in different parts of the globe. Inherited ranks and privileges are probably less and less frequently invoked to claim special treatment before the law. Or, at least, such claims are made less frequently with the sincere belief that birth or acquired social position *ipso facto* confers special rights. Conversely, people at the bottom of the social ladder, in terms of social status and income, are more and more aware that they should benefit from the same rights and the same equality before the law than their wealthier and more fortunate compatriots. Thus, the view that only differences in income and wealth provide a legitimate justification for social hierarchy and social classes, and also provide the only legitimate source for differentials in access to various goods and amenities, seems to spread across the world. And, at least in principle, this social stratification by income and wealth is not only consonant with, but calls for equality of rights.

- Recent texts of the United Nations, including the Millennium Declaration, insist also on the notion of equality of opportunities. For countries, this is understood as the provision of an “even field” in arrangements for trade, finance, patents and other aspects of international relations so that all have the possibility to join the world economy. In theory, if they have difficulties integrating this world and global economy, they have only their wrong or defective policies to blame. It can be argued that international justice has a better chance to be promoted through this approach based on responsibility and partnership in a context of openness than through the traditional North/South relationships. These were suffering from a mix of confrontation and paternalistic attitudes inherited from colonialism. It is more dignified for developing countries to struggle for fair rules of the games in trade and finance than to be begging for assistance and aid. In any case, the latter still exist – of late, it has even been increasing – but is now concentrated on poor countries, otherwise labeled least-developed or low-income countries. Again, this is in line with international justice, for justice has to include an element of gift and charity. But such international charity is conceived as temporary, for the objective of international organizations is to bring all nations into the mainstream of the global economy. Ultimately, the distinction between developed, developing and least developed should become obsolete as all countries – and regional groupings – compete and cooperate along changing patterns.

- For individuals and groups, and here lie the most common understanding of the notion, equality of opportunities means essentially absence of discrimination and creation of a “climate” of social freedom in which each can choose his or her calling and have the activity and pecuniary reward corresponding to his or her talents, efforts and other personal attributes. Absent from the Charter and the Universal Declaration of Human Rights, the notion appeared in the International Covenant on Economic, Social and Cultural Rights, in two articles pertaining to work and conditions of work. In Article 6, there is the recognition of the “right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts.” Article 7(c) refers to the “Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no consideration other than those of seniority and competence.” In recent United Nations texts, this concept of equality of opportunity goes beyond issues of work and employment to become a general organizing principle of society. It is the modern and somewhat technical equivalent of the notion of economic justice, which is itself a traditional dimension of distributive or social justice as a basic aspiration of human beings. It is the “to each according to his talents and deeds” as opposed to the “to each according to his needs.” It is also a key aspect of the question of equality between women and men. And a key dimension of democracy, as understood in the Anglo-Saxon political culture. By focusing the understanding of equality on this equality of opportunity and the related economic justice, the United Nations meets a profound and probably cross-cultural human concern and aspiration. In simple terms, those who have initiative and talent should be fairly rewarded and entrepreneurship should be adequately recognized and recompensed.
- Lastly, the new doctrinal orientation of the United Nations on matters of development and social justice has the great merit of recognizing the role of “non-state and non-public” actors in the economic and social evolution of societies and of the world as a whole. Launched by the Rio Conference on Environment and Development, confirmed by the Copenhagen Summit and the Beijing Conference on Women and Development, the participation of organizations of the civil society in the normative and operational work of the United Nations is now firmly established. The modalities of this participation need clarification and improvement, but, at present, few governments

would argue of the intergovernmental nature of the United Nations to deny representatives of non-governmental organizations the right to formulate their views on world affairs. If there is any hope to have, one day, an international and global democracy, its seeds are certainly to be found in the Organization of the United Nations. All the more so that since a few years an important effort has been made to establish contacts between the United Nations and the private sector. At this point, there are a number of imbalances in this relationship.

Transnational corporations, with their enormous power and their close links with some governments, are in a position to reject any attempt at regulating their activities. Their respect for international law, notably the International Bill of Human Rights and the ILO conventions, is left to their good will. They are *de facto* above national laws and, globally, they are subjected only to the rules of behavior that they establish themselves. The United Nations is, vis-à-vis the corporate world, in a demanding position, as evidenced by the language used in the Millennium Development Goals: “cooperation” is sought with these corporations, as if they were public entities with attributes of sovereignty. Yet, this beginning of a dialogue between the diplomatic culture and the corporate culture through the United Nations is a positive development. It will hopefully generate a reflection on these very notions of “public” and “private” sectors. The public sphere can no longer pretend to have a monopoly on the definition and protection of the general interest, or common good. The private sphere can no longer pretend to alone embody freedom, creativity and efficiency. And justice, including social justice, can no longer be the sole responsibility of public institutions. Indeed, it does require the active involvement of all segments of society.

Problems with current trends and current public policies, notably of international organizations, have been amply evoked in this work summarizing and interpreting the debates of the International Forum for Social Development. Rather than repeating them in these concluding notes it seems more appropriate to indicate succinctly the domains, additional or complementary to those listed above as positive development, in which the United Nations could consider deepening its reflections and enlarging its debates.

- Universalism, in its secular sense, needs to be revisited and openly debated. This notion, central to the normative role of the Organization has been battered by a number of currents including moral and

cultural relativism, and, at the other extreme unilateralism. Respect for pluralism, so critical to preserve and enhance the richness of the world, has to be harmonized with respect for universal principles and norms. If there is a plurality of conceptions of justice, the determination of an intangible and universal core of rights, freedoms and duties is all the more necessary, and it is all the more important to open largely the forums and processes through which this determination ought to be made.

- The question of the foundations of the concept and conception(s) of justice, particularly distributive or social justice, is difficult but should not be avoided or left to moral philosophers. The various religious and philosophical origins and understandings of this notion so fundamental to any human grouping could usefully be exposed and debated in the framework of the United Nations. There are roughly four different foundations for justice: divine and revealed law, positivism (what is legal is what is just), the idea of social contract and the application of the principle of utility, or utilitarianism. Rawls, in the tradition of Kant, builds his reasoning on the social contract idea. But the other traditions, including the first two have a revival that even challenges utilitarianism, the dominant approach adopted two centuries ago by the Anglo-Saxon culture. More reflections and debates on these questions is relevant to the question of universalism and pluralism. But it is also relevant to knowledge and therefore to better understanding among people. It has been said that the opposite to violence is not benevolence, but thinking.
- If justice, understood as social justice and international justice, can be accepted, or reaccepted as a or the main organizing principle(s) of society and the world, some common understanding of the values and virtues that are supportive or at least not incompatible with it will have to be reached. For instance, is frugality, or simplicity, or, to use a concept dear to Hume, is moderation a virtue that would help bringing more justice to the world? Moderation would most probably help the protection of the environment and therefore help justice for future generations. But, among other questions that the setting of the United Nations should help addressing candidly, what will become of economic justice if simplicity is a value and moderation a moral norm applied to economic activities? The sentiment that humankind urgently needs to expand, deepen and enrich its spiritual, moral and political horizons is not uncommon and, from the viewpoint and findings of this limited inquiry, not unfounded. The role of the United

Nations in defining and propagating such enrichment ought not to be underestimated.

- Freedom and justice have always entertained problematic relationships. Their reconciliation is at the heart of all theories of justice based on secular premises and their antagonism is at the core of most personal and political conflicts. This is an issue that is “perfectly” settled only by the suppression of one of the protagonists – and sometimes of both – and that needs to be addressed relentlessly with the duty and the hope to find a reasonable compromise. And such compromise will always be fragile, for justice and liberty are in the realm of the passionate and are affected, in their conceptions and exercise, by practically all the elements that make a society and shape international relations. The current terms of this conflict are not all different from those of the past, but the stakes are perhaps greater as the world is both increasingly small and in some respects increasingly fragmented. To risk an imprudent generalization, freedom seems to have at present gained, so to speak, the “upper-hand.” But is freedom still a luxury and are injustices still the daily cross to bear by the multitude? And how is freedom understood and lived? Has it kept for the average citizen of today some of its traditional links with the search for moral and professional excellence? As a working hypothesis, one would have to assume that the promoters of freedom as a crude competition between perpetually dissatisfied and greedy individuals and nations are making a fundamental mistake. In the hearts and minds of the men and women of today’s societies, freedom and justice are both cherished. It is the duty of organizations such as the United Nations to help them and their States.

## NOTES

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<sup>1</sup> See *In larger freedom: towards development, security and human rights for all*, Report of the Secretary-General, United Nations, General Assembly, A/59/2005, 21 March 2005

<sup>2</sup> John Rawls, *A Theory of Justice*, Revised Edition The Belknap Press of Harvard University Press, Cambridge, Massachusetts, 1999, p6

<sup>3</sup> Ibid, notably p4 ,5

<sup>4</sup> For a succinct explanation of the views of Karl Marx on justice, see *A Dictionary of Marxist Thought* , Second Edition, Edited by Tom Bottonmore, Blackwell, Cambridge, Massachusetts, 1991. See in particular the entries on Justice and on Equality

<sup>5</sup> This notion of “impartial observer” has been used by Adam Smith, notably in *Theory of Moral Sentiments*

<sup>6</sup> See Report mentioned above, para 159, p40

<sup>7</sup> See *World Bank Atlas*, 36th edition, The World Bank, Washington DC, USA. The other data included in this section were taken from the regional studies prepared for the last meeting of the Forum held in New York in October 2004. These studies are available upon request at the Department of Economic and Social Affairs of the United Nations Secretariat, Division for Social Policy and Development

<sup>8</sup> The data included in this chapter were also taken for the regional studies mentioned above

<sup>9</sup> See Giovanni Andrea Cornia...World Institute for Development Economics Research (WIDER),

<sup>10</sup> Lima Declaration and plan of Action on Industrial Development and Cooperation, Adopted by the Second General Conference of Unido at its final planary meeting, UNIDO, Printed in Austria, June 1975, para 28

<sup>11</sup> United Nations Millennium Declaration, Resolution adopted by the General Assembly at its fifty-fourth session, September 2000. The Millennium Development Goals, derived by the Secretariat from this Declaration were not formally adopted by the General Assembly. There were however debated by the Assembly at each of its sessions since 2001. These Goals a re reproduced in the Annex below.

<sup>12</sup> Apart from the Declaration itself and its two covenants, inspiration for the meaning of the notion of human rights has been drawn essentially from Paul Sieghart, *The LawfulRights of Mankind*, Oxford University Press, Oxford New York, 1986. See also, among others the work of Mary Ann Glendon A *Woprl d Made New, Eleanor Roosevelt and the Univesal Declaration of Human Rights*, Random House Trade Paperbacks, New York, 2001

<sup>13</sup> John Rawls, op cit, See in particular Chapter v Distributive Shares

<sup>14</sup> Ibid, p 266