



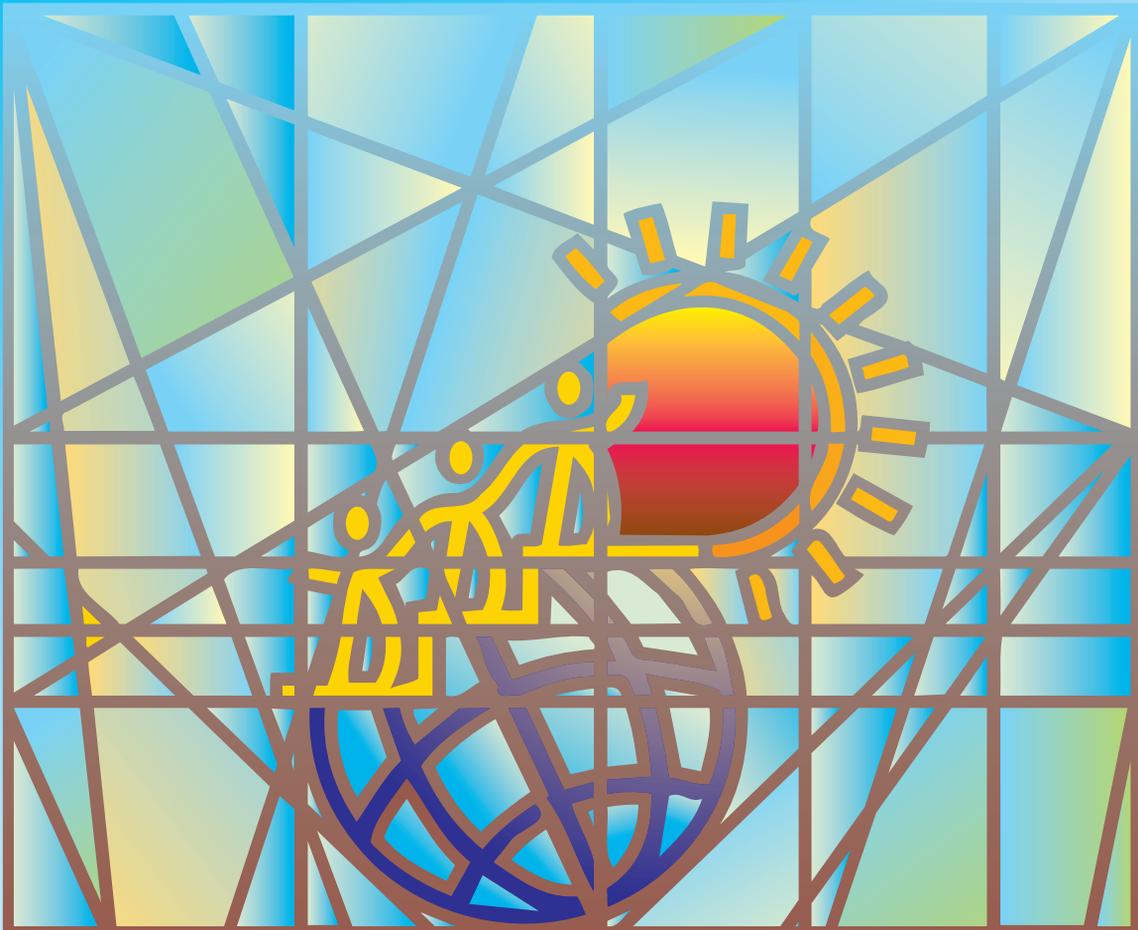
Economic &

Social Affairs

The International Forum for Social Development

Social Justice in an Open World

The Role of the United Nations



United Nations

DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS
Division for Social Policy and Development

The International Forum for Social Development

Social Justice in an Open World
The Role of the United Nations



United Nations
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DESA

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Explanatory notes

The following abbreviations have been used:

AIDS	acquired immunodeficiency syndrome
CFC	chlorofluorocarbon
DAC	Development Assistance Committee
DOTS	directly observed treatment short course
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
GATS	General Agreement on Trade in Services
GDP	gross domestic product
GNI	gross national income
GNP	gross national product
HIPC	heavily indebted poor countries
HIV	human immunodeficiency virus
ICT	information and communication technologies
ILO	International Labour Organization
IMF	International Monetary Fund
LDC	least developed country
NGO	non-governmental organization
ODA	official development assistance
OECD	Organization for Economic Cooperation and Development
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund
UNIDO	United Nations Industrial Development Organization
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
WIDER	World Institute for Development Economics Research
WTO	World Trade Organization

Foreword

The International Forum for Social Development was a three-year project undertaken by the United Nations Department of Economic and Social Affairs between November 2001 and November 2004 for the purpose of promoting international cooperation for social development and supporting developing countries and social groups not benefiting from the globalization process. "Open Societies, Open Economies: Challenges and Opportunities" represented the overall theme of the project, which was financed through extrabudgetary contributions and carried out within the framework of the implementation of the outcome of the World Summit for Social Development, held in Copenhagen in 1995, and of subsequent major international gatherings, including the Millennium Summit and the twenty-fourth special session of the General Assembly, held in New York and Geneva, respectively, in 2000.

Four meetings of the Forum were held at United Nations Headquarters in New York, as follows:

- 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
- Equity, Inequalities and Interdependence, 5-6 October 2004

These meetings brought together invitees from different regions and different walks of life for seminars followed by open and informal debate with representatives from United Nations Member States and non-governmental organizations. Findings were presented orally at the annual sessions of the Commission for Social Development, and reports or summaries were issued.

The present publication seeks to provide an overview and interpretation of the discussions and debates that occurred at these four meetings from the broad perspective of distributive justice. During the year this work was under preparation, the United Nations reviewed the commitments made ten years ago in Copenhagen to promote social development and in Beijing to pursue equality between men and women. In the light of the evolution of the Organization's mandates and priorities, however, considerably greater attention was given to the review of the United Nations Millennium Declaration and to the assessment of the progress made towards the achievement of the Millennium Development Goals. The 2005 World Summit, which produced the largest gathering of world leaders in history, was held by the General Assembly in New York from 14 to 16 September and focused on development, security and human rights, as well as on United Nations reforms proposed

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by the Secretary-General.¹ It is hoped that the analyses and observations presented here will contribute to the continuing debate on these important issues.

A handwritten signature in black ink, appearing to read 'Jacques Baudot', written in a cursive style.

Jacques Baudot
Coordinator, International Forum for Social Development

Introduction

The rise in inequality in the distribution of income among people is well-documented and displays the characteristics of a trend, having affected large numbers of countries, from the poorest to the most affluent, during the past two decades. Up to the 1980s, at least since the Second World War and in some cases since the beginning of the twentieth century, there had been a general narrowing of differences in the income available to individuals and families.

Income-related inequalities, notably in the ownership of capital and other assets, in access to a variety of services and benefits, and in the personal security that money can buy, are growing. There is also greater inequality in the distribution of opportunities for remunerated employment, with worsening unemployment and underemployment in various parts of the world affecting a disproportionate number of people at the lower end of the socio-economic scale. The inequality gap between the richest and poorest countries, measured in terms of national per capita income, is growing as well.

The popular contention that the rich get richer and the poor get poorer appears to be largely based on fact, particularly within the present global context. Moreover, extreme or absolute poverty, experienced by those whose income is barely sufficient for survival, remains widespread. Indigence levels have risen in the most affluent countries, in countries once part of the Soviet bloc and in various parts of Africa, but have remained stable in Latin America and have declined in Asia. Extreme poverty and the suffering it entails affect a large proportion of humankind, and major efforts by Governments and international organizations to reduce or eradicate poverty have thus far failed to produce the desired results.

Do these facts and trends suggest a regression in social justice? The answer to this question, if considered within the framework of the Charter of the United Nations and the Universal Declaration of Human Rights,² is not unequivocal. The persistence, aggravation and very existence of extreme poverty constitute an injustice. Those experiencing dire poverty are deprived of a number of the fundamental rights invoked in the Charter and enumerated in the Universal Declaration. Individuals affected by internal conflicts and wars are also robbed of many of their basic freedoms and are thus victims of injustice as well. Hunger is but one face of poverty; discrimination, poor health, vulnerability, insecurity, and a lack of personal and professional development opportunities are among the many other challenges faced by the poor. The rise in poverty in all its manifestations, along with the increase in the numbers of refugees, displaced persons and other victims of circumstance and

abuse, represents sufficient evidence for a judgment of persistent, if not growing, injustice in the world.

Unlike justice in the broad sense, social justice is a relatively recent concept, born of the struggles surrounding the industrial revolution and the advent of socialist (and later, in some parts of the world, social democratic and Christian democratic) views on the organization of society. It is a concept rooted very tenuously in the Anglo-Saxon political culture. It does not appear in the Charter, or in the Universal Declaration or the two International Covenants on Human Rights. Frequently referred to in the Copenhagen Declaration and Programme of Action adopted by the World Summit for Social Development in 1995, social justice was scarcely mentioned five years later in the United Nations Millennium Declaration.³

Some proponents of social justice—though significantly fewer since the collapse of State communism—dream of total income equality. Most, however, hold the view that when people engage in economic activity for survival, personal and professional growth, and the collective welfare of society, inequality is inevitable but should remain within acceptable limits that may vary according to the particular circumstances. In the modern context, those concerned with social justice see the general increase in income inequality as unjust, deplorable and alarming. It is argued that poverty reduction and overall improvements in the standard of living are attainable goals that would bring the world closer to social justice. However, there is little indication of any real ongoing commitment to address existing inequalities. In today's world, the enormous gap in the distribution of wealth, income and public benefits is growing ever wider, reflecting a general trend that is morally unfair, politically unwise and economically unsound. Injustices at the international level have produced a parallel increase in inequality between affluent and poor countries.

These are political judgments deriving from the application of political concepts. Inequalities in income and in living conditions within and between countries are not defined as just or unjust in international texts or national constitutions. Some economists argue that a more equal distribution of income facilitates economic growth, given the involvement of more people with energy and diverse skills in the economy and the increased demand for goods and services, while others retort that savings and capital accumulation are strengthened by the concentration of income at the top of the socio-economic scale. Similarly, the call for greater equality in the distribution of world income at the international level is weakened by the observation that technological and other innovations vital to the health of the world economy originate in the most affluent countries. Sociologists may contend that excessive income inequality restricts social mobility and leads to social segmentation and eventually social breakdown, but other social scientists counter this argument with examples of economically successful authoritarian or elitist societies. Arguments founded on moral fairness are easily disposed of in an atmosphere of moral relativism and cultural pluralism. Present-day

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 in the defence of their support for greater equality in the distribution of income, the proponents of social justice are cognizant of the fact that trends relating to the fundamental question of equality of rights are not as clear as those associated with income and income-related inequalities. Extreme poverty persists and is even deepening in some parts of the world, which represents a violation of basic human rights according to current international standards. In many respects, however, equality of rights has improved dramatically. During the past several decades, people have achieved freedom from authoritarian and totalitarian regimes on a massive scale. Furthermore, despite various setbacks and some alarming signs of regression, the trend towards the treatment of all human beings as members of the same global family, set in motion after the Second World War, has continued virtually uninterrupted owing to concerted efforts to reduce and ultimately eliminate all forms of discrimination. Particularly noteworthy is the steady progress made in achieving equality between women and men in spite of numerous cultural and religious obstacles. Greater equality of rights is also apparent for specific groups such as indigenous peoples and disabled persons. The equality gap remains somewhat wider for migrant workers and refugees, though there is an increasing global awareness of their predicament.

The issue of equality of opportunities further complicates efforts to determine whether ground has been lost or gained in the realm of social justice. Apart from the issue of unemployment, an area in which social justice appears to have suffered setbacks in recent years, there is the crucial question of whether societies offer their people sufficient opportunities to engage in productive activities of their choice wherever they wish, whether at home or abroad, and to receive benefits and personal and social rewards commensurate with their initiative, talents and efforts. This might be termed economic justice; for many it represents justice or fairness in the broadest sense. It has traditionally been perceived as the basis for social justice in the United States of America, the economically dominant country today.

Within the context of the present analysis, economic justice is considered an element of social justice, a choice justified by the desire to convey the idea that all developments relating to justice occur in society, whether at the local, national, or global level, and by the related desire to restore the comprehensive, overarching concept of the term "social", which in recent times has been relegated to the status of an appendix of the economic sphere. Economic justice has unquestionably grown as the basic principles and practices of the market economy have become more prevalent and pervasive, as more people with valuable skills have been given greater freedom of movement regionally and internationally, and as barriers to cross-border economic and financial transactions have progressively been lowered.

The opening up of the world economy has given more opportunities to countries in a position to seize them. These global changes are generally seen to constitute progress. Many might wish to tame and regulate the forces making use of this openness, in part because freedom of movement for capital and other assets leads to a concentration of power and is one of the reasons for the widening of inequalities in income distribution. However, few dispute the fact that economic freedom represents a basic human right.

Even when painted with the large brush required for the present inquiry, a very mixed picture emerges with regard to the state of social justice—or of “justice” as defined in the past quarter of a century. A more precise analysis muddies the waters further. For example, while the income gap has widened within and between countries across the socio-economic scale, there are a number of countries, mostly affluent, in which the distribution of income among social groups has remained stable or even improved. Nonetheless, overall economic justice is hampered by the concentration of wealth and power that seems to accompany the dissemination of the capitalist ethos. In addition, while apparent progress has been made in achieving equality of rights, there have been notable setbacks in connection with the basic rights of individuals, who in some settings have been subjected to discrimination and even torture.

A composite picture is also apparent for the previous period, identified here as the years between the end of the Second World War and the collapse of the Soviet Union. State intervention and extensive redistribution policies led to improvements in the distribution of income and access to public services. In poor developing countries, the model of the welfare state and society, if not fully implemented, was generally accepted. Even in relatively affluent countries with a strong liberal tradition, the “deals” struck by Governments and societies to resolve the economic and social crisis of the 1930s were pursued with increasing vigour; most notably, public programmes were implemented to fight poverty, and universal social security schemes financed by extensive and progressive tax systems were adopted. However, the spirit of enterprise and entrepreneurship, or economic freedom and economic justice, was suppressed in totalitarian countries and not given the chance to flourish in newly independent developing countries compelled to devote much of their attention and resources to political development and stability. The spirit of free enterprise 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 the agendas of international organizations today.

The justice situation was also ambiguous from an international development perspective prior to the great global economic transformation that began to sweep the world in the 1980s. Financial and other forms of assistance to developing coun-

tries were seen to be in the best interest of both donors and recipients and to constitute a normal expression of solidarity meant to contribute to the building of a more prosperous and more secure world. International economic justice was elusive, however, as the world economy during this period was more a collection of controlled markets than an open field with negotiated common rules, universally accessible opportunities and extensive freedom for all players; a number of developing countries with the requisite capacity, will and dynamism were subjected to serious constraints when they sought to compete in this economy.

This recurrence, at least during the limited historical period reviewed, of ambivalent, sometimes contradictory and often ambiguous trends relating to the practical application of the concept of justice should represent a sufficient deterrent to those tempted to make strong, unequivocal statements regarding the status of social justice in the present and recent past. Particularly from the perspective shaped by the founding texts of the United Nations (the aforementioned Charter and Universal Declaration), it would be both imprudent and incorrect to assert that justice, whether defined in terms of its individual components or more broadly, has either improved or deteriorated globally during the past several decades. The multifaceted nature of the concept of justice and the ambiguousness of relevant trends should not be used as an excuse for moral laxity and political indifference, however. Progress in one part of the world does not offset regression in another. The enjoyment of rights by some people does not compensate for violations of the same rights among others. Morally, all injustices are unacceptable.

The risk of laxity and indifference is even higher when history is viewed as a succession of cycles. From this perspective, the current emphasis on economic freedom and economic justice would likely be interpreted as a corrective or compensatory trend counterbalancing the excessive past preoccupation with redistributive social justice, and the presumption is that "reverse" corrections would occur when the limits of present views and policies have been reached or surpassed. The validity of such cyclical movement might be confirmed in subsequent analysis, but institutions with public responsibilities cannot operate on the assumption that corrections occur automatically or providentially. Correctives occur as a result of changes in ideas, power structures, political processes and policies, and moral outrage and public protest certainly guide such changes in the direction of greater justice and fairness.

The great transformation that has shaken the world was set in motion a couple decades ago and shaped by the rise to preeminence of the United States, a nation embodying the political philosophy of liberalism and its economic and financial component, global capitalism. Liberalism has freedom and economic justice at its core. Global capitalism gives economic and financial forces the power to treat the world as a global market. As these ideas and forces swept the world, communist sys-

tems collapsed and socialism and social democracy retreated, as did the notion that there should be public institutions at both the national and international levels that defined the common good, pursued social justice, and had the power to take effective action. The promotion of social justice through public institutions is a deeply rooted tradition. Throughout history, the advances made by humankind have been conceived by great individuals—including philosophers, scientists, political leaders, prophets, and even ordinary inspired and courageous citizens—and implemented by institutions. However, positive trends and advances are reversible. Individuals, institutions and forces driven by power and greed can undo what are clearly political and social gains. Social justice and international justice, at least from the distributive or redistributive perspective, do not appear to constitute a high priority in this modern age.

The failure to actively pursue justice is not without consequences. From the comprehensive global perspective shaped by the United Nations Charter and the Universal Declaration of Human Rights, neglect of the pursuit of social justice in all its dimensions translates into de facto acceptance of a future marred by violence, repression and chaos. A number of observations may be made with regard to this phenomenon.

Advancements in social justice, except in extraordinary situations and circumstances such as the gaining of political independence, the aftermath of a long war or the depths of an economic depression, require pressure from organized political forces. Brief and sporadic protests against injustices, even if vehement, usually have a limited effect. The problem is that few political regimes have institutions or processes to promote the orderly and effective expression of 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 focused on winning elections. Trade unions are declining in both number and influence. Democracy is seemingly gaining ground but is being vitiated by the “moneytization” of social relations and social institutions at many levels. The concept of reform, so often invoked in recent years to facilitate economic deregulation and privatization, could be constructively applied by liberal democracies and other regimes inspired by liberal principles to identify the requirements of social justice and implement appropriate policies. To an extent, the United Nations, with its efforts to strengthen the role and contribution of civil society, is taking the lead and paving the way for international and global democracy, a prerequisite for global social justice.

Social justice is not possible without strong and coherent redistributive policies conceived and implemented by public agencies. A fair, efficient and progressive taxation system, alluded to in Commitment 9 of the Copenhagen Declaration on Social Development,⁴ allows a State to perform its duties, including providing national security, financing infrastructure and public services such as education, health care

and social security, and offering protection and support to those who are temporarily or permanently in need. While the scale of taxation and public obligations varies widely according to the wealth and capacity of each country, it is generally accepted that greater financial participation is required from those with more resources at their disposal. This constitutes a sacrifice that in well-functioning liberal and social democratic societies is accepted as part of the social contract binding citizens together. Official development assistance (ODA) to poor and developing countries is a manifestation of redistributive justice at the international level, and various proposals for taxes on global transactions derive from the same objective of promoting fairness and solidarity. Redistributive ideas and practices are currently under attack. Governments and international organizations vacillate between the adjustment, neglect and abandonment of redistributive policies, but there is no evidence yet of any socially, politically or economically viable alternative strategies.

Social justice requires strong and coherent policies in a multitude of areas. Fiscal, monetary and other economic policies, as well as social policies, incorporate specific objectives but must all be geared towards the overall social goal of promoting the welfare of a country's citizens and increasingly, in this age of global interdependence, the citizens of the world. The well-being of citizens requires broad-based and sustainable economic growth, economic justice, the provision of employment opportunities, and more generally the existence of conditions for the optimal development of people as individuals and social beings. Macroeconomic policies may be presented in all their complexity by experts or justified by politicians with self-serving arguments, but they can essentially be divided into two groups: those favouring a few and those offering a chance to the many. The same is true for trade policies. The difficulties encountered in elaborating and implementing such policies in a way that balances different interests and ensures progress towards social justice are enormous, especially for countries still in the process of establishing their economic, institutional and political foundations. What is critical in this context is the belief that the goal is worth pursuing and that shared efforts are necessary.

Social justice may be broadly understood as the fair and compassionate distribution of the fruits of economic growth; however, it is necessary to attach some important qualifiers to this statement. Currently, maximizing growth appears to be the primary objective, but it is also essential to ensure that growth is sustainable, that the integrity of the natural environment is respected, that the use of non-renewable resources is rationalized, and that future generations are able to enjoy a beautiful and hospitable earth. The conception of social justice must integrate these dimensions, starting with the right of all human beings to benefit from a safe and pleasant environment; this entails the fair distribution among countries and social groups of the cost of protecting the environment and of developing safe technologies for production and safe products for consumption. Two of the greatest indicators of

progress during the past century are the increased equality of men and women and the growing recognition that human beings are both guests and custodians of the planet earth. Unfortunately, little has been done to apply this enhanced environmental consciousness on the ground. Environmental concerns were largely ignored by communist regimes, and are not typically integrated into socialist approaches to the management of human affairs. Capitalist systems tend to “deify” production and consumption at the expense of balanced, long-term growth. Social justice will only flourish if environmental preservation and sustainable development constitute an integral part of growth strategies now and in the future.

When income and income-related inequalities reach a certain level, those at the bottom of the socio-economic ladder are no longer in a position to enjoy many of their basic rights. Inequalities tend to intensify and accumulate. The human suffering in such circumstances is sufficient reason for public action—even without taking into consideration the real danger of social breakdown. The parallel in terms of international justice relates to the likelihood that efforts to build a global community will break down as the gap separating the poorest from the most affluent countries widens.

The use of wealth is arguably more important than its distribution. For reasons that are understandable in the light of the blatant exploitation associated with the industrial revolution, early proponents of the concept of social justice directed their anger and criticism more at wealth itself, at its concentration among a privileged few, than at the manner in which it was used. This attitude led to excessive reliance on public ownership and public intervention in the economy and was partly responsible for the neglect of economic justice by regimes focused on the pursuit of social justice. John Rawls wrote in *A 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”.⁵ It is not yet clear whether the enormous resources and benefits in the hands of today’s few—individuals, corporations and nations—are “trickling down” to benefit the rest of humanity.

There may be a link between the rise in various types of inequality; the division of individuals, communities and countries into two distinct groups comprising those who succeed and win and those who do not; and the excessively simplistic and vulgar modern interpretation of utilitarianism as it applies to life and society in modern times, whereby each looks only to his own advantage. A personal and social price is paid when success is defined in terms of defeating competitors and is seen to represent an opportunity for further expansion and the consolidation of power. It is perhaps the fault of certain misguided and overly sentimental proponents of social justice that generosity, compassion, solidarity, and ultimately justice itself have come to be perceived in the dominant world culture as “soft” (and therefore insignificant and dispensable) qualities or concepts. The idea of social justice has

too often been associated with an excessively benevolent perception of human nature and a naively optimistic belief in the capacity of good ideas and institutions to transform the world into a secure and agreeable place. The capacity to judge and sanction is an indispensable quality at all levels of society. However, exclusive reliance on simple, straightforward instincts will only lead to injustice and violence. It makes more sense to periodically revisit and “update” the concept of social justice than to act as if it is obsolete.

It is important to reflect more deeply on the nature and use of power within both the human and institutional contexts. Individuals who hold power must be willing to submit to certain laws and regulations that limit their freedom to use their authority as they see fit. Those who are privileged to hold political and administrative power must understand that their legitimacy derives entirely from their capacity to serve the community. Social justice is impossible unless it is fully understood that power comes with the obligation of service. In reflecting on the nature, legitimacy and use of power, consideration must be given to self-interest, enlightened self-interest, general interest and the common good. The essence of democracy resides in a shared understanding of these concepts. Along similar lines, there seems to be a need to revive the notion of a social contract both within communities and for the world as a whole. Neither positivism nor utilitarianism is likely to yield very promising fruit for the future of humankind. In the final analysis, with the opportunity having been taken to reflect upon the developments and concepts surrounding social justice and the plight of the innumerable victims of injustice, it appears that the key to the successful pursuit of justice may lie in moderation—in the use of power, in production and consumption, in the expression of one’s interests, views and beliefs, and in the conception and manifestation of self-interest and national interest.

Even in the pursuit of equality, justice and freedom—often characterized by intense passion—moderation and reason should prevail. Justice and freedom share an uneasy relationship. In philosophy, political theory, individual experience and collective endeavours, these critical human objectives are often incompatible; in the pursuit and protection of justice and freedom there is more typically an occasional and fragile reconciliation than a natural harmony. Nonetheless, all through human history, those facing extreme political oppression have revolted in the name of both freedom and justice, and great strides have been made through innumerable acts of heroism. At the very least, the idea that all individuals share a common humanity and possess fundamental rights simply because they are human, and that oppression and misery are not necessarily part of the human condition, has started to permeate the collective consciousness. However, setbacks and regressions occur more regularly than advances; in this fast-moving world, the majority of societies and political regimes, including those founded on democratic principles and ideals, have problems achieving and maintaining a balance between individual freedom and

social justice. The myriad difficulties and uneven progress notwithstanding, continued pursuit of these ideals is essential; even if Sisyphus is unhappy, he must fulfil his duty.

Building upon this brief overview, the chapters below provide more detailed information and observations for further reflection and debate.

Chapter 1

Dimensions of international justice and social justice

1.1 International justice: legal and developmental aspects

The Charter of the United Nations makes no explicit distinction between international justice, or justice among nations, and social justice, or justice among people.

The Charter, of which the Statute of the International Court of Justice is an integral part, treats justice as a broad principle that ought to be applied in international relations. In the Preamble and Article 1 of the Charter, 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. The references to peace and the equality of nations imply that each State should refrain from any use of force that may jeopardize or undermine the territorial integrity or political independence of another. Another implication is that the United Nations should not intervene in matters that are “essentially within the domestic jurisdiction of any State” (Article 2, para. 7), except to enforce measures adopted by the Security Council in line with the provisions set out in Chapter VII of the Charter.⁶ The “one country, one vote” rule in the General Assembly is a visible manifestation of the Organization’s recognition of sovereign equality.

The concept of justice as defined above will be referred to in the present text as *international justice*, with the principles of sovereign equality, non-intervention, and equal voting rights constituting the *legal aspects of international justice*. By the mid-1960s another dimension of international justice had taken shape with the decolonization of a number of countries. The United Nations assumed increasing responsibility for helping these newly independent Member States in their efforts to achieve economic and social progress. Gradually the concept of development was substituted for the early emphasis on progress and evolved into a core component of the Organization’s mandate. International cooperation for development was placed next to the maintenance of peace and security as a second pillar upon which the activities of the United Nations were based, the main objective being to narrow and ultimately close the gap between developed and developing countries. Efforts relating to this goal of bridging the distance separating poor and affluent nations are identified here as representing the *developmental aspects of international justice*.

1.2 Social justice: a recent and politically charged concept

The concept of *social justice* and its relevance and application within the present context require a more detailed explanation. As mentioned previously, the notion of social justice is relatively new. None of history’s great philosophers—not Plato

or Aristotle, or Confucius or Averroes, or even Rousseau or Kant—saw the need to consider justice or the redress of injustices from a social perspective. The concept first surfaced in Western thought and political language in the wake of the industrial revolution and the parallel development of the socialist doctrine. It emerged as an expression of protest against what was perceived as the capitalist exploitation of labour and as a focal point for the development of measures to improve the human condition. It was born as a revolutionary slogan embodying the ideals of progress and fraternity. Following the revolutions that shook Europe in the mid-1800s, social justice became a rallying cry 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, the concept of social justice had become central to the ideologies and programmes of virtually all the leftist and centrist political parties around the world, and few dared to oppose it directly. Social justice represented the essence and the *raison d'être* of the social democrat doctrine and left its mark in the decades following the Second World War. Of particular importance in the present context is the link between the growing legitimization of the concept of social justice, on the one hand, and the emergence of the social sciences as distinct areas of activity and the creation of economics and sociology as disciplines separate from philosophy (notably moral philosophy), on the other hand. Social justice became more clearly defined when a distinction was drawn between the social sphere and the economic sphere, and grew into a mainstream preoccupation when a number of economists became convinced that it was their duty not only to describe phenomena but also to propose criteria for the distribution of the fruits of human activity.

The application of social justice requires a geographical, sociological, political and cultural framework within which relations between individuals and groups can be understood, assessed, and characterized as just or unjust. In modern times, this framework has been the nation-State. The country typically represents the context in which various aspects of social justice, such as the distribution of income in a population, are observed and measured; this benchmark is used not only by national Governments but also by international organizations and supranational entities such as the European Union. At the same time, there is clearly a universal dimension to social justice, with humanity as the common factor. Slaves, exploited workers and oppressed women are above all victimized human beings whose location matters less than their circumstances. This universality has taken on added depth and relevance as the physical and cultural distance between the world's peoples has effectively shrunk. In their discussions regarding the situation of migrant workers, for example, Forum participants readily acknowledged the national and global dimensions of social justice.

1.3 Social justice: the equivalent of distributive justice

In the contemporary context, social justice is typically taken to mean distributive justice. The terms are generally understood to be synonymous and interchangeable in both common parlance and the language of international relations. The concept of social/distributive justice is implied in various academic and theoretical works and in many international legal or quasi-legal texts (such as the Charter and Universal Declaration) that may only include broad references to “justice”. In certain international instruments, including the Copenhagen Declaration and Programme of Action adopted by the World Summit for Social Development in 1995, references to social justice are more explicit. In the tone-setting first chapter of *A Theory of Justice*, a masterpiece published in 1971, John Rawls refers on several occasions to the “principles of social justice” when formulating his two “principles of justice”.⁷

Social justice is treated as synonymous with distributive justice, which again is often identified with unqualified references to justice, in the specific context of the activities of the United Nations, the precise reasons for which may only be conjectured. In its work, for reasons that will be examined in chapter 5, the United Nations has essentially from the beginning separated the human rights domain from the economic and social domains, with activities in the latter two having been almost exclusively focused on development. Issues relating to the distributive and redistributive effects of social and economic policies—issues of justice—have therefore been addressed separately from issues of rights, including those inscribed in the International Covenant on Economic, Social and Cultural Rights. The unfortunate consequences of this dissociation must be acknowledged. To support the concept of social justice is to argue for a reconciliation of these priorities within the context of a broader social perspective in which individuals endowed with rights and freedoms operate within the framework of the duties and responsibilities attached to living in society. Notwithstanding the implied associations between social justice, redistributive justice, and justice as a more general concept, the fact is that the explicit commitment to social justice has seriously deteriorated; over the past decade, the expression has practically disappeared from the international lexicon and likely from the official language of most countries. The position will be taken here that the United Nations must work to try to restore the integrity and appeal of social justice, interpreted in the contemporary context as distributive justice.

Returning to the Charter, it may be argued that while not explicitly stated, justice among people and for all the world’s peoples is its fundamental rationale. As noted earlier, these priorities fall under the heading of international justice, whereby Governments are compelled to represent and serve their populations and act in their best interest, without discrimination, and the sovereign equality of all States is respected. In the Preamble to the Charter, the commitment to justice for people is expressed as a reaffirmation of “faith in fundamental human rights, in the dignity and worth

of the human person, [and] 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 stated purpose of the United Nations (after maintaining 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" (Article 1). This purpose is then reiterated in Article 13 as one of the functions of the General Assembly, and in Articles 60 and 62 in reference to the role of the Economic and Social Council in this regard. In short, justice derives from equality of rights for all peoples and the possibility for all human beings, without discrimination, to benefit from the economic and social progress disseminated and secured through international cooperation.

1.4 Economic justice: a component of social justice

Economic justice, defined as the existence of opportunities for meaningful work and employment and the dispensation of fair rewards for the productive activities of individuals, will be treated here as an aspect of social justice. The customary distinction between economic justice and social justice is intellectually unsatisfactory, as it serves to legitimize the dichotomization of the economic and social spheres. This tendency can seriously limit the potential for the advancement of justice, particularly within organizations that exercise a normative function with regard to matters of development. In recent years there has been a discernable trend in international discourse towards the attenuation not only of the concept of social justice, but also of the related concepts of social development and social policy. The social sphere has in many respects been marginalized. One reason for the decline in "social" orientations is the failure to adopt a comprehensive perspective on what the concept encompasses. As asserted later, support for the idea of social justice has gradually diminished because its advocates and practitioners have neglected one of its essential dimensions, which is for individuals to have the opportunity to exercise their initiative and use their talents and to be fairly rewarded for their efforts. To acknowledge the necessity of viewing economic justice as an element of social justice is, again, to argue for a social perspective on human affairs. Economic justice is one among many interrelated dimensions of life in society. It is suggested here that the distributive and redistributive aspects of justice do not have to be separated or perceived as antagonistic.

1.5 Universal grounds for the determination of what is just and what is unjust

Individuals, institutions, Governments and international organizations make judgments about what is just and what is unjust based on complex and generally unfor-

mulated frameworks of moral and political values. Such frameworks vary considerably across cultures and over time, but through the centuries prophets, philosophers and other intellectuals have repeatedly attempted to identify common ground that would allow all human beings in their own and in successive generations to agree on definitions of right and wrong, good and bad, just and unjust. It is often said that all great religions and philosophies embody the same core principles and values, and beyond the different metaphysics and institutional settings, reflect the same belief in the capacity of human beings to make moral judgments and to seek perfection in some form. Progress was originally a spiritual concept and was only later applied to the fruits of human technical ingenuity, and the same is true for the notion of justice, which has retained much of the timeless immanence deriving from its religious roots. The United Nations is an outgrowth and 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 found expression in the more modern concepts of the “social contract” and “social compact”. To give justice among individuals and nations a more tangible character and contemporary relevance, the United Nations has used the language of rights, and of equality, equity and inequality, in reference to both positive objectives to be pursued and negative situations to be corrected.

1.6 Three critical domains of equality and equity

There are three areas of priority with regard to equality and equity highlighted in the Charter of the United Nations, the Universal Declaration of Human Rights, and the International Covenants on Human Rights, and in subsequent texts adopted by the General Assembly, notably the Copenhagen Declaration and Programme of Action and the United Nations Millennium Declaration. They include the following:

- *Equality of rights*, primarily implying the elimination of all forms of discrimination and respect for the fundamental freedoms and civil and political rights of all individuals. This represents the most fundamental form of equality. As stated in article 1 of the Universal Declaration, “all human beings are born free and equal in dignity and rights”, and article 2 is even more specific: “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*, which requires stable social, economic, cultural and political conditions that enable all individuals to fulfil their potential and contribute to the economy and to society. Interpreted restrictively, this form of equality is akin to equality of rights and means “simply” that societies and Governments refrain from discrimination and allow individuals to freely pursue their aspirations and develop and apply their talents within the moral and legal limits imposed by respect for the freedom of others. Thus defined, it is often identified

with justice and, in the sense described above, more precisely with economic justice. Support for this objective has been linked to the emergence of the *laissez-faire* doctrine, and from a philosophical perspective this aspect of equality is very close to liberalism and utilitarianism. Interpreted more broadly, equality of opportunities is linked to deliberate action, in particular the application of public policies, to correct and offset the many “unnatural” inequalities that separate individuals from different sociocultural backgrounds and milieus. With this leveling of the playing field, the financial and social success of individuals is largely determined by their natural talent, character, effort, and level of ambition, along with a certain measure of chance or fate. Meritocracy is the logical outcome. Policies focusing on health, education and housing are traditionally seen as particularly important for ensuring equality of opportunities, or *égalité des chances*. In political philosophy, this approach relates to the tradition of the social contract and is a critical aspect of social justice, as understood within socialist and social democratic conventions.

- *Equity in living conditions* for all individuals and households. This concept is understood to reflect a contextually determined “acceptable” range of inequalities in income, wealth and other aspects of life in society, with the presumption of general agreement with regard to what is just or fair (or “equitable”) at any given time in any particular community, or in the world as a whole if universal norms are applied. This shift in terms, from equality to equity, derives from the fact that equality in living conditions has never been achieved in practice (except on a very limited scale by small religious or secular communities), has never been seriously envisaged by political theorists or moralists (except in the context of describing attractive—or more often repulsive—utopias), and is today commonly perceived as incompatible with freedom. The pre-Marxist ideal—“from each according to his ability, to each according to his works”—would need to be applied, and for a very long time, within post-revolutionary societies. The truly egalitarian Marxist principle—“from each according to his capacities, to each according to his needs”—would only prevail (with any success) in the distant and quasi-utopian “end of history” referred to in communist theory.⁸ In short, equity is the most logical reference point in determining what is just and what is unjust with regard to living conditions and related matters within society. The lack of objective indicators makes this a daunting task, however. What constitutes the equitable distribution of income among social classes, occupations and age groups? From which perspective and on which basis 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 offer advice on the equity of living conditions around the world? Equity is an inherently vague and controversial notion. Nonetheless, it is a pervasive preoccupation in

all societies, both affluent and poor. Every society, even the laissez-faire variety, has engaged in the distribution and redistribution of income and wealth in some form, with policies generally favouring the poorest but sometimes benefiting the richest, and it is for this reason that issues of equity in living conditions remain central to the dialogue and debate on social justice.

1.7 Six important areas of inequality in the distribution of goods, opportunities and rights

Going a step further in endeavouring to define the more concrete elements requiring consideration in relation to the idea of social justice, the Forum identified six areas of distributive inequality corresponding to situations that, from the perspective of those directly concerned and of the “impartial observer”,⁹ require correction. Listed roughly in descending order in terms of their relative importance and in ascending order in terms of how difficult they are to measure, the highlighted areas of inequality are as follows:

- *Inequalities in the distribution of income.* The distribution of income among individuals or households at the local or national level, based on classifications such as socio-economic status, profession, gender, location, and income percentiles, is the most widely used measure of the degree of equality or inequality existing in a society. Though the statistical difficulties, particularly with regard to cross-country comparisons, cannot be overemphasized, the distribution of income is relatively amenable to measurement, and if the resulting data are interpreted correctly and sufficient prudence is exercised, any problems that may arise are generally surmountable. With the availability of an income, individuals and households acquire the capacity to make choices and gain immediate access to a number of amenities. For most contemporary societies, income distribution remains the most legitimate indicator of the overall levels of equality and inequality.
- *Inequalities in the distribution of assets,* including not only capital but also physical assets such as land and buildings. There is normally a strong positive correlation between the distribution of income and the distribution of assets. Data from a variety of sources are generally available to Governments or independent statistical offices wishing to document what has traditionally been both a determinant of social status and political power and a source of political upheaval and revolution. As stated in article 17 of the Universal Declaration of Human Rights, “everyone has the right to own property alone as well as in association with others”, and “no one shall be arbitrarily deprived of his property”.
- *Inequalities in the distribution of opportunities for work and remunerated employment.* In both developed and developing countries today, the distribution of work and employment opportunities is the main determinant of income distribution and a key to economic and social justice. The distinction between work

and employment is important; “work” encompasses all independent economic activities and what is called the spirit of entrepreneurship (an element of which is the creation of small and medium-sized enterprises), and more generally the economic opportunities offered by society to all those who wish to seize them. Statistics on the distribution of employment opportunities and unemployment are more readily available than data on, for instance, the proportions of young people from different socio-economic backgrounds who have managed to secure bank loans to start their own enterprises. As economies continue to diversify 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, in particular the International Labour Organization (ILO), cannot ignore the fact that the vast majority of people in the world work in order to survive. Discrepancies in working conditions among those in different professions and social groups, including immigrants, constitute part of this item.

- *Inequalities in the distribution of access to knowledge.* Considered in this context are issues relating to levels of enrolment in schools and universities among children from different socio-economic groups, as well as issues linked to the quality of educational delivery in various institutions and regions. Education, including technical training and adult education, is critical for ensuring access to decent work and for social mobility, and in most societies is a strong determinant of social status and an important source of self-respect. Because schools and universities are no longer the only dispensers of knowledge, and in the light of the emergence of new learning modes and tools such as the Internet, access to various technologies is also considered in assessing education-related inequalities. Although the distinction between information and knowledge remains valid and relevant, a number of statistical publications now present certain types of data together, including, for example, gender-disaggregated statistics on the ownership of television sets, book acquisitions, and primary and secondary enrolment ratios.
- *Inequalities in the distribution of health services, social security and the provision of a safe environment.* Traditional indicators of well-being such as life expectancy and child mortality rates, broken down by gender, socio-economic status and area of residence, are typically used along with other data to identify and measure inequalities in the distribution of amenities all societies endeavour to provide for their members. As is the case with education, issues relating to the availability, quality and accessibility of health and social services and facilities are critical but are difficult to analyse and measure. As stated in article 22 of the Universal Declaration of Human Rights, “everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation ... of the economic, social and cultural rights

indispensable for his dignity and the free development of his personality". Social security, now often limited to social protection and safety nets, was a core component of the welfare state model adopted by countries around the globe after the Second World War. The sources of financing for social security benefits and the distribution of such benefits within a community remain pressing issues. Moving on to the last item, the right to a healthy and pleasant environment, not polluted by uncontrolled or predatory human activities, is considered by its proponents to constitute part of the third generation of human rights (the first generation having comprised civil and political rights and the second generation economic, social and cultural rights). Pollution, generated continuously by unregulated commercial activities and more dramatically and catastrophically through incidents such as the Chernobyl and Bhopal disasters, does not choose its victims. It is nevertheless true that rich and poor people have an unequal capacity to ensure a safe environment. Differentials in personal security and safety could also logically be placed under the heading of inequalities in the provision of a safe environment. Crime, in its many forms, is growing in most societies, and groups at the lower end of the socio-economic scale continue to be disproportionately affected. The suffering and losses associated with internal conflicts and wars are also very unevenly distributed; it should be noted that the Forum hesitated on whether to place this increasingly critical issue here or in the next and last category.

- *Inequalities in the distribution of opportunities for civic and political participation.* This form of inequality is rarely discussed in international circles, perhaps because of its inherent complexity and sensitivity, and perhaps also because the practice of democracy is usually limited to the holding of elections; those who vote in presidential and parliamentary elections are implicitly considered participants in political life. Involvement in the electoral process notwithstanding, the Forum asserted that inequalities and inequities associated with political institutions and processes were key factors contributing to inequalities and inequities in society more generally. The way power is organized and distributed among society's various institutions and the manner in which political processes are carried out have a profound influence on how citizens see and find their place on the social ladder and within in the social fabric. This does not mean that the unequal distribution of political power is always the direct cause of other forms of inequality. Simple cause-effect relationships do not explain this highly complex phenomenon in which personal and social factors are intertwined. It is generally acknowledged, however, that the distribution of power and how it is exercised by those who have it are at the core of the different forms and manifestations of inequality and inequity.

1.8 The need for further distinction and greater precision

Before moving on to an assessment of recent trends in the realm of social justice and international justice, brief consideration should be given to two complementary factors relating to the conceptual framework for social justice sketched in this first chapter.

First, the six types or areas of inequality reviewed above may be referred to as “vertical” inequalities. They derive from the division of an entire population—usually the inhabitants of a country but in some cases the members of a region, a city or an age group—along the lines of income or degree of political participation or other variables theoretically applicable to all. The Forum concentrated on this approach because of the importance traditionally attached to the distribution of income as an overall measure of inequality in a country. However, there are other types of disparities that might be termed “horizontal” inequalities, reflecting comparisons made between the situations of identified segments of the population differentiated on the basis of sex, racial or ethnic origin, or area of residence, for example. Using the earlier delineation of vertical inequalities as a guide, it would be important to establish some sort of typology of the forms of horizontal inequality that are generally considered and are deemed important from the perspective of social justice. The Forum was in a position to make only a few comments in this context, notably with regard to the progress made in the critical domain of equality between women and men.

Second, further conceptual effort is required to examine the extent to which the three priority areas of equality/equity and the six areas of inequality that have been identified to lend operational content to the notion of social justice also apply to the developmental aspects of international justice. A number of the categories are clearly valid for both dimensions of justice, in particular the distribution of income, assets and access to knowledge, while others, such as the distribution of opportunities for political participation, would be applicable with some modifications in language—in this case a mention of the involvement 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 specifically relevant to issues of international justice in a fragmented and conflicted world also require consideration and could be addressed in the context of future discussion and debate. A relatively limited assessment of the current level of international justice is presented in chapter 2, while chapter 3 provides a more detailed examination of recent trends in social justice, considered within the framework established in chapter 1.