

Global Justice, Poverty and Human Rights

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Human Rights as a Minimal Conception of Justice

A minimal condition for the **justice** of any institutional order is that it not foreseeably produce massive and foreseeably avoidable human-rights deficits.

Human Rights as Moral Claims on Institutional Arrangements

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

Article 28, *Universal Declaration of Human Rights*, 1948

The Recognized HR-Correlative Duties (of States)

With special priority on **states' duties to their own citizens**:

1. (negative) duties to **respect** HRs
2. (positive) duties to **protect** HRs
3. (positive) duties to **fulfill** HRs

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 - b) to facilitate (OHCHR 1999, right to food)

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 - b) to facilitate (OHCHR 1999, right to food); often with the phrase “progressive realization”

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With special priority on states' duties to their own citizens:

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a) interactionally

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HR-Correlative Duties

Without special priority on states' duties to their own citizens:

1. (negative) duties to respect HRs
 - a) interactionally
 - b) **institutionally, at national and supranational levels**

With special priority on states' duties to their own citizens:

2. (positive) duties to protect HR
3. (positive) duties to fulfill
 - a) to provide
 - b) to facilitate

First Step

#1. Under the present rules of the world economy, the human rights of most people foreseeably remain unfulfilled.

#2. It is foreseeable that most of this human rights deficit would be reasonably avoidable with an alternative design of these rules.



#3. The present rules of the world economy foreseeably produce massive human rights deficits and are therefore gravely unjust.

World Poverty Today

Among 7.4 billion human beings, about

795 million are **chronically undernourished** (*SOFI Report 2015*, pp. 4,8,10,17),

>2000 million **lack access to essential medicines**

(Nyanwura & Esena, “Essential Medicines Availability And Affordability”),

748 million **lack safe drinking water** (*MDG Report 2014*, p. 40),

>1000 million **lack adequate shelter** (OHCHR, *The Right to Adequate Housing 2014*),

>1200 million **lack electricity** (World Bank, <http://go.worldbank.org/6ITD8WA1A0>),

1800 million **lack adequate sanitation** (*MDG Report 2014*, p. 45),

781 million adults **are illiterate**

(www.uis.unesco.org/literacy/Pages/literacy-data-release-2014.aspx),

168 million **children (aged 5 to 17) do wage work outside their household** — often under slavery-like and hazardous conditions: as soldiers, prostitutes or domestic servants, or in agriculture, construction, textile or carpet production

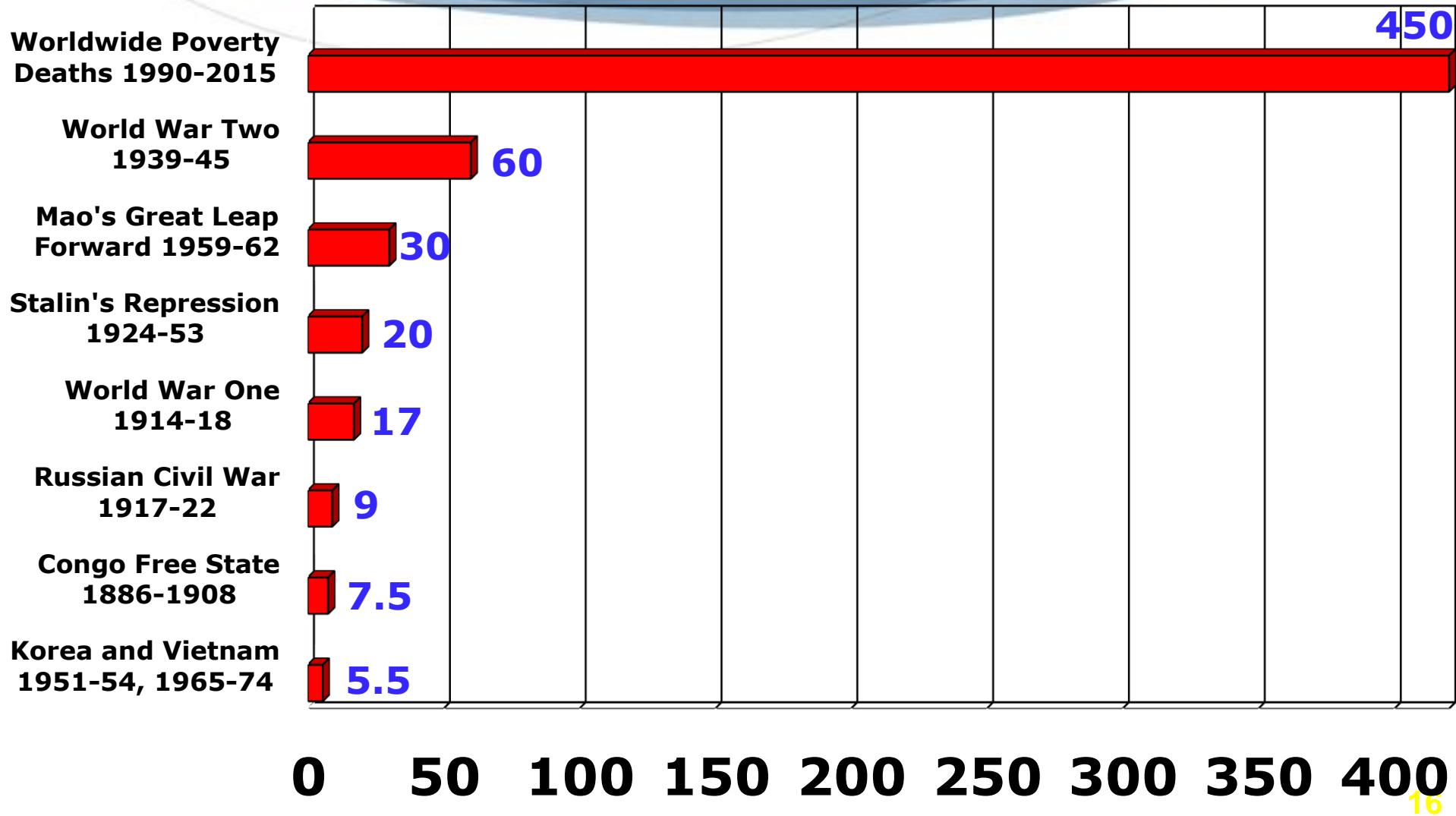
(ILO: www.ilo.org/global/topics/child-labour/lang--en/index.htm).14

At Least a Third of Human Deaths

— some 18 (out of 57) million per year or 50,000 daily — are due to poverty-related causes, in thousands:

diarrhea (2163) and malnutrition (487),
perinatal (3180) and maternal conditions (527),
childhood diseases (847 — half measles),
tuberculosis (1464), meningitis (340), hepatitis (159),
malaria (889) and other tropical diseases (152),
respiratory infections (4259 — mainly pneumonia),
HIV/AIDS (2040), sexually transmitted diseases (128).

Millions of Deaths



The Human Right Least Realized

“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services....”

Article 25(1), *Universal Declaration of Human Rights*, 1948

First Step

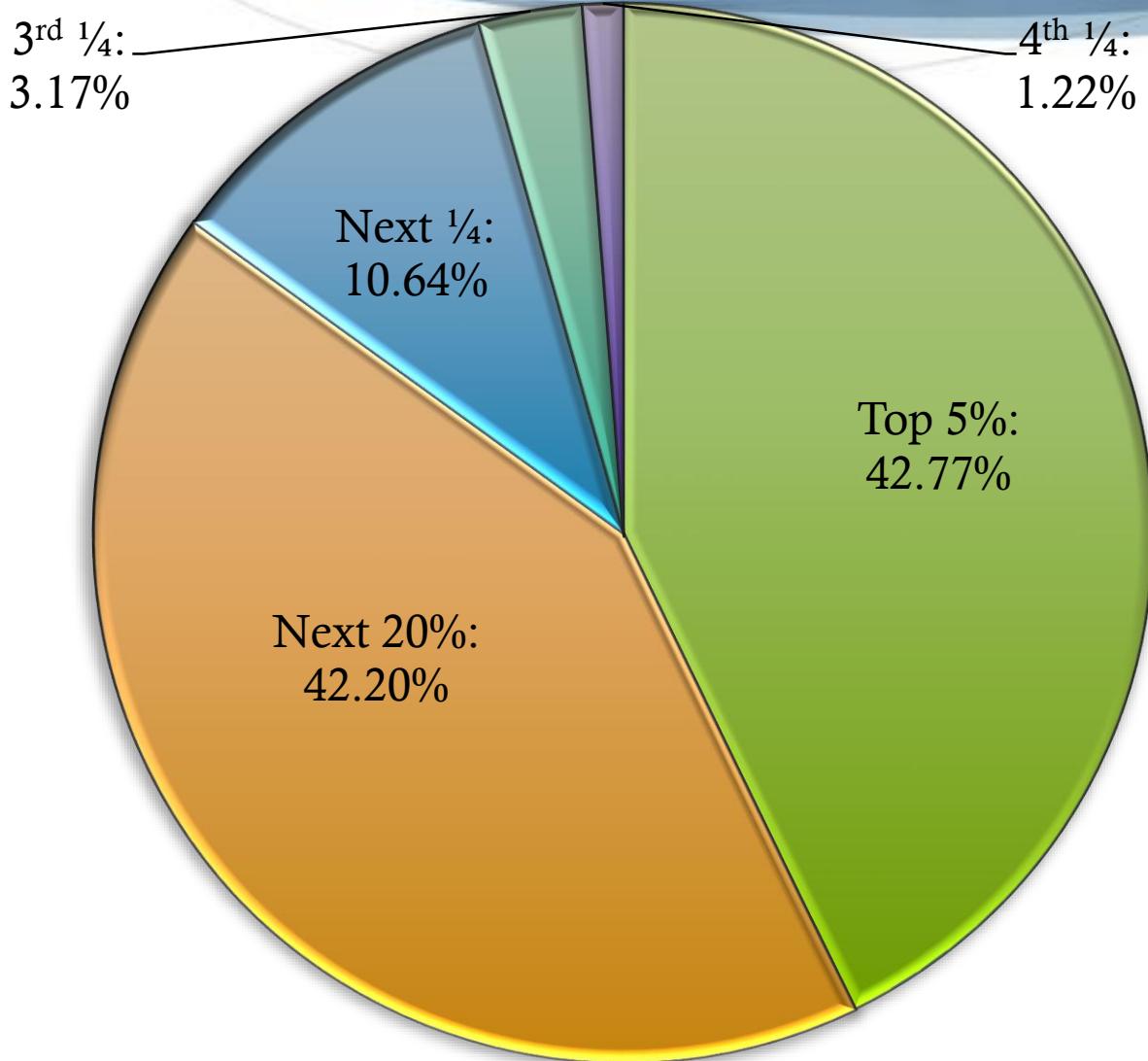
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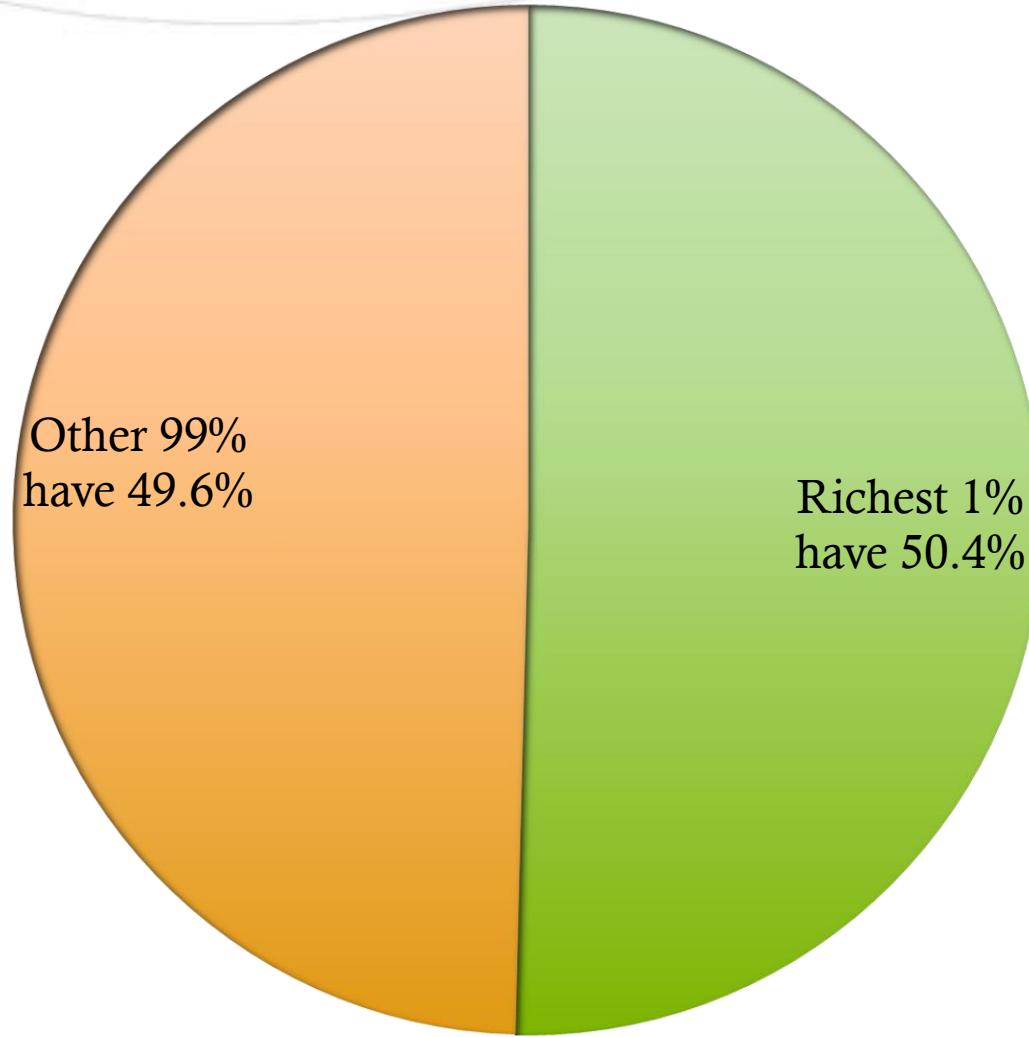


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Income Shares of Global Population Segments

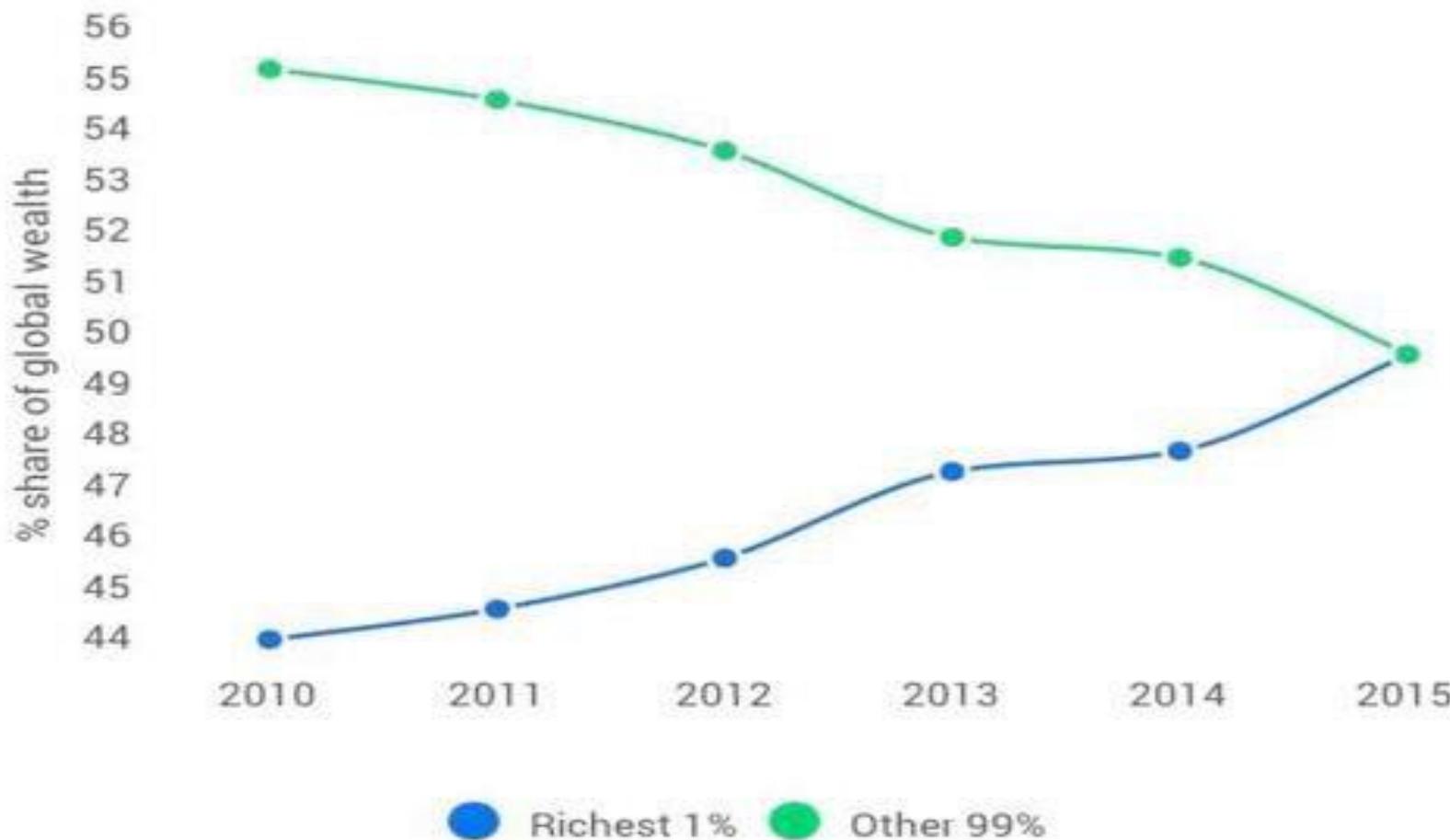


Wealth Shares of Global Population Segments



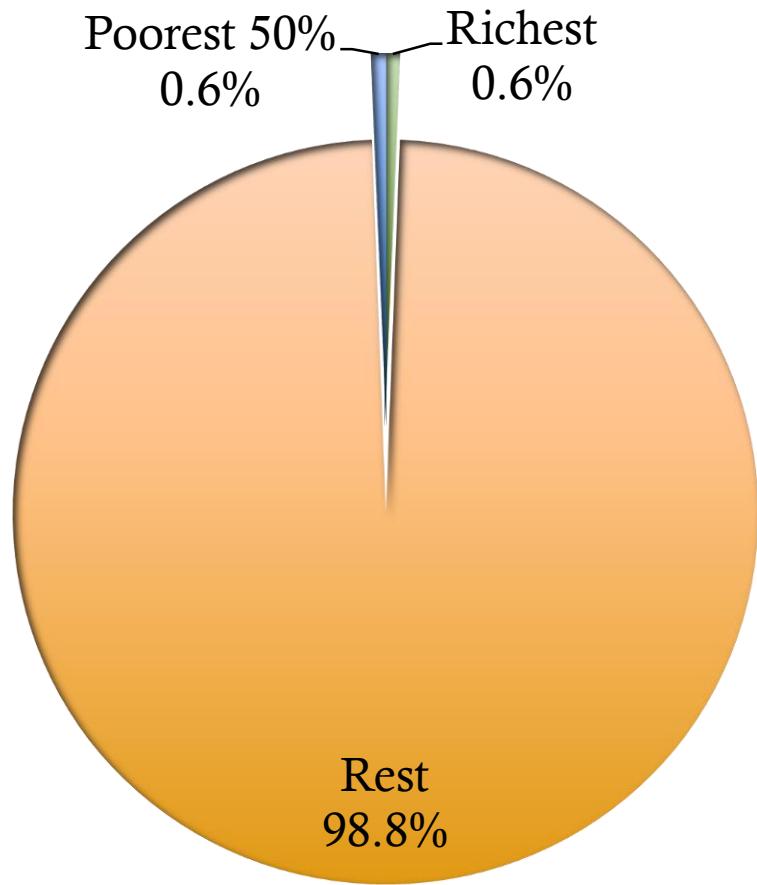
Global Wealth Distribution Trend

Share of global wealth 2010-2015



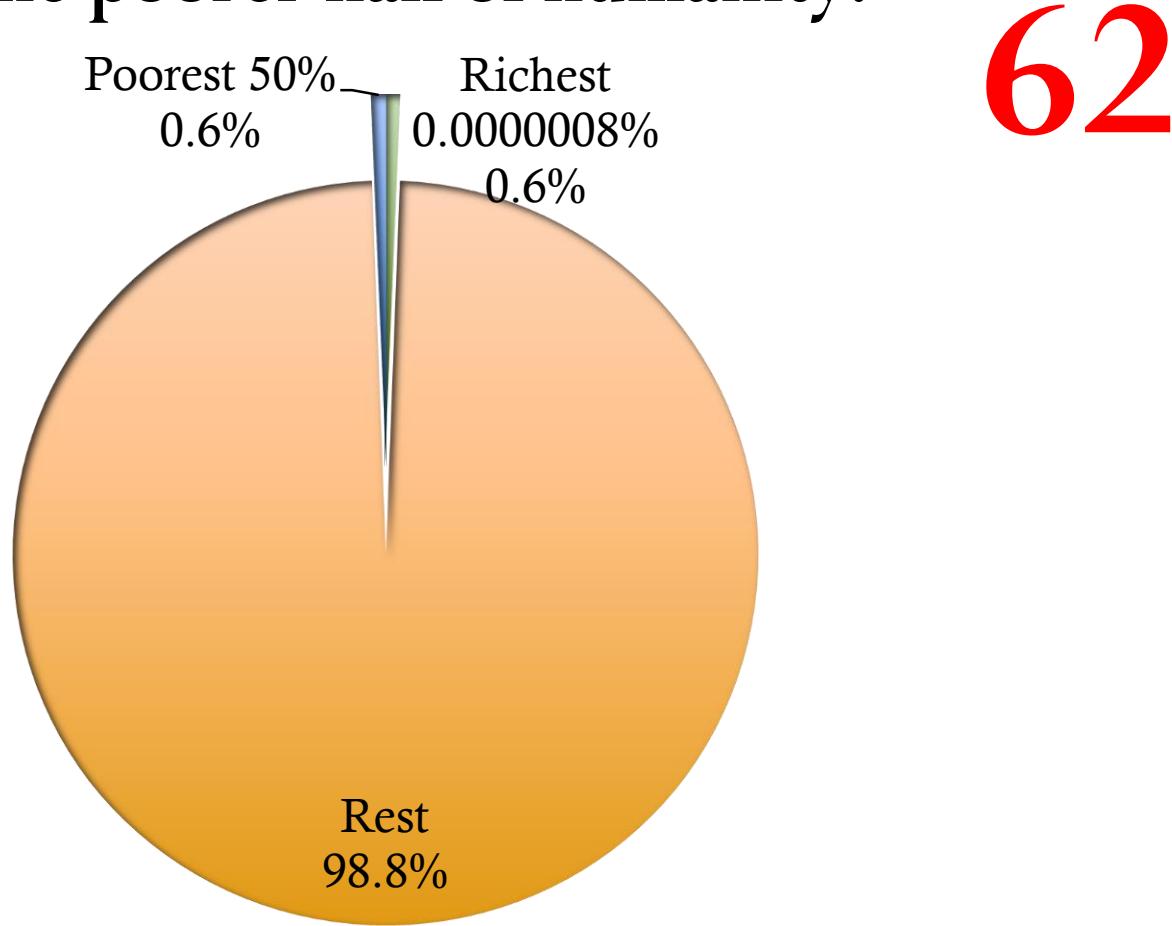
Wealth Shares of Global Population Segments

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Counter-Argument 1: Progress?

The percentages of severely deprived are going down

Even the absolute numbers are said to go down

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YET, global income polarization: much more would have been achieved if the poor had merely participated proportionally in global economic growth.

In any case, what matters morally

is the comparison with what would **now** be possible:

How much of today's severe poverty is reasonably avoidable through better supranational institutional design?

History

Always, a majority of humankind has lived in severe poverty. New is the easy avoidability of poverty: the grotesque mismatch between the **human** and the **economic** extent of the world poverty problem. Fully one third of all human deaths and more than one third of all health deficits are poverty-related. Yet, what the poorer half of humanity need to avoid severe poverty is merely an extra **two percent** of global household income.

Avoidable poverty has never been greater.

Counter-Argument 2: Divergence

Poverty is evolving very differently in the various developing countries and regions.

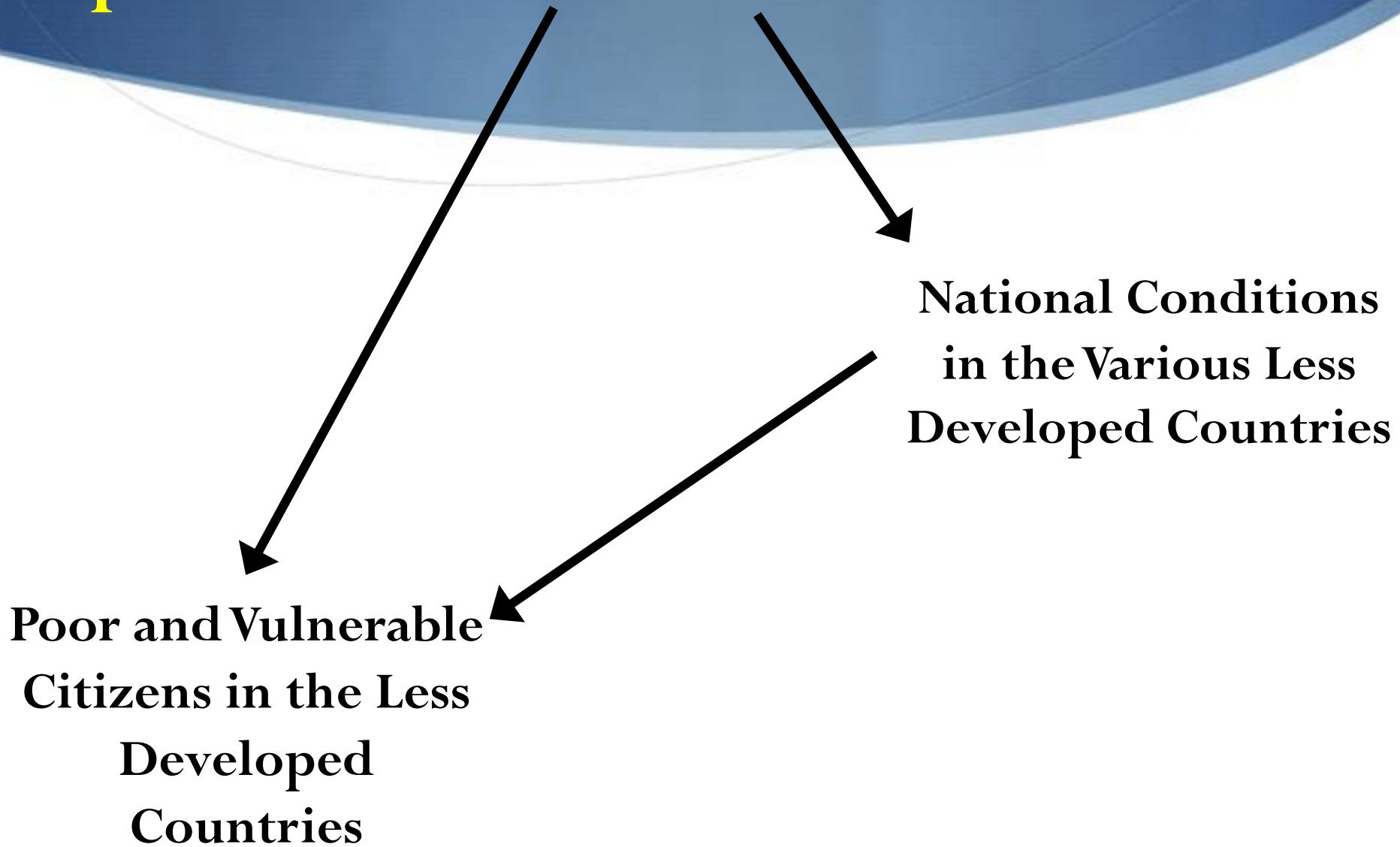
This shows that **local** (e.g., municipal, provincial, national) factors — history, culture, geography, social institutions — account for the persistence of severe poverty where it persist.

Conceptual Answer to Counter-Argument 2

It merely shows that local factors are **co**-responsible for the persistence of severe poverty. It does not show that local factors are **solely** responsible.

Example: Differential learning success of students/pupils in the same class.

Supranational Institutional Architecture



Supranational Institutional Architecture

Protectionism



**Poor and Vulnerable
Citizens in the Less
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Supranational Institutional Architecture

*Pharmaceuticals
Protectionism*



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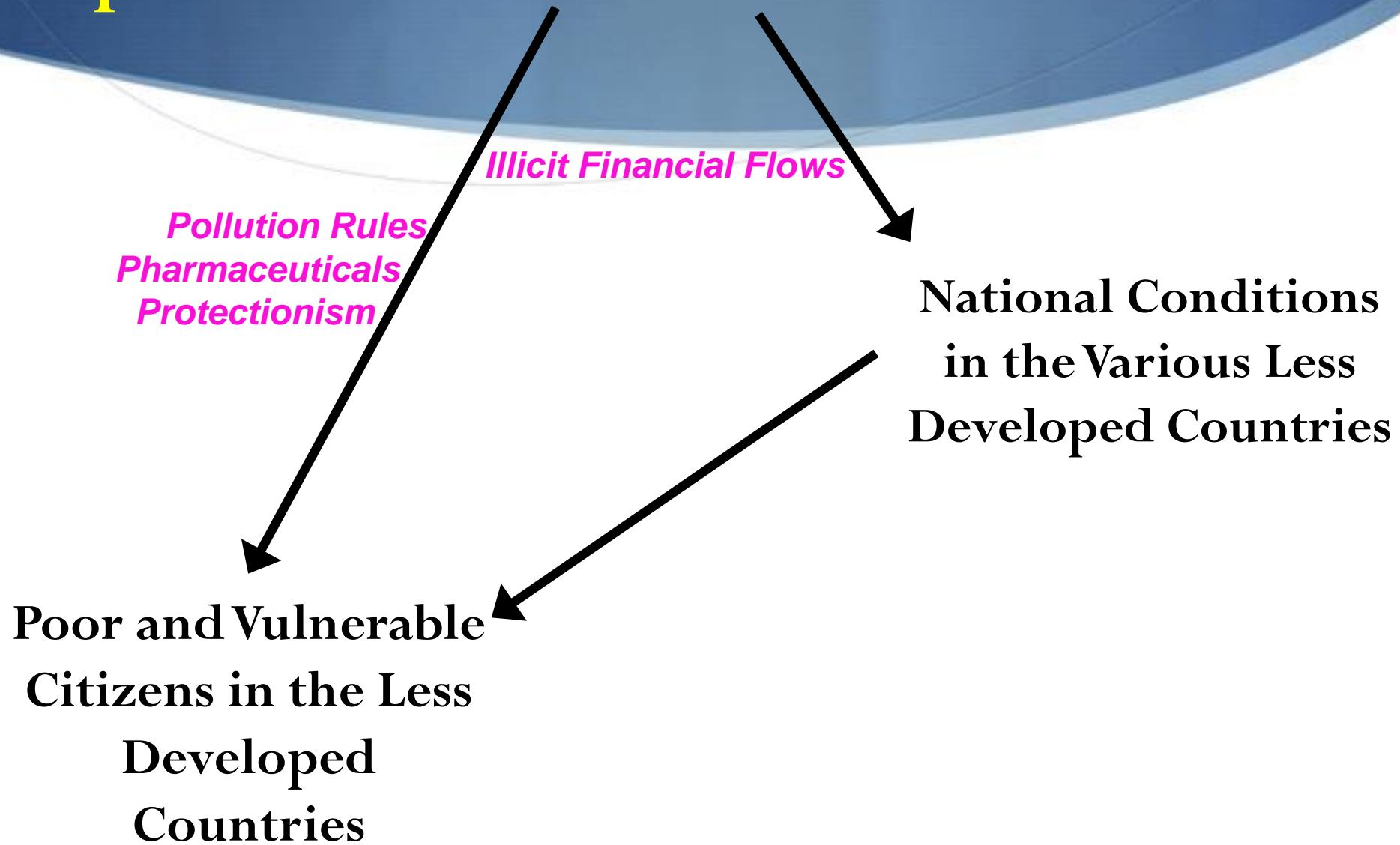
Supranational Institutional Architecture

*Pollution Rules
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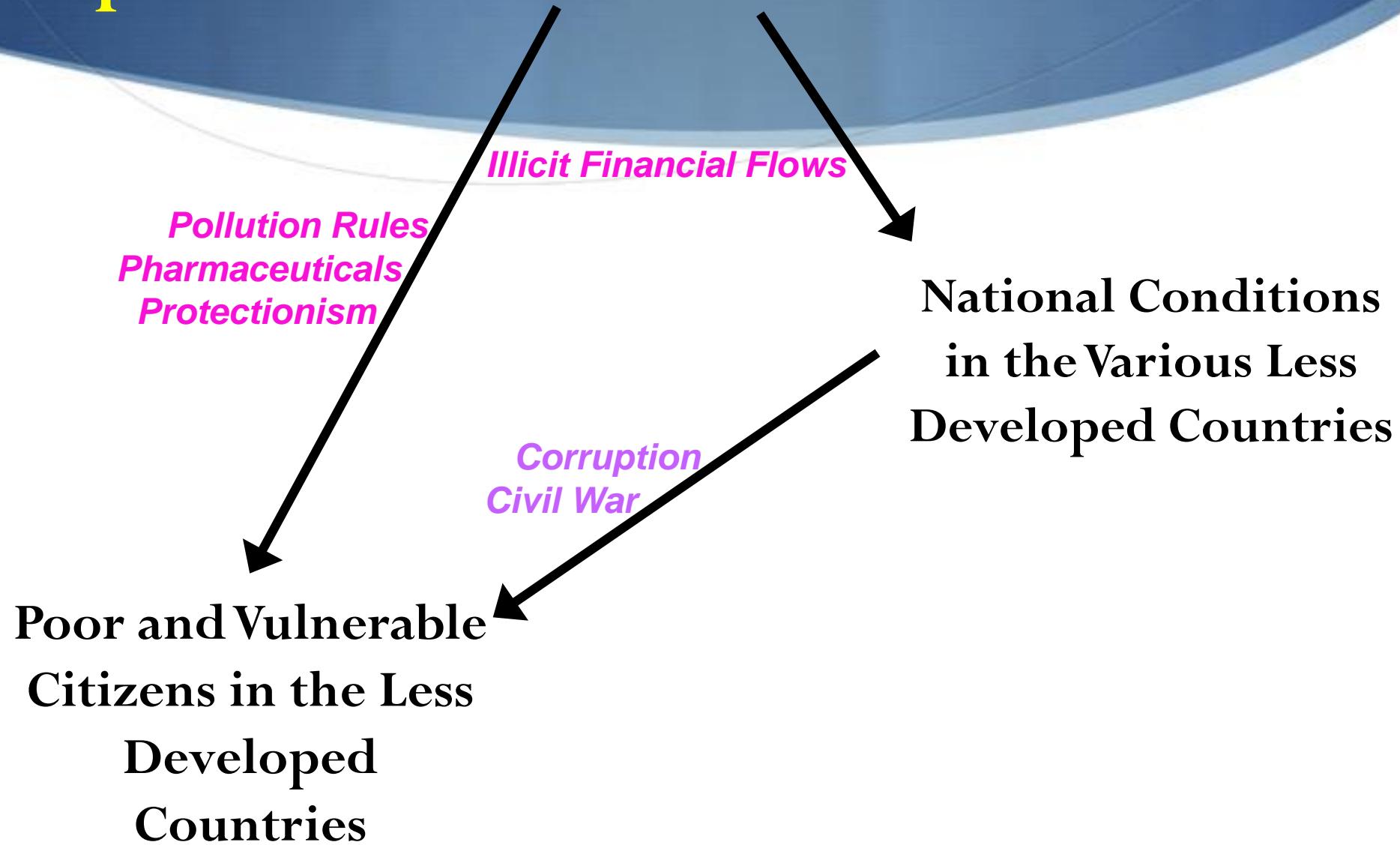


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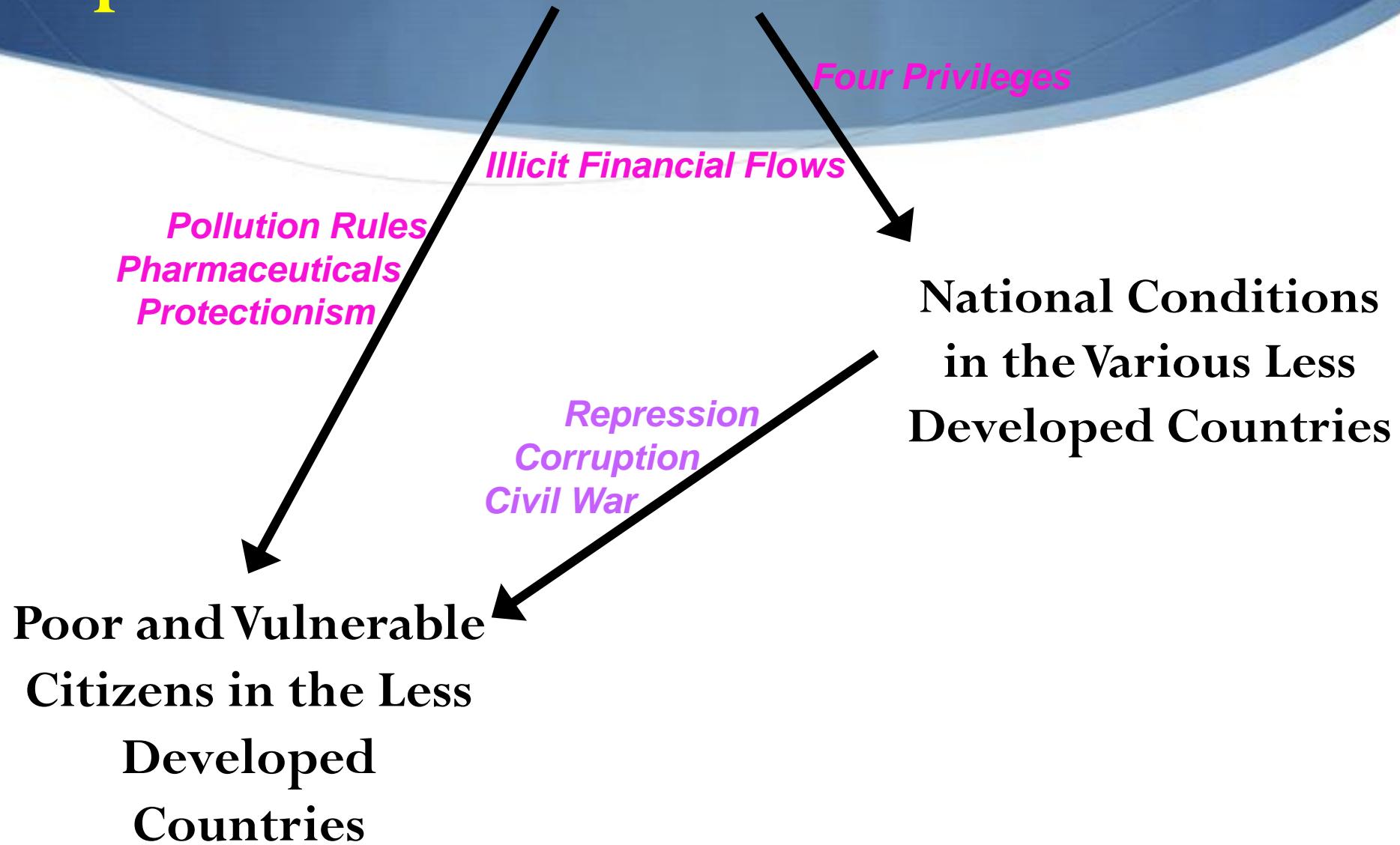
Supranational Institutional Architecture



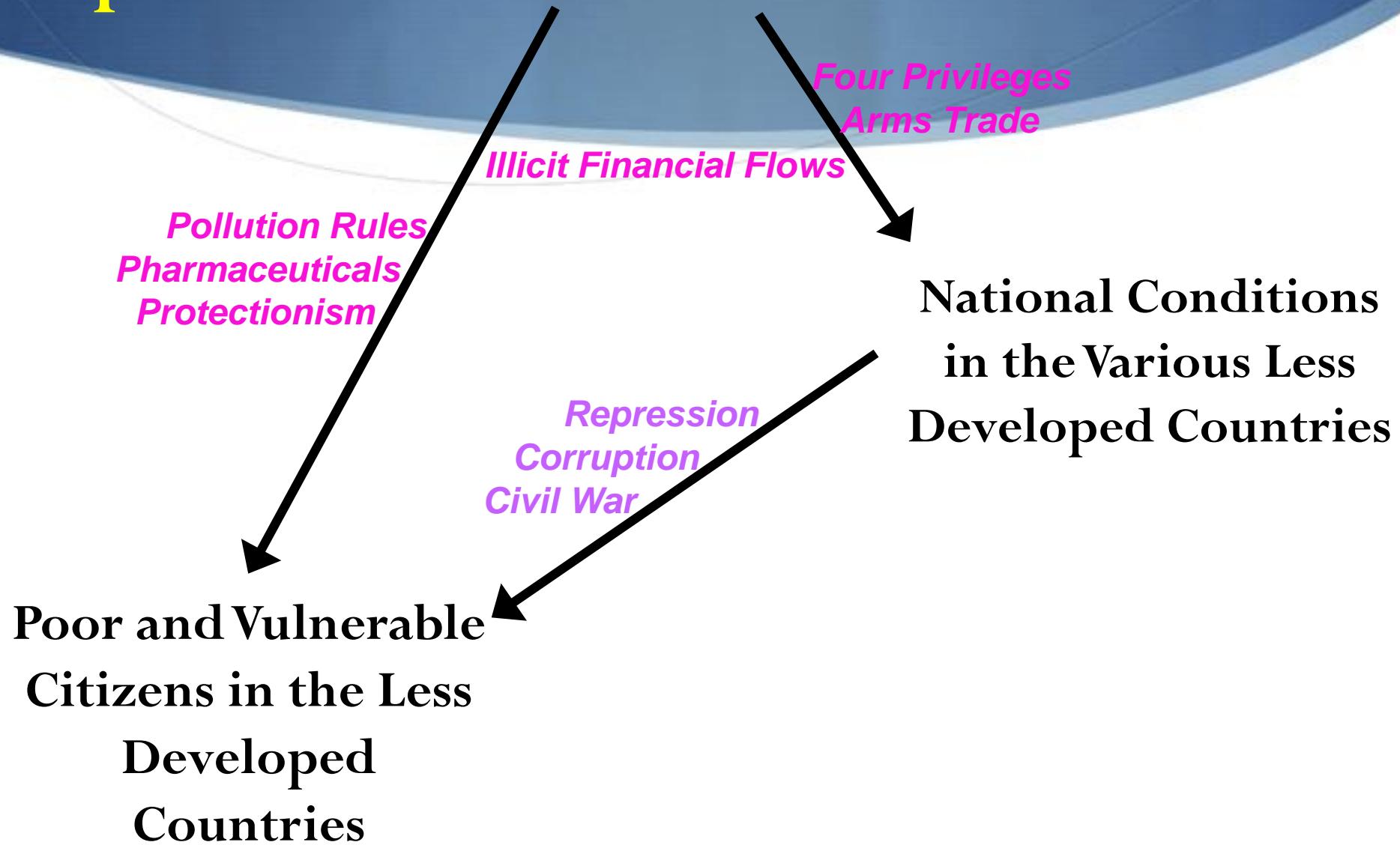
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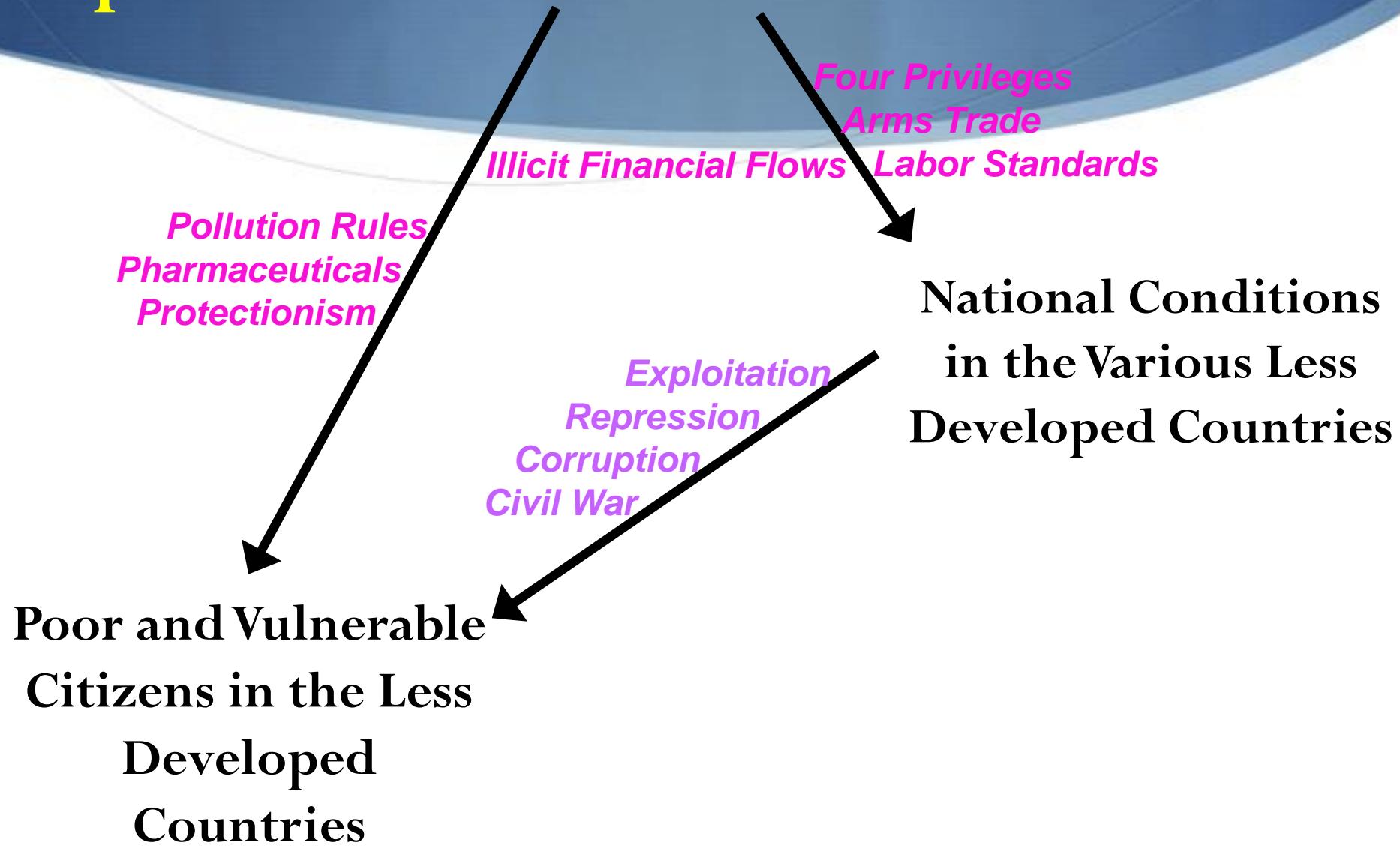
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Regulatory Capture

makes competitive systems vulnerable to **inequality spirals**:

The strongest participants have the greatest opportunities and incentives to achieve the expertise and coordination needed for effective lobbying.

They use these opportunities to expand their relative position; then use their increased influence to shift the rules or their application even more in their own favor.

Supranational Rule Making

The rapidity of the upward shift in powers is explained in part by the fact that economic elites can exert more influence on political decisions when these are made at supranational levels. In that bargaining environment

there is **no democratic counterweight** or revolutionary danger zone,

there is **little transparency** even *ex post*,

and **moral restraints are easily dispelled** by pointing out that international relations are a jungle in which moral self-restraints risk long-term survival.

The Most Cost-Effective Lobbying

seeks to shape the design of **supranational/global** institutional arrangements (WTO, G20, EU...)

while also aiming to shift governance **upward** from the national to the supranational/global level;

is done by the **very wealthiest** banks, hedge funds, corporations, industry associations and individuals

by way of influencing **government officials** of major powers, esp. the *US* (**softest target**).

Lobbying Pays

The investment research firm Strategas selects each quarter the fifty S&P 500 companies that spend most on lobbying as a percentage of their assets. The Strategas Lobbying Index based on this exercise has outperformed the S&P 500 by whopping 11 percent a year over the 2002-2011 period.

The Economist, October 1, 2011

www.economist.com/node/21531014

Beat you in the lobby

Share prices, January 1st 2001=100



Sources: Strategas Research
Partners; Thomson Reuters;
The Economist

*50 most intensive
lobbyists in the S&P 500

Measuring Rates of Return for Lobbying Expenditures: An Empirical Analysis Under the American Jobs Creation Act

ABSTRACT

Raquel Alexander, Susan Scholz, Stephen Mazza*

The lobbying industry has experienced exponential growth within the past decade. ... In this paper we use audited corporate tax disclosures relating to a tax holiday on repatriated earnings created by the *American Jobs Creation Act of 2004* to examine the return on lobbying. We find firms lobbying for this provision have a return in excess of \$220 for every \$1 spent on lobbying (cf. Larry Lessing: *Republic Lost*).

Rising Inequality in the US (1978-2007)

The income share of the poorest half of the population dropped *by more than half* from 26.4% to 12.8%. That of the top 1 percent rose *2.6-fold* from 8.95% to 23.50%; that of the top 1/10 percent rose *4.6-fold* from 2.65% to 12.28%; that of the top 1/100 percent rose *7-fold* from 0.86% to 6.04% (Saez Table A3).

The top hundredth percent (14,400 tax returns, ca. 30,000 people) have nearly half as much income as the bottom half (ca. 150 million) of Americans — and **more income than the poorest 40% (2.8 billion) of humanity.**

Evolution of US National Household Income Distribution (Top 10%)

Segment of U.S. Population	Share of U.S. Household Income 1928	Share of U.S. Household Income 1978	Share of U.S. Household Income 2007	Absolute Change in Income Share 1978–2007	Relative Change in Income Share
Richest 0.01 Percent	5.02	0.86	6.04	+5.18	+602%
Next 0.09 Percent	6.52	1.79	6.24	+4.45	+249%
Next 0.9 Percent	12.40	6.30	11.23	+4.93	+78%
Next 4 Percent	14.62	13.09	15.17	+2.08	+16%
Next 5 Percent	10.73	11.45	11.07	-0.38	-3%

International Law Divided against Itself

Since World War II, governments have created well-publicized and highly visible bodies of national and international law that recognize, codify and celebrate human rights.

Governments often appeal to these documents to raise the image of themselves and their friends or to tarnish the image of their rivals.

Over the last 25 years, governments have created a vast and effective system of (mainly) supranational legal rules and regimes that — barely understood and uncontrollable by the public — are formulated and administered without concern for human rights and in fact massively violate human rights.

Second Step

#3. The present rules of the world economy foreseeably produce massive human rights deficits and are therefore gravely unjust.

#4. Agents who actively contribute to the design or imposition of foreseeably human-rights-noncompliant rules are thereby violating human rights unless they also make sufficient reform or protection efforts.



#5. The governments of the more powerful states, which, collectively, design and impose the present rules of the world economy, are thereby massively violating human rights.

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#6. Citizens who are supporting or tolerating unjust policies of their government without making adequate reform or compensation efforts thereby become co-responsible for these unjust policies.

#7. Most citizens of the more powerful states are supporting or tolerating their governments' negotiating posture in regard to the rules of the world economy without making adequate reform or compensation efforts.



#8. Most citizens of the more powerful states share responsibility for the fact that the present global economic order is massively violating human rights.

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Two Citizen Obligations

- (1) To work toward (esp.) supranational institutional arrangements that would impose less harm upon the poorer half of humanity, would blow less of a headwind against their social and economic development;**
- (2) At least to compensate for our fair share of the harm that we together produce through our governments: by shielding the global poor from some of the harms that would otherwise be inflicted on them.**