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報告者: Pierre Sané 氏 (同志社大学特別招聘教授)

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Research Institute for Languages and Cultures of Asia and Africa (ILCAA),
Tokyo University of Foreign Studies

Poverty as a violation of human rights

By Pierre Sane

Distinguished Visiting Professor

Doshisha University (Kyoto)

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Dear friends,

My assertion tonight is quite simple. It is that poverty should be considered as a Human right violation and as such abolished. This is the most effective way to eradicate it.

Why do I say that?

First if there is a central challenge to be addressed at the beginning of this 21st century it is the realization of the right proclaimed in article 28 of the Universal Declaration of Human Rights:

“Everyone is entitled to a social and international order in which the rights and freedoms set forth in this declaration can be fully realized”.

Secondly my own professional background and life commitments have been in Human Rights through development research for 15 years at the International Development Research Centre of Canada, through advocacy for 10 years as Secretary-General of Amnesty International and through standards development and policy formulation for 10 years at UNESCO. In other words I have been actively campaigning for global justice for the past 35 years. This has led me to the conclusion that campaigning for Human rights is the best strategy for attaining peace and justice in the world.

Article 28 of the UDHR: The Goal of Global Justice

Article 28 of UDHR is ultimately about global justice, global development and global governance. Art. 28 indeed anticipated globalization by providing it with an ethical grounding. And in this respect, I think we can all agree here that the effectiveness of governance, justice and development should be measured in the end from the perspective of the communities and the individuals and how their rights, welfare and wellbeing are affected. ALL of their rights. And not just by the performance of the balance of payments or the transparency of the electoral systems, or the independence of the justice system. These are means to an end.

This raises therefore 3 interrelated questions, which I would like to address briefly throughout my remarks.

- 1 Can we have global development without global ethical governance?
- 2 Can we have global justice in an unequal world i.e. without global development?
- 3 Can we have global governance and global justice (i.e. global development) without global citizenship? i.e. global Human Rights.

These are the issues raised by the challenge of Art. 28.

These 3 questions are difficult because they take us from one political space, which is the nation state to another one, which is the global space. When we refer to development and citizenship historically the reference has been the domestic market and the nation state, and the State as the dominant actor. Development has been historically a project of the State providing protection behind borders to nascent industries, using monetary policies to direct investments, consumption and savings, organising the education system, integrating research to production engaging in trade diplomacy. Further, citizens have been the citizens of the State with democracy and solidarity limited to those recognized by the State as its citizens. At the global level you may have a global market but not a process of global development because the latter requires redistribution of a mandatory nature in other words it requires ethical governance at the global level. The same applies to global citizenship and global solidarity. This would require that democracy and accountability be organized at the global level. It requires transcending the egoism of nations, allowing the free flow of people alongside the free flow of goods, capital and profits. It requires organizing the sharing of the resources of this planet among all its inhabitants.

The Human Rights revolution

In my view it requires the relentless pursuit of the only strategy, which will allow us to build such a world from below, the only strategy, which today provides the vision and direction to arrive at that, which is universal Human Rights.

The Human Rights revolution has been long in the making but it has entrenched the notion of individual freedom, it has defeated institutionalized racism, it has provided the moral impetus to end slavery, colonialism, and the oppression of women, the practice of torture. Step by step it is entrenching in the minds of peoples the equal worth of every human being and the need to organize society and international relations around that imperative.

I am not saying it is a linear path. There are obvious set backs = genocides, wars of aggression, violence against women still exist. But they are considered today for what they are – they are violations of Human rights.

One central challenge today to Article 28 that could bring us close to global development and global citizenship is the struggle against and the victory over global poverty and the involvement of as many people as possible in that global struggle.

Poverty figures

We should all be aware that the striking feature of our civilization, as it globalises around the aspiration of unprecedented prosperity, is the persistence and even increase of poverty. It is an overwhelming fact: poverty affects half of the world's population. It is spreading: the vast majority of the 2 to 3 thousand millions human beings by which the world's population will increase before the end of this century will be exposed to poverty. It is putting an alarming pressure on the environment and global equilibrium. The figures are apocalyptic: 11 million children die each year before the age of 5 due to poverty, 150 million children under the age of five suffer from extreme malnutrition, and 100 million children live in the streets. And our world puts up with it.

What we must note is that nearly three billion people receive only about 1.2% of world income, while one billion people in the rich countries receive 80%. An annual income transfer of 1% from one group to the other would suffice to eliminate extreme poverty. In fact, the transfer continues to operate in the opposite direction, despite efforts towards debt reduction and development aid.

Causes of poverty

We know by now or at least we should know that poverty is not a fate to be alleviated by international charity or aid. It is not a question of economics only. We know that poverty does not just reflect poor peoples' lack of self-reliance or their inability to compete in a free-for-all of supposedly equal opportunities. Poverty does not persist solely because of incompetent, corrupt governments that are insensitive to the fate of their population. No. Fundamentally, poverty is at once the cause and the effect of the total or partial denial of human rights at the global level. It is a question of global justice.

As was recognized at the International Conference on Human Rights held in Vienna, in 1993, there is an organic link between poverty and violation of human rights.

You may ask how we link them. What is the nature of this articulation? How do we assess the effectiveness of the articulation in the struggle against poverty? How do we analyze poverty from a human rights angle but more importantly how do we analyze human rights from the perspective of the poor? What are the implications for action?

Poverty as a human right issue.

Well let me call your attention to the Universal Declaration of Human Rights. This Declaration points us to what should be if we want peace and justice in this world. You see, when we talk about poverty we talk about lack of access, lack of resources, deprivation of capabilities, lack of power for some in societies where others do have access, do have resources, capabilities and power. We are therefore talking about inequalities. Inequality is a human right issue. Art. 1 of the Universal Declaration of Human Rights says we are all born free and equal in dignity and right. For the children of the poor this statement of fact made 60 years ago is STILL a gross fraud.

When we talk about poverty we do not talk about groups or classes in society. We talk about masses, about figures, about people who are voiceless and hence invisible, in other words people who are denied their individual dignity. Now the preamble of the Universal Declaration of Human Rights starts by recognizing that dignity is inherent to all members of the human family. When you take that away you exclude those people from the human family, here again we are talking about human rights.

The preamble further states that the highest aspiration of humankind is the attainment of a world freed from terror and misery. That aspiration is blatantly defiled by the persistence of poverty. Here again we are talking of human rights.

The issue therefore is not poverty. The issue is human rights, all human rights, political and social. It is about achieving universality in the regime of implementation so that no one is excluded (Art. 7). It is about monitoring and combating violations so that all can get protection and redress under a regime of law (Art. 8). It is about exercising reason and conscience and act towards each other in a spirit of brotherhood (Art. 1). It is about creating a social and international order that makes possible the enjoyment of all the rights contained in the Universal Declaration of Human Rights (Art. 28). It is about effective implementation of Art. 30 which stipulates that nothing in the Declaration can be interpreted as giving a right to anyone to take an action aimed at the destruction of the rights and freedoms contained in the Declaration. It is about Art.25:

“Everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

The violations of human rights here are the policies, legislations and actions (or lack of) that constitute breaches of the state’s obligations encapsulated in the international human rights treaties it has ratified. I am talking here of any policy, legislation or public action (national or international) which plunges whole categories of people in situations of poverty, maintain them in that state or prevent them from overcoming that condition. I am talking here about global governance.

Abolition.

Such violations must be abolished; poverty therefore must stop. The claim sounds naive; and may even bring a smile to many lips.

Condescension would however be misguided as well as inappropriate. There is nothing to smile at in distress, misery, dereliction and death which march in grim parade with poverty. We should, indeed, be ashamed. But the issue is also substantive: the abolition of poverty is the only fulcrum that offers the leverage to defeat poverty.

Leverage, in this case, comes from investments, national and international reforms, and policies to remedy the deficiencies of all kinds that are the backdrop to poverty. Fortunately, humanity now has the means to answer the challenge: never have we been so rich, so technically competent and so well informed. But in the absence of a fulcrum, these forces cannot act as effectively as they might, and without this fulcrum political will cannot be galvanized to organize redistribution on a global scale.

If, however, poverty were declared to be abolished, as it should with regard to its status as a massive, systematic and continuous violation of human rights, its persistence would no longer be a regrettable feature of the nature of things. It would become a denial of justice. The burden of proof would shift. The poor, once they have been recognized as the injured party, would acquire a right to reparation for which governments, the international community and, ultimately, each citizen would be jointly liable. A strong interest would thus be established in eliminating, as a matter of urgency, the grounds of liability, which might be expected to unleash much stronger forces than compassion, charity, or even concern for one’s own security, are likely to mobilize for the benefit of others.

Abolish in order to eradicate.

By endowing the poor with the rights they are entitled to, the abolition of poverty would obviously not cause poverty to disappear overnight. It would, however, create the conditions for the cause of poverty to be enshrined as the highest of priorities and as the common interest of all – not just as a secondary concern for the enlightened or merely charitable. No more than the abolition of slavery caused the crime to vanish or the abolition of political apartheid ended racism and discrimination, no more than the abolition of domestic violence or genocide have eliminated such violations of the human conscience, the legal abolition of poverty will not make poverty disappear. But it will place poverty in the conscience of humankind at the same level as those past injustices the present survival of which challenges us, shocks us, and calls us to action.

The principle of justice thus implemented and the force of law mobilized in its service are of enormous power. This, after all, is how slavery, colonialism and apartheid were ended. But while colonialism and apartheid were actively struggled against, poverty dehumanises half the planet to a chorus of utter indifference. It is, undoubtedly, the most acute moral question of the new century to understand how such massive and systematic violations, day in, day out, do not trouble the conscience of the good people who look down upon them. While equality of rights is proclaimed, growing inequalities in the distribution of goods persist and are entrenched by unjust economic and social policies at national and global levels

To deal with poverty as a violation of human rights means going beyond the idea of international justice – which is concerned with relations between states and nations – towards the creation of global justice and global development, which applies to relations between human beings living in a global society and enjoying absolute and inalienable rights – such as the right to life – that are guaranteed by the international community. Such rights do not belong to the citizens of states but, universally, to human beings as such, for whom they are the necessary conditions of life on the planet. The principle of global justice thus establishes the conditions for a fairer distribution of the planet's resources between its inhabitants in the light of certain absolute rights, thus making global development possible.

Human Rights in a violent way

At the end of the day, there is a simple choice. Not between “pragmatic” approaches, based on aid granted by the rich to the poor, and the alternative sketched here. The real choice is between the abolition of poverty and the only other way for the poor to obtain rights, which is for them to take them by force. Needless to say, the latter solution usually causes misery for all: social strife, rampant crime, fundamentalism, mass uncontrolled migration, smuggling and trafficking are the only things to flourish. But what moral basis do we have to demand moral behaviour from people to whom we deny any opportunity to live a healthy life? What rights have we to demand that they respect our rights? The sombre option will become increasingly likely if nothing is done – or too little, as tends to be the case with pragmatism, however deserving.

And what are the threats of this sombre perspective? We are all familiar with them: security states established to control migrations and migrants, with those controls eventually extended to citizens; security laws to confront “terrorists” that eventually curtail freedoms of all; mounting xenophobia, political alignment with blood, race and religion which eventually undermine democracy; “preventive” wars to grab and control natural resources leading to chaos, lawlessness and insecurity for all. Such a global world obviously is undesirable for the majority of the world population. The options thus reduce to a single choice, which is the only one compatible with the categorical imperative to respect human rights: to abolish poverty in order to eradicate it and to draw from this principle all the consequences that free acceptance of it implies. The proclaimed abolition must, first, create rights and obligations, and thereby mobilize the true forces that can correct the state of a world plagued by poverty and injustice. By simply setting an effective and binding priority, abolition changes the ground rules and contributes to the creation of a new world. Such is the price to pay to give globalisation a human face; such is also the greatest opportunity for global development that we can hope to grasp

A human rights strategy

Ultimately, the way is to mobilize public opinion and the global citizenry for a universal human rights regime that is within our grasp. Its emergence has been lengthy – very lengthy. From the Universal Declaration of Human Rights to the Rome Conference that established the International Criminal Court and to the emerging norm on the “Responsibility to protect”, the emergence of universal justice has been defiled by acts of barbarity that have grossly infringed human dignity. Now, however, the legal instruments are there, and step-by-step experiments and initiatives give hope. It remains to energize political will by unceasing mobilization, true thinking, the contributions of experts and support for the victims.

What promises does such global justice bear? Let me quote Nobel Laureate Jose Saramago: “Were such justice to exist, there would no longer be a single human being dying of hunger or of diseases that are curable for some but not for others. Were such justice to exist, life would no longer be, for half of humanity, the dreadful sentence it has hitherto been. And for such justice, we already have a practical code that has been laid down sixty years ago in the Universal Declaration of Human Rights, a declaration that might profitably replace, as far as rightness of principles and clarity of objectives are concerned, the manifestos of all the political parties of the world.”

Globalization and Universal Human Rights

So to come back to my three questions:

Is global development possible? Yes, on condition that we realize that we only have one planet not six; that we all understand and accept that all human beings have the same aspirations to live decently and in peace and that this planet belongs to all of them.

Is Global development necessary? Yes because the alternative unequal development is too bleak to consider. We have to choose: Global development or global barbarism?

As for global solidarity it will only exist when we all adhere to the Manifesto of Human Rights, when we join the planetary party of Universal Rights, when we make the earth our nation and derive from these pledges the ethical, moral and legal imperatives for our daily action.

Universal human rights are the most promising route to achieve a just world order that is all rights for all and through all.

And global governance can only be legitimate and for that matter desirable if it is founded on these premises.

References

Freedom from Poverty as a Human Right, 4 vols., Paris: UNESCO Publishing & Oxford: Oxford University Press, 2007-2009.

Vol. 1. Thomas Pogge (ed.), *Who Owes What to the Very Poor?*

Vol. 2. Thomas Pogge (ed.), *Theory and Politics*.

Vol. 3. Bard A. Andreassen, Stephen P. Marks, Arjun K. Sengupta (eds.), *Economic Perspectives*.

Vol. 4. Geraldine van Bueren (ed.), *Law's Duty to the Poor*.