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A DIAMOND IN THE ROUGH
TOWARDS AN INTEGRATED HUMAN RIGHTS PROJECT

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Deborah van Donkersgoed-Valentine

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Members of the Examining Committee

Prof. Bas de Gaay Fortman
Aurora Galindo

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Enquiries:

Postal Address:
Institute of Social Studies
P.O. Box 29776
2502 LT The Hague
The Netherlands

Telephone -31-70-4 260 460
Cables SOCINST
Telex 31491 ISS NL
Telefax -31-70-4 260 799

Location:
Kortenaerkade 12
2518 AX The Hague
The Netherlands

TABLE OF CONTENTS

Foreword: A Diamond in the Rough

A discussion of human rights in the context of development is not necessarily a new topic, nor one which will or should be conclusive. There is a variety of reasons to discuss these two topics in the same breath, not the least of which is the fact that the two emerged from similar circumstances and in essence strive for a common goal, regardless of how skewed the paths towards the fulfillment of the goal may appear to be. Human dignity is the essence of what human rights set out to preserve, promote and protect, and development, despite a rather circuitous route, in its latest discursive review is returning to these same principles. In the following discussion and analysis the historical evolution of both discourses will be traced as will the evolution of the practices which they generated, to show their common roots and purposes but also to demonstrate how they have deviated from one another, neither fulfilling the aspirations that motivated them. The juridical-political project that emanated from the human rights field and the economic project linked so intimately with the development field have contributed to the scenario which confronts the world today, of aggravated poverty, continued and extended human rights violations and conflict susceptibility within nations. Though the United Nations may have fulfilled its purpose in preventing conflict between nations in the aftermath of the Second World War, it is increasingly called upon now to attend to intra-state conflicts, the origins of which do not substantially differ from what had been identified fifty years ago as aspects likely to contribute to inter-state conflict.

Then, as now, security was at issue. Then, as now, security embodied much more than its military connotations, as reflected in the London Declaration of 12 June 1941 in which those fighting Hitler affirmed that they would work together to establish "a world in which, relieved of the menace of aggression, all may enjoy economic and social security" (Nicholas, 1975, p.1). Article 55 of the UN Charter, in which among the conditions of stability and well-being were higher standards of living, full employment and conditions of economic and social progress and development, extended this notion of security. Somewhere in between however the integrity of security, the mutuality of development and the promotion and protection of human rights and all that these stood for moved away from one another, developing their own meaning, and more importantly independent means of achievement. Peace was determined to be only guaranteed through the existence of military threats, human rights through the establishment of juridical procedures and mechanisms by which to identify and punish violations and development was to be a natural consequence of economic growth. Just as there are indications that this continues to be the predominant state of affairs and thinking, there is also sufficient evidence to indicate the contrary. To suggest that a diamond is taking shape, slowly and perhaps too cautiously, towards a re-unification of the human rights and development discourses which find their essence in the International Covenant for Economic, Social and Cultural Rights.

The starting point for this discussion will be the bottom point of the diamond, 1945, when the UN emerged and within it a human rights and development purpose and discourse (Chapter One). Though conceived simultaneously, as complementary elements of a whole

endeavour, human rights carried on along one side of the diamond becoming a juridical-political project (Chapter Two), while development took an alternate economic path along the other side (Chapter Three). The widest point of the diamond will be considered as the period of transitions and crisis which the world experienced in the 1980s, the 'crisis of painful learning', which simultaneously stimulated reflection and rejection (Chapter Four). Reflection of what had gone wrong with earlier models, paradigms, theories and practices, and rejection of any alternative positions being manifested by a return to past prescriptions. It is in the reflections of the crisis, in the voices of the alternatives and in various important declarations and pronouncements of the UN that we can see the diamond taking its shape, moving towards its refinement and returning to some of the basics declared fifty years ago. There is evidence of this in several forums of the UN as will be indicated in the following analysis. However, there is striking similarity between the two in the Human Development Reports which have been sponsored annually since 1990 by the UNDP. In tracing their evolution the trend can be followed and perceived, as can an identification of what remains to be done (Chapter Five) in adopting an Integrated Human Rights Project.

There are, inevitably, limitations and dangers to graphically portraying this discussion as a diamond. It should not be interpreted, for example, as suggesting that once an integrated human rights project is reached, and the diamond completed, that we will then have reached the 'end of history'. On the contrary, such a human rights project itself considers and embodies a certain sense of dynamism which would prevent it from ever being fully achieved, as it can always be improved upon. Furthermore, the angle of both ends of the diamond have their significance. It has taken more than forty years to reach a turning point (from the bottom of the diamond to its widest point in the middle), but evidence suggests that there is no guarantee that we can take another forty years or more to reach a solution, or possible solutions, in other words we need to move faster in resolving problems than we were in contributing to them in the first place.

The analysis that follows is optimistic. It is based on faith in the positive pronouncements and actions taking place, with sufficient cynicism to allow reflection on as many and as contradictory aspects as possible, but not enough to allow for despair. It is a very personal search for hope and a reason to move forward. From it I have perhaps become more cynical but in so doing more aware. I have also come across evidence of the optimists of this world, such as those who have been awarded the Right to Livelihood Award[1] and from them and their contributions found inspiration and conviction in the belief that "...changed minds are a precondition to changed behaviour." In the words of those who met at the Parliament of the World's Religions: "Earth cannot be changed for the better unless the consciousness of individuals is changed first" (A Global Ethic, p.2). At a time when so much is subject to criticism, when the pessimists see only gloom and doom, the burden of the optimist is to justify how they remain so and why. To argue why and how in the face of the apparent immobilism which has gripped the world, in which 'We can't go on

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[1]This is the 'alternative' Nobel Prize award. See, Seabrook, J. (1993) *Pioneers of Change: Experiments in Creating a More Humane Society*, Zed Books, London

like this' confronts 'We can't not go on like this' (Blackwell and Seabrook, 1993, p.1), seems a lost battle, or one in which the efforts may well outweigh any benefit. However, there is proof of the optimists, found in those defining an alternative world and living according to different patterns. Their voices and experiences are being heard, perhaps in whispers, undoubtedly too cautiously, but heard nonetheless.

Chapter One: UN Human Rights and Development Discourse

Introduction

*"Too often the human factor (in human rights)
is made subordinate to the whims of power, to
economic and financial conveniences and to
military considerations"*
Theo van Boven
Director UN Division of Human Rights
Opening Address to the Third Committee
September, 1977

The concept of Human Rights is, unfortunately, far from self-evident. So much has been done in the name of human rights which at the same time contributed to the denial of the same rights. Threats have been made to states who do not guarantee the rights of their citizens and yet those threats fell to the wayside when economic or political interests made it convenient to do so. History has demonstrated this, repeatedly contributing to a situation in which human rights are "...characterized by a gulf between thought and reality, aspiration and achievement" (Prem Kirpal in UNESCO, 1986, p.279). Furthermore, in reducing debates on human rights into freedoms and obligations it has been to the former that greater attention has been paid in the last 40 years, contributing to an absolution of the obligations[1] of the international community in guaranteeing the implementation of all rights through purposeful acts of intervention. It is, after all, much easier to refrain from doing something than to take a determined and consistent stand, to assume an obligation in ensuring that rights are provided. In dealing with human rights the international community, gathered within the United Nations, has too often "...restricted (themselves) in the confines of procedures or in the constraints of diplomacy" (van Boven, 1982, p. 38).

There are many reasons for which to discuss human rights alone, and even more for discussing them together with development. We will leave aside, for the moment, a discussion on the implementation and application of human rights, or lack thereof, and focus primarily on what the text and the process of elaborating the human rights instruments tell us. For just as development cannot be abandoned because of its failings neither can human rights be ignored because of its. The moral imperatives which accompanied their elaboration are presumed to be just as valid today as when they were formally incorporated into international law. Furthermore in the last 20 years on numerous

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[1] This is particularly marked by the controversy surrounding the Declaration on the Right to Development which was intended to become the umbrella notion unifying human rights and development, yet has been reduced to diplomatic procedures in which the donor countries reject the notion that developing countries have the right to seek, and therefore the donors have the obligation to provide, aid (Tomaševski, 1993, p. 48).

occasions the link[2] between human rights and development has been reinforced not merely by words but by action on the part of the international community[3].

Such links are evident in the programmes of action adopted and endorsed by the Conference on Education for All, held in Thailand in 1989, the World Summit for Children held in New York in 1990, the United Nations Conference on Environment and Development of Rio in 1992 and the recently held International Conference on Population and Development in Cairo. Of these the World Summit for Children is perhaps the most indicative of a joining of the development and human rights discourses having led to the adoption of the Convention on the Rights of the Child, itself the only human rights instrument which embodies economic, social and cultural rights and civil and political ones in one document. In the preliminary reports and discussions regarding the upcoming Social Development Summit in Copenhagen and the Fourth World Conference on Women in Beijing there are further indications of a merger between the two discourses, not overtly but in a more subtle manner. Each of these conferences builds upon the other, contributing to an increasing recognition that the link between development and human rights must be in practice and not solely in rhetoric or in the form of declarations. It should be noted that the human rights dimension of the above mentioned is not restricted to the civil and political rights so often understood as *the* human rights. Rather in the process the importance of economic, social and cultural rights equally guaranteed in international legislation are being rescued from an oblivious past.

The World Conference on Human Rights held in 1993 is yet another reason to discuss human rights in the context of development. Officially part of the agenda, debates on the link resulted in numerous paragraphs[4] of the final document, the Vienna Declaration and Programme of Action, reaffirming it in very explicit terms. Despite arguments of culturally determined means of implementing human rights, with the ease in East-West tensions human rights have at least been freed from the ideological debates which have surrounded them since their adoption. The cultural concerns, or 'regional particularities' that now dominate the debates can be far more constructive than ideological constraints which pitted two sides together for it calls for a "...cross-cultural understanding and respect of other ways of life (Bayalama, 1993, p. 137). Though there are more voices than before, the nature of the debate itself is less likely to be as destructive as that which took place in a 'war' environment, albeit a cold war. In his opening address to the Vienna Conference, UN Secretary-General, Boutros Boutros-Ghali reminded the delegates that differences of reality should be "...a source of positive reflection, not of sterile misunderstanding" (UN, 1993, p.7)

The much publicized Agendas for Peace and Development presented by the Secretary General of the United Nations in 1992 and 1994 respectively also point to the re-merger

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[2] The 'link' between development and human rights has been established in numerous declarations of the GA and its agencies/bodies. Not the least significant of these is the Declaration on the Right to Development adopted by the GA in 1986.

[3] The 'international community' is used to refer to those members making up the UN.

[4] These paragraphs are: I: 8-12, I:14, I: 25, II: 66, II: 72-74 and II:80.

of two discourses which. The question remains whether attempts should be made to put the human rights ideals into a development discourse or whether the development discourse should itself be drawn from the human rights one? Development has become equated with economic growth and human rights have been reduced to the legal constructs by which they can be measured, justified and defended in a court of law (national or international), not in the court of day-to-day life as its forefathers may have presupposed. Today we can perhaps see signs of the two potentially coming together again; if this is the case what should their relationship be? Complementary? Supporting? or can there be a conception for a development discourse or path that has at its core the principles and practices embodied within and foreseen by the International Bill of Human Rights? It can be argued that "...thus far human rights have had the burden of proving they are (or could be) beneficial to development, and much research has been carried out to try and demonstrate that development that negates human rights cannot be sustained" (Tomaševski, 1993, p.155). Today not only has the research been conducted to justify such a link but it is emerging again and again in the development oriented endeavours of the international community and in the human rights declarations of the international community. Paragraphs (I), 8 of the Vienna Declaration and (II) 66 of the Programme of Action affirm that democracy, development and respect for human rights are interdependent and mutually reinforcing. The burden now lies with each state in fulfilling its own obligations towards those mutually reinforcing goals.

It should be pointed out at this stage that it is not the intention of this discussion to cover the evolution of the International Covenant on Civil and Political Rights (ICCPR) other than in its relation to the International Covenant on Economic, Social and Cultural Rights (ICESCR[5]). Since the entry into force of the two in 1976, attention to the interpretations of the norms set, procedural concerns and reporting mechanisms of the former have in essence overshadowed attention to and concern with the latter, despite the repeated insistence on the interdependence between the two from the day of their elaboration. Despite the very purposeful decision to place the latter before the former in the text that approved and opened them for ratification, and despite the fact that the ICESCR came into force three months prior to the ICCPR. The very division of the rights embodied in the two International Covenants was in fact more a result of ideological and implementation considerations, and was not necessarily a reflection of the belief that one was above or superior to the other, nor in fact that the achievement of one was required before the others could follow.

Human Rights Mandate

The United Nations Charter, the contents of which were directly influenced by the destruction of the Second World War and earlier attempts at preventing the same, binds all members to strive towards and maintain the full realization of human rights and fundamental freedoms. A significant departure from earlier attempts to incorporate humanitarian concerns in international law was that of the target population. Whereas before it had been assumed that only captured combatants required protection, the recent

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[5]Annex I

experience had demonstrated the need for protection for whole sectors of populations, for civilians as well as military personnel. Furthermore, protection was no longer conceived as something temporary, subject to the existence of conflict, but the notion of human rights became preventive. That is, with the protection and promotion of human rights the United Nations would fulfill its mandate of avoiding future conflicts and maintaining peace for present and future generations.

Human rights were elevated from being noble aims for specific groups of people to being the obligation of governments and the United Nations itself towards all people. At the time of the Charter's elaboration, at the San Francisco Conference in the summer of 1944, a recommendation was made to ECOSOC that a Commission for Human Rights be established in order to elaborate a more detailed document relating to human rights. Within two years of its formation, in 1946, the Commission presented the General Assembly with what is now known as the Universal Declaration of Human Rights (UDHR). Declared to be a "common standard of achievement for all peoples and all nations" (Eide, 1986, p. 367) it "...envisaged a political civilization that would be shared by the states of the world, and bring about a stable, equitable and peaceful order" (UNESCO, 1986, p. 13). The Declaration was heralded as a "...milestone in the history of humankind, a veritable Magna Carta which spells out precise civil and political as well as economic, social and cultural rights to which every human being on earth is equally entitled" (Mårtenson in Davies, 1988, p. ix). With the approval of the UDHR by the United Nations General Assembly (GA) with several abstentions though without any formal dissent[6], the next task of the Commission was to elaborate a human rights instrument that would be legally binding on all constituent members of the UN. In addition to the legal imperative were the increased demands from a growing UN membership for specific details and additional information on the rights contained within the UDHR.

The drafting of a treaty which would strengthen the provisions of the UDHR was a long and troublesome process which, though it resulted 18 years later (1966) in the two International Covenants on Civil and Political Rights (ICCPR), and Economic, Social and Cultural Rights (ICESCR), violated "...the conceptual integrity of human rights by adopting two separate treaties" (Tomaševski, 1993, p. 159). There is no doubt that the division of human rights into two categories has contributed to the diplomatic constraints van Boven referred to. On the other hand, separating them also guaranteed that their contents become an integral part of international law. Among the contributing factors to the elaboration of two separate Covenants were those related to the East-West tensions which were so prominent at the time. While the West maintained the importance of civil and political rights, the East emphasized the latter. The ideological battle lines drawn, it was impossible to find a means of overcoming this difference of emphasis and importance and two separate Covenants were adopted. It is interesting to note that in the resolution which adopted the Covenants (resolution 2200A (XXI)) the ICESCR was purposefully placed before the ICCPR, though since then the latter has come to be known as first

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[6]The then communist states. Saudi Arabia and South Africa abstained from the vote but did not register formal opposition to the UDHR.

generation rights and the former, second generation rights[7]. Though two Covenants were unanimously approved by the GA in 1966 it was affirmed then, and since then on numerous occasions, that the rights contained in both documents were, and are, 'interdependent and indivisible'. In practice however, there was an implicit agreement that the difference in character between the two groups of rights required different approaches to ensuring compliance and implementation. The ICCPR was drafted in terms of the rights of individuals, which governments were to refrain from violating and infringing upon. The ICESCR on the other hand was drafted in terms of State obligations, elaborating upon those rights the State was obliged to provide and guarantee. This positioning of the rights and of opinion on them reduced the human rights discussion to one of freedoms and obligations, from which the former was more amenable to international interference in sovereignty than the latter. Furthermore, prevailing opinion maintained that in order for a State to be strong enough to implement and fulfill their obligations the civil and political rights of their constituents had to be secured. "If a state is to fulfill this task (of implementing economic, social and cultural rights), the people should be able to control the State, and ... this is possible only if civil and political rights are respected" (Türk, 1989, p.7).

The historical evolution of human rights, rooted in the historical evolution of Western Europe has contributed to the underlying and subtle division of rights into 'generations', into their dichotomous presentation despite the continued insistence that they are interdependent. Broadly speaking civil rights were acquired in the 18th century, extended to include political freedoms in the 19th century and together these in the 20th century contributed to and generated a demand for social and economic rights. It is now generally accepted that the civil and political rights or classical rights also be referred to as first generation rights, tacitly implying that one must be achieved before the next, the second generation rights (economic and social rights) can be met. It is not terminology alone which has undermined the interdependence and indivisibility of economic, social, cultural, civil and political rights, though it has had a role in reinforcing actions which treat the two sets separately.

William Fraukena once stated that "...moral philosophy begins with man's *dissatisfaction* with the codes governing his present conduct" (UNESCO, 1986, p.26), and if one considers that it was the dissatisfaction with a world order that had allowed the Second World War not only to take place but to have produced the ravages it did, then an argument can be made for human rights as a moral philosophy which attempts to provide a new order based on new codes. There is little doubt that the philosophical foundation of human rights is Western European, rooted in the 17th century, for it was from this order that so much discord was produced (and arguably continues to be produced on a different scale). However, both in Greek philosophy and in various religions of the world points of contact can be found with the principles underlying the idea of human rights.

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[7]The term third generation or solidarity rights is now used increasingly to refer to such rights as to a healthy environment, to development, to a common heritage, to peace etc., these are also referred to as 'collective rights' entailing consideration not only of individual claims, as presumed in the first and second generation, but of claims to be made by groups, collectives.

Elaborating the ICESCR

> *"...rhetoric of human rights, narrowly conceived as subjective, individual rights, becomes mere self-justification and subterfuge - an ideology, in short, as soon as it hides the violations of economic, social and cultural rights"* (UNESCO, 1986, p. 26).

Returning to the elaboration of the International Covenants, and more specifically the ICESCR, it is relevant and important to know how these were identified and specified, by whom and how. It is here that a direct link between development and human rights discourses can be traced, and to which we turn our attention. Economic, social and cultural rights are mentioned in Articles 22 through 28 of the UDHR, but in order for them and the other rights mentioned in the UDHR to be legally binding and enforceable they required specification. The International Covenant on Economic, Social and Cultural Rights provided the required specification of each right embodied in the UDHR pertaining to these spheres.

Both Covenants represent the minimum norms to which governments are obliged to conform, with the implication of the ICESCR being that the rights therein were and are to be understood as ones which are subject to continuous improvement (Article 2). The formulation of human rights embodied in the International Bill of Rights (IBR)[8] are not to be viewed as "... inflexible norms but as dynamic instruments to be interpreted in the light of changing circumstances - provided only that no threat is thereby imposed to the fundamental underlying values" (Alston (b), 1979, p.37/38).

It was the task of the Commission for Human Rights to elaborate the content of the two Covenants which were to specify, as norms, the rights referred to in the UDHR. Though originally it had been proposed that the Commission be composed of experts acting in their individual capacity this had been rejected by the majority and it has subsequently been made up of government representatives acting on instructions from their capitals[9]. While these felt they had the expertise to elaborate upon civil and political rights it was recognized early on that such was not the case regarding the economic, social and cultural rights and they turned to the UN's specialized agencies to assist them in the process. The International Labour Organization (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the Food and Agriculture Organization (FAO) were thus enlisted to participate with the Commission in the elaboration of the relevant articles. It is not by chance that the articles of the ICESCR which refer to the mandates of the organizations above are the most explicit of the Covenant, nor that one finds in the Constitutions of each agency reference to human rights (Alston (a), 1979, p.15). The role each agency played varied from

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[8]Comprised of the UDHR plus the ICCPR, its Optional Protocol and the ICESCR.
[9]The Sub-Commission which has since been established under the Commission for Human Rights is made up of experts acting in their individual capacity and thus offers a counter-balance to a forum dominated by political concerns over human rights concerns per se.

submissions of specific proposals and wording, to lobbying Commission delegates for consideration of their concerns. This divergence of tactics and roles was a direct reflection of the maturity and confidence of the agencies. Whereas the ILO, a remnant of the League of Nations era and established since 1919, had extensive experience in designing and implementing international legislation, norms and such, WHO (the first agency set up by the UN in 1948), UNESCO[10] and FAO (set up in 1943) were younger more anxious agencies attempting at the time to affirm their mandates. Nonetheless, they played a crucial role in defining the contents of the Covenants not the least of which was serving as a channel for the inputs of non-governmental organizations to the United Nations system.

The role of non-governmental organizations in having human rights assigned so highly in the Charter at the San Francisco Conference (van Boven, 1982, p.38), in being able to lobby and work with the agencies (Alston (a), 1979, p.25) and since then in "... the further evolution and refinement of this normative system as well as in the improvement of institutions and procedures which allow for a reaction to violations" (Eide, 1986, p.398) cannot be easily overlooked. It is through the input of non-governmental organizations working either in identifying violations of human rights or in their promotion that the human rights instruments are kept dynamic. In addressing the Commission of Human Rights in September of 1979, Theo van Boven maintained that NGOs were the link between the Commission itself and peoples and persons at large. They were transmitters of opinions and concerns, sources of ideas and energies and should be considered an integral part of any endeavour in the field of human rights (van Boven, 1982, p.54); after all 'people matter' and NGOs were another facet of their representation at the United Nations, along with governments.

At the time of the elaboration of the ICESCR and in the period that followed until its coming into force in 1976, it was felt and anticipated that the role of the Specialized Agencies would be "...a decisive element in determining the success or failure of the Covenant" (Alston (a), 1979, p. 13)[11]. Their co-operation with the Commission was understood as essential in ensuring the implementation of the rights contained within the Covenant, and their continued co-operation was stated in Article 18. Part of the logic that stimulated this thinking was logic itself, that is, each agency had a mandate which coincided with the rights contained within the ICESCR and had the resources to work on and with these issues. Therefore why should the Commission venture into territory that was already covered by an expert agency of the same system. Agencies which had furthermore participated in elaborating the instrument in the first place. Simple logic was not to prevail however and the situation appeared to be in regression when in 1982-83 UNDP, UNIDO, FAO and UNICEF declined to participate in the human rights

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[10]Despite having a longer history as the International Institute for Intellectual Cooperation, as an agency UNESCO did not rationalize its activities as such until 1958.

[11]For a detailed analysis of the legal imperative for International Development Agencies to protect and promote human rights, the relationship between particular projects and particular rights, harms caused when these rights are ignored and strategies which can be adopted to ensure they are promoted and protected, see Paul, James C. N. (1989) "International Development Agencies, Human Rights and Humane Development Projects" in *Alternatives* XIV, Number 1 (1989), 77-106.

programme in Uganda citing that "...human rights were beyond their terms of reference.."(Tomaševski, 1993, p. 134).

Finding Development's Discourse

Development means many things to many people, and like human rights is far from self-evident. Whether qualified as economic, social, cultural or human, there is consensus that it entails improvement, though the means by which such improvements are to be achieved and measured, are as numerous as the purposes which motivate them. Unlike the human rights discourse the identification of what was meant and intended by and for development is an elusive search. There was no development declaration, let alone a universal consideration of it from which to trace its evolution. While the elaboration of the UDHR represented a historical synthesis of international humanitarian law, development as we now know it was on the verge of its own birth. Esteva maintains that the birth of development was, to be exact, January 20, 1949, the day President Truman took office and began the consolidation of the US's hegemony over the world. (Esteva in Sachs, 1993). Pinpointing the actual 'birth' of development is tricky, it runs the risk of overlooking the processes and conditions which shaped it in the first place. Finding its conception is perhaps easier, though between its conception and 'birth' we must recognize that something transformed its meaning and purpose.

Among the objectives of the UN, and elaborated upon in its Charter, are those referring to the notion of development. A notion which was intimately linked to "...creating conditions of stability and well-being" and which were expressed in terms of higher standards of living, full employment, economic and social progress and which embody a search for solutions to international economic, social, health and related problems. The notion also conceived of cultural and political development in terms of the progressive granting of self-government to people who did not enjoy this at the time. (Article 55). There was an inherent conceptualization, most often referred to as advancement, as something progressive and dynamic, and essential to the maintenance of international peace and security. Furthermore, such measures of advancement, of development, were intimately linked to the human rights guaranteed in the same document and were formulated in the name of 'peoples'. Thus, though the Charter addressed states, it was in the name of peoples themselves and not in the name of states that it had been elaborated. Neither human rights nor development were conceived of as characteristics of states, as was to be the case in later years, but were presented as benefits for and of peoples.

Particular agencies and organs of the UN were anticipated for the varying spheres of international relations and co-operation. Though some of these, such as the International Monetary Fund (IMF) and the World Bank (WB)[12], pre-dated the UN Charter itself and operated under their own constitutions, their objectives "...were in harmony with those of the UN" (Nicholas, 1975, p.6). The establishment of the Economic and Social Council (ECOSOC) as one of the principle organs of the UN provided the opportunity in which

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[12]Both these financial institutions were the result of the UN Monetary and Financial Conference of Bretton Woods (1944).

the mandates and areas of expertise of all agencies, related in one way or another to the UN, could be considered in a joint forum, as pieces of a whole[13]. A whole which had economic (i.e. WB, IMF), social (WHO, FAO, ILO, UNICEF etc.), educational and cultural (UNESCO) dimensions. Dimensions which by virtue of association and the result of constitutional arrangement were linked to and a result of the human rights discourse.

Such were the notions of development: all-encompassing, inter-related and dynamic elements of a system established to maintain international peace and security with full respect of human rights. The project was noble, the actions required to implement it complex. Before 'development' became an accepted part of the UN's everyday language and area of attention though, the reconstruction of war-torn Europe, of its economic and social infrastructures dominated the agenda. It was the actions taken in the name of reconstruction that contributed to development's evolution in practice, not simply as a discourse. The notions of development referred to above were subsequently influenced and shaped by the optimism of the 1950s in "...all-out industrialization and GNP growth" (Esteva in Sachs, 1992, p.12). This optimism was fed and harnessed by the successes and achievements made in reconstructing the economies and societies of Europe. Growth in income, of nations and individuals, had been crucial to this success and was thus felt to be applicable to any (and all) other parts of the world. There were concerns regarding this overemphasis on growth as early as 1962 when the Proposal for Action of the UN's First Development Decade reaffirmed that "...development is growth plus change (which) in turn is social and cultural as well as economic. ... The key concept must be improved quality of people's lives" (cited in Sachs, 1992, p.13). The notion of development as suggested in the UN Charter was affirmed, as was a concern for an over-preoccupation with economic growth as a means for its fulfillment. The proponents countered though, that personal incomes could not grow in the absence of overall growth, and that with increased incomes people would be able to improve their quality of life.

Despite these early attempts to re-orient its direction, development "...continued to be perceived as a definable path of economic growth" (*ibid.*), to which social concerns could be integrated, or rather which would be satisfied in and of themselves. The continued belief in and actions towards achieving development through economic growth contributed to the disintegration of an integrated human rights project. As did the juridical concern for human rights. In identifying the means of achieving the aspirations of the UN Charter, the conceptual whole was sacrificed.

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[13]This in itself was mitigated against from the start by the differing relationship of UN agencies, organs etc. to the ECOSOC which made some more accountable than others. However, the point here is the intention and not necessarily the result.

Chapter Two: The Juridical-Political Project

Introduction

Thus far we have seen how the human rights discourse of the UN was established as such. How it was conceived and elaborated upon as an all inclusive contribution to the maintenance of peace and security, and how it was implicitly linked to notions of development at the time. As the opening line of the first chapter suggested though, human rights today are far from being self-evident in understanding or interpretation, let alone as having a clear link to and with development. How this integrated human rights concept evolved, or rather, dissolved into a juridical-political project is important in understanding the disintegration of the human rights project. More importantly, it also provides insight into how continued disintegration can be prevented and thus ways can be found to work towards its re-integration.

There has been a tendency since the scientific revolution to compartmentalize knowledge into categories which can be easily defined, studied and managed. This has been evident in human rights "...which have been regarded by many as falling within the sphere of law, or, to a lesser extent international politics" (Davies, 1988, p. 152). A legalistic perspective of the world and of change though presumes that these can be "...professionally guided transformations" in which those versed in its procedures profess to know what is best (*ibid.*, p. 17). Though human rights, as established within the UN system, were closely linked to law their evolution went far beyond a merely legalistic conceptualization. Furthermore the effects anticipated by enshrining them in international law was not merely as an end in itself but rather was anticipated as a means by which and through which people could be reached. This heritage alone did not contribute to the disintegration of human rights, though it did play and important behind the scenes role in the processes which contributed to the juridical-political project becoming synonymous with human rights.

The promotion and "... effective factoring (of ESCR) into broader policy equations requires skills and expertise that are alien to what has been termed the normative-juridical model of human rights implementation" (Alston, 1993, p. 6). Such a model is dominated by lawyers and legal reasoning and, unless the circle is expanded from lawyers, diplomatic representative, Secretariat officials and NGO[1] representatives then prospects for reform will be slim.

From Co-operation to Consternation

Several factors have contributed to changing the relationship between the UN human rights organs and development agencies from anticipated co-operation to anguished

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[1]NGOs here are specifically those concerned with the civil and political rights, such as Amnesty International, the International Commission of Jurists, the Red Cross and the International League of Human Rights among others.

consternation, at least from the point of view of the human rights organs. Principle among them are, (i) the preoccupation with establishing norms and standards; (ii) concern with reporting mechanisms and the design of procedures to deal with violations; and (iii) development as defined by economic growth. The situation today is far removed from the early days of the UN, when all development was automatically assumed to be beneficial to human rights. Taking these factors into consideration we can clearly see how it became inevitable that development would go one way and human rights another, not necessarily intentional but unable to anticipate how far it would lead them.

With the entry into force of the International Covenants on Human Rights, the Commission on Human Rights had fulfilled a third important step in revolutionizing human rights, that is it had ensured that these become part of international law. The next step was to further define the standards and build upon these by establishing reporting mechanisms for violations and procedures for holding governments accountable and punishing violations. The discourse and concerns became legalistic in its framing and given that economic, social and cultural rights had been deemed "...inappropriate for judicial enforcement" (Alston (a), 1979, p.5) they were quietly set aside not only for future consideration, but as part of the mandate of the UN's specialized agencies. Agency responsibility for upholding ESCR had been formally recognized in Part IV of the Covenant, which states that their role in implementing the standards set forth in the Covenant would be through their work which by its nature served to give effect to the Covenants and in reviewing and commenting on the reports submitted to ECOSOC. (Mower, 1985, p. 67). Hopes had been high that this would be fulfilled. Justification for such faith was found in the experiences of the ILO which had not only established norms and standards but had contributed to specific international legislation on specific rights within the ICESCR that were within its competence. Taking this into consideration something similar was expected of the other agencies and there was a feeling similar to the 'trickle down' effect anticipated in economic thinking on development (Alston (b), 1979, p. 72).

Thus the division of labour contributed to a situation in which the human rights which were discussed or debated in the Commission or the GA were essentially those contained in the ICCPR, as the others were presumed to be taken care of through the work of the agencies. The Commission's work became to a large extent synonymous with civil and political rights despite repeated attempts by the socialist bloc countries, among others, to use the Commission as a forum for discussing and promoting economic, social and cultural rights. This situation was further exacerbated by the East-West conflict and the ideological warfare surrounding it - from which the call for 'freedom' itself prevailed over the call for 'freedom from'. This also reinforced the 'generation' belief that without the former the latter could not evolve. This positioning of the two sets of rights was not helped by the position taken by the US and maintained today which does not view economic, social and cultural rights as being rights at all, but as benefits of freedom and democracy. Viewed such people are dependent upon the sense of moral obligation of their governments and are denied a means by which and through which to claim these rights.

While the agencies were presumed to be defining the more problematic norms required to ensure the compliance of governments with their obligations under the ICESCR, and where applicable, to be offering assistance in the same, the Commission concerned itself with those norms which ensured governments refrained from violating human rights. Prohibitions were quite well defined so the Commission moved fairly quickly into monitoring and assessing those elements of the IBR. The multiple recording mechanisms and procedures, not to mention the increasing numbers of violations, have contributed to a situation in which this role alone is burdening the work of the Commission. With the narrowing of human rights to legal procedures which is concentrated at the international level "...these procedures tend to favour the rights and the interests of governments rather than the rights of the individual or the peoples" (van Boven, 1982, p.29) thus excluding them, or distancing them from a process begun in their name.

From the time of the ICESCR's elaboration it had been emphasized "...that its reporting procedure was 'intended to represent a system of mutual aid and progressive promotion of human rights', rather than a machinery for enforcement" (Alston (a), 1979, p. 17) as the reporting mechanism for the ICCPR was designed. Governments were to submit their reports via the Secretary General to ECOSOC, which would transmit them to the Commission for general comment and the appropriate agencies for more detailed comments. The lack of consistency, of critical analysis and data exhibited by the reports presented, the fact that many were prepared by foreign ministries rather than the competent ministries and the lack of guidelines or orientations for the Commission in reviewing them contributed to significant questioning of the usefulness of the reports and the procedure itself. Another significant contribution to this becoming a 'paper facade' was the reduced role of NGOs in complementing the information contained within government submissions[2]. In 1986 a Committee of Experts on Economic, Social and Cultural Rights was established and given the responsibility for supervision of the reports, they have however limited themselves to areas which were or are readily defined and have paid less attention to those where definition of standards and data collection were weaker. Given the fora within which this expert Committee works, it has been to the "...process of building up a more precise and legally convincing interpretation of" (Türk, 1989, p. 11) state's obligations viz. the ICESCR as opposed to identifying the means of working towards their integration in the broader scheme of the UN's work and development.

A selective review of reports prepared for the Sub-Commission in the last five years indicate this is changing. Besides reflecting a renewed interest in economic, social and cultural rights, perhaps due to an ease in East-West tensions, there is evidence that concern for merely the juridical, legalistic aspect of their implementation is being matched by debates regarding their realization per se and their integration into other UN activities. The debate is thus divided between how to ensure that states implement their obligations, and the way in which the human rights fora can be of assistance to ensure people enjoy these rights.

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[2]Before the Covenant, in 1962, ECOSOC had endorsed direct NGO contributions to reports pertaining to ESCR as complements to agency comments. With the ratification of the Covenant however this role was restricted and the role of the agencies enhanced.

It "...is difficult to situate human rights within the (development) debate because it has always revolved around money and not people" (Tomaševski, 1993, p. 30). Whereas the work of the specialized agencies was in principle conducive to human rights, their underlying subscription to development as measured by growth and the ineffectiveness of their efforts within the more overwhelming effects of the economic paradigm prevented them from fulfilling the aspirations of their mandates. The soft side of development that did not deal with macro-economic policies and was more involved in the human side of development would have been capable of fulfilling the human rights mandate ascribed to and assumed by them, had it not been for the overriding effects of the macro development policies implemented in the name of growth as development. The net results of their efforts in the field of poverty alleviation or provision of basic needs were mitigated against by economic policies that did not take into account the trickle down effects on people and their standards of living, and by an increasing tendency to use projects as goals as opposed to instruments of development. When the basic needs strategy (BNS) entered development thinking and ultimately practice it was quickly linked to the ICESCR[3] and used a means of sustaining agency work in human rights.

Though there were obvious differences between ICESCR and the BNS, there were also underlying principles which were common to both and which facilitated the link. Among these were notions of human dignity, equitable distribution of resources, comprehensive and balanced approaches, non-discrimination, self-determination and participation. (Alston (b), 1979, p.21-25). However, the association allowed the ICESCR to be interpreted as minimum targets as opposed to minimum norms and deprived it of its central feature which was that these norms were to be subject to continuous improvements. Again, it was the lack of conceptual clarity, in both, that allowed the development network to avoid the non-material aspects of the BNS and prevented the ICESCR from forcing attention to the same. Furthermore the assertion of a need is in no way the same as the recognition of a right. The difference in the moral and legal imperatives of 'needs' and 'rights' are too great to overlook, and the use of needs versus rights was indicative of a regression in the field of human rights.

While the advances of the 70s quickly eroded and were overshadowed by the crisis of the 80s, the same crisis highlighted the structural impediments to development and human rights, and instigated policies and programmes detrimental to the achievement of human rights. While on the one hand there was a resurgence of a definition of development which is inconsistent with human rights and is dominated by extreme liberalism, structural adjustment programmes, privatization, continued debt re-payments and decreased public expenditures, factors contributing to undermining government capacities to fulfill their human rights obligations, there is, on the other hand, a parallel process taking place which seeks to counter the advance of old medicines for new ailments. This parallel process is

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[3]This was due in part to the fact the ICESCR came into force at the same time that the Basic Needs Strategy was being formally adopted by some of the UN's dominant development agencies, namely, ILO, UNESCO, World Bank, UNICEF etc. Furthermore, as Alston argues, the link was facilitated by the absence within the ICESCR of sufficiently defined objectives. (Alston, 1979 (b), p.3).

being fed by the contemporary alternatives[4] and at least partially being pursued by the United Nations' development agencies.

The Danger of Democracy

It may seem unusual at a time when the virtues of democracy are being extolled to discuss its dangers, yet for a discussion on human rights and development it is imperative, for with its promises come dangers resulting from its misconception.

There is an increasing tendency today to equate democracy with human rights and in so doing claim to be upholding the latter while promoting the former. The danger in this for the human rights discourse and actions is that democracy itself is being minimally defined as an electoral process, and participation as voting. The freedom to vote and the freedom of a country in allowing elections is considered the primordial human right and there is a trickle down mentality which assumes that once elections occur then all other human rights will automatically fall into place. Such a view presupposes that democracy itself will establish institutions and foster the sense of responsibility required for the fulfillment of all human rights, and ignores the additional dimensions of participation, both in democracy and in meeting human rights obligations. Unless the fullest possible meaning of democracy, and given the above, human rights, is explored, upheld and opened for debate then both will deteriorate into rule making and condition setting which is detrimental to both democracy and a broader conception of human rights beyond the juridical-political project. There is therefore an additional imperative for raising human rights. This imperative is further supported by the increasing tendency of withholding aid from those countries in which multi-party elections are not a feature, i.e. those which are therefore not democratic, without regard for the consequences for the whole spectrum of human rights if aid is withheld. A situation in which people are being punished for the sins of their leaders and therefore suffering two-fold.

The situation is such that now democracy and human rights are interchanged as if some how the former, representing a form of political governance, is an implicit guarantee of the latter. There are after all cases of democracies in which human rights, and particularly ESCR are not guaranteed - the case with health care in the United States being a topical issue at the moment. Such a situation, if not carefully observed can contribute to the extension of the juridical-political project, not necessarily its expansion into the complementary economic, social and cultural rights.

There is a dangerous word association game taking place that undermines the meanings, complexity and implication on and for people's lives of all the words (or phrases) being used. At the risk of oversimplification, the game goes something like this: democracy means free elections which are the satisfaction of human rights. Democracy also means free markets which in turn means development. What free markets are more likely to free is capital, and people with capital, not people themselves. Without capital the free market means very little, but neither this nor aspects of democracy, human rights or development

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[4]The distinction between alternatives as such and contemporary alternatives will be explored in Chapter 5.

are problematized such to expose their limitations and identify their requirements. Good governance is a topical issue at the moment within donor policies, but to treat it in merely the technocratic sense of 'good management' or 'good administration' in a post-election process without due consideration to what responsive government means, how political linkages between the micro and macro should function and need to be in place undermines the process of good governance from the start and thus becomes a catch phrase to embody much more than it is prepared to do (Brouwers *et. al.*, 1993).

Chapter Three: The Economic Project

Introduction

Wolfgang Sachs claims it is time to "...write development's obituary" (Sachs, 1993, p. 1), Escobar maintains that it is "...a dream gone sour" (Escobar, 1992, p. 413) and Esteva is perplexed by the fact that it in fact conveys "...the opposite" (Esteva, in Sachs, 1993, p.6). What they and many others share is a conviction that development, as the ideology, discourse and practice that we have known for the last forty years has contributed and continues to contribute to underdevelopment, poverty, misery and domination. Absolute faith in progress, growth, prosperity and what these held for the future blinded many to the real effects of these today. It has prevented an updating of theories applicable to new conditions and has prevented an analysis and conceptualization of the importance not only of parallel processes but of the people involved in them.

Development itself invites inquiry into and attention to economics, by having emphasized the latter's attributes and ambitions as essential to the modernizing strategy of development. But if one looks at how economic theory relates to reality and how economists are limited by their own suppositions, it becomes increasingly evident that the two, development and economic growth, are mutually exclusive patterns, void of moral content. (Lummis in Sachs, 1993, p.48). The economic theories advocated and implemented were outdated, resting on 19th concepts which "...stimulated a view of life in which only things that can be expressed in monetary terms count," reducing to zero value all that makes life worth living (Smith and Okoye in Smith *et. al.*, 1994, p. 188). Whereas the notions of development which stimulated practices in its name were all encompassing, inter-related and dynamic, the means of achievement became reduced to a single, static form which was unable to capture and attend to the complexity of the processes involved.

Abstraction confronts Reality

The ethos of development in the optimistic fifties and sixties was that the same patterns of industrialization as those that had characterized the development of the West were the solution for those countries identified as underdeveloped. Those areas of the world deprived of the benefits of scientific advances and industrial progress and which had been subject to exploitation for foreign profit (Esteva citing Truman in Sachs, 1993, p.8). Among the first theories dealing with development economics were the 'capital shortage theories' which argued that lack of capital was the source of problems related to underdevelopment. These theorists[1] favoured industry over agriculture as the path to be

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[1]Among others, these include: Rosenstein-Rodan - state intervention would provide the 'big push' to industry; Nerkse - state was only way of promoting break of vicious cycle of poverty; Leibenstein - high population growth rates required a scale of industry higher than population growth itself in order to 'break out' of the 'low level equilibrium trap'; Hirschman - concentrate on industries which create backward and forward linkages in order to demonstrate to local entrepreneurs areas for investment; Perroux - identify 'growth poles' in order to stimulate industry and Harrod & Domar - whose model of targeting rates of

taken and considered economics as the only sphere of development. Many of them were associated with international organizations and they believed in the neutrality of technical experts. They conceived of the state as an entity above class and ethnic conflicts. With no guideline other than their own experience and the theories which had evolved from these, they proposed that the underdeveloped corners of the world be assisted in the transition to modernity, in the processes of advancement, through industrialization. For these orthodox theorists development was equal to growth, measured as GDP. Capital accumulation was a key factor, industrialization was the mechanism by which it could be accomplished and state intervention to ensure industrialization and growth was crucial. These were, and in their resurgence are, Western (Northern) centric views which believe there is but a single barrier to development, found within the underdeveloped countries themselves. Finally, they justify unequal income distribution as part of the whole process in which at a certain point the benefits of growth will trickle down to the rest of the population.

One contribution to this school of thought which had a significant impact was that of Rostow's five stages of economic growth. Based on his analysis of the economic growth pattern of the developed/industrialized countries he identified the five stages[2] which developing countries should follow as a means towards development, itself defined as mass consumption. His unidirectional and mechanical view of the process made no allowances for differences in starting points or historical circumstance and eventually made justification of slow, sometimes regressive steps, easier and plausible.

Such theories and their proponents, by focusing solely on the quantitative dimension of development overlooked and missed the social, political and cultural conditions and realities which not only defied the fulfillment of the theoretical prescriptions, but which had defined and conditioned them in an earlier time, in another place. In the practice of their application agriculture and its economic, social, cultural and political dimensions was ignored, the state was overburdened without consideration for the consequences of this role, foreign influences and inter-linkages were ill-conceived and income disparities were allowed to grow unchecked.

Disenchantment with the development practices that stemmed from such theories and with the thinking itself did not take long to emerge. Heterodox theories (of political economy) were quick to point out that such orthodox approaches to development were full of limitations and built-in restrictions, although not necessarily those pointed out above. The starting point of the heterodox theorists differed substantially, in that they viewed development as a set of inter-linked problems and circumstances and defined it as something far more than growth, as the creation of non-dependent (economic) systems.

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savings, designed for developed countries, was applied in the 'Third World' and stimulated the Development Plans we are now familiar with.

[2]The five stages were: Transition/traditional societies→preconditions for take-off→take-off→drive to maturity→high mass consumption. The first two were long processes while the later three were faster ones stimulated by an automatic take-off which would be uncontrollable. His writings, published 30 years ago are presently enjoying a revival, with the re-publication of the book in which he presented his ideas: *Stages of Economic Growth: a non-communist manifesto*

The cause of underdevelopment was not internal but external and though they spoke of autonomy and self-reliance, they too remained within the confines of economic theories and considerations. Generally speaking the heterodox school, if one could so call it, emerged from the 'South' (Latin America and India) and tended to have a socialist bend. These theorists too were state centered, though the role they perceived for the state was seen more in terms of redistribution of available resources as opposed to the creation and protection of conditions by which available resources could be made to produce more and thus contribute to overall growth.

Simultaneous with the emergence and application of the orthodox theories, in the 50s and 60s, the heterodoxical school lacked the political and economic support that might have given it more prominence other than in academic circles. The key originality it introduced was the causal relationship between development and underdevelopment, the view that the two were part of a single process. International trade, they argued, contributed to maintaining and often increasing the disparities that existed. International trade did not and could not contribute to reducing the gaps. Within the center-periphery paradigm (Prebish-Singer) it was suggested that, in order to overcome this built-in limitation, a more inward oriented development path was preferable to the export oriented path advanced by the orthodox school. Import substitution industrialization (ISI) was proposed to minimize the effects of deteriorating terms of trade with the acknowledgment that this would be a costly process at the beginning for the lesser developed countries. The long term benefits would compensate for the short term costs they argued.

The dependencia school[3] which unlike other schools of thought and traditional theories was not unilinear and did not assume that everyone started from the same point. Differing starting points in terms of internal capacities, levels of infrastructure, of local investment capacities and so forth were essential to understanding why standard prescriptions applied in an undifferentiated manner would not produce expected results and would in fact disrupt national capabilities. Sunkell argued in 1967 that even processes of ISI would merely allow for the entry of trans-national corporations (TNCs), which would contribute to processes of national disintegration and the marginalization of capital and people. Furtado in the same year anticipated the 'dependent patterns of consumption' which would be created in the Third World, and the negative effects of TNCs on the productive factors of local economies. He argued for capital-intensive industries whose export-earnings could be directed to supporting and strengthening local productive capacities. While the structuralists within this school of thought argued for reforming the operation of the

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[3]Within the school, although there was a shared definition of dependency, different approaches arose to overcome it. Among the key proponents were: O. Sunkell - development and underdevelopment interdependent wherein the former was dominant, exogenous and possessed a capacity for autonomous growth and the latter was dependent, subject to induced growth and lacking a capacity for autonomous growth; A.G. Frank - developed countries were never underdeveloped rather undeveloped, but the underdevelopment which exists is a consequence of the relationship between the metropolis and satellite; T. Dos Santos - dependency was a conditioning situation in which the economy of one group conditioned by that of others, exploitation is the result of interdependency of economies, the developed countries and TNCs possessed advanced technology which was their bargaining tool in the dependent relationship; and P. Baran - 'lumpen bourgeoisie not progressive but cause of waste on luxury consumption.

capitalist system, the Marxists argued for a socialist revolution in order to break out of the 'development of underdevelopment' process, to break from the capitalist phase.

One of the reasons the orthodox theories and practices were able to entrench themselves is that they were able to adopt the rhetoric of their critics and give the impression of attending to broader non-economic issues and considerations of the underdeveloped countries themselves[4]. Furthermore, though their critics questioned the means of economic growth, and pointed to its limitations, they did not question growth itself. Given this, it was relatively easy to adopt part of the language and accept some of the ideas which came from their critics[5]. This process of subtle co-optation and subterfuge can be traced back to when poverty reduction, decreased inequality and reduced unemployment were factored into the equation. The question was always turned around. Before poverty could be reduced, in order for there to be increased equality and to have less unemployment, growth was essential. Without growth how would poverty be reduced, with what means? What was to be redistributed in order to guarantee greater equality and how could you stimulate employment without stimulating industry, and labour intensive practices to create jobs. Despite the new rhetoric, capital accumulation and industry remained the stalwarts of the project. The changes lay more in changed perceptions of where growth could take place, than in deconstructing the essence of growth itself as the development project. Perceptions vis-a-vis the informal sector and agriculture were changed; processes of growth, but not growth itself were the focus.

If not contributing directly to development practice the heterodoxical approach did make a contribution to development as a discipline, helping it to move along the spectrum from development economics to development studies. Dudley Seers in the late 70s advocated an interdisciplinary approach to studying and analyzing development, and therefore solutions for it, which would include a focus on social and political issues as opposed to solely economic ones. A decade earlier (1969), Seers had promoted a 'new meaning of development' in which he argued that development was when poverty was decreased, inequality reduced and there was a decrease in unemployment. The net result of this thinking was to 'add-on' considerations, for while these considerations were advocated and implemented, development itself continued to be measured in terms of overall economic growth and was merely qualified by statistics relating to growth, not guided by it. The introduction of these ideas did contribute to re-orienting practice, but failed to contribute to a critical analysis of the development thesis which measured development by growth in economic performance.

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[4]The acceptance of UNCTAD within the UN, as demanded by the developing countries, though reflective of concern and attention has had little impact on attending to the real concerns that motivated its creation in the first place.

[5]ISI is a case in point. While the model was accepted the parallel processes and role of the state in ensuring the distribution of gains was not fully implemented or supported. Further in the original proposal for such an approach to economic growth and development, the internal dynamics of the elite governing/ economic interests were underestimated.

Added Dimensions of Development

While the above mentioned economistic views of development influenced the thinking, policies and practices of the financial development institutions such as the World Bank and the Ministries of Commerce and/or Finance in the industrialized world, there were parallel thoughts directly influencing the practice of the 'softer-side' of development. While the economists debated, designed and planned the fate of GDP and the growth industry, others were working on the softer side of development, the more human oriented activities of relief and welfare. Here it is perhaps even more difficult to separate the thinking from the practice, to take one in isolation from the other. As thinking related to development economics resulted in practices which in turn required re-thinking of strategies, so too did the effects of these macro policies and their resulting changes stimulate thinking and practice at the everyday life level of development. At times the thinking was all encompassing, as in the case of the basic needs approach or strategy, where the social, economic, political and cultural dimensions were conceived in their entirety. In other cases, such as the thinking relating to women, the link to the macro was not immediately apparent[6]. Furthermore the project approach associated with the soft-side of development could not "...match the dimension of the actual problems" they sought to overcome, for it reduced problems to their most reducible form and in the process overlooked the complexity of inter-related micro and macro processes (Green Economists, 1991, p.59).

Basic human needs, proposed by the ILO in the 1970s, fulfilled a double role of establishing targets while at the same time serving as a strategic impulse. The 1975 Dag Hammarskjöld Report, "What Now: another development" had also advocated such an approach although it was far more explicit in underlining the fact that in order to meet targets structural reforms were necessary. To them, another development[7] "...presumes a new system of international relations" (p.8). Nonetheless the strategies adopted by the ILO and numerous other development institutions refrained from going further than setting targets and defining the basic human needs approach as the fulfillment of those targets. While this may have affected the strategies and projects related to development it had little impact on reforming or affecting the growth oriented development pattern which was already well established. It was a period in which growth was qualified by internal needs and labour intensiveness, versus export requirements and capital intensiveness.

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[6]The evolution of the WID, WAD and GAD approaches has now changed this loose relationship with macro economic policies and strategies. Briefly, WID/WAD linked women's condition to inequality and underdevelopment, without questioning development or growth as a discourse or ideology. GAD however, has contributed to a questioning of development itself and all its contradictions, especially the effects at the micro, daily level of macro policies such as SAPs; to a questioning of the growth paradigm which stimulates such response despite their negative effects on people's lives.

[7]Among the considerations of 'another development' were the definition of transition strategies; the transformation of socio-economic and political structures; another approach to technology and the identification of alternatives; issues pertaining to the availability and democratization of information in which it was presented without prejudice and facts were shared; the protection and consideration of broad ranges of common heritage; a reorganization of the UN to serve the above in such a way as to allow for continuous reform, ensuring it was dynamic (p.p. 14-20).

The basic human needs approach and the strategies which flowed from it were set apart from previous development strategies because of its "...multi-dimensional (approach) to the development process and of the extensive and complex inter-relationships involved" (Alston, 1979b, p. 6), and yet despite this apparent recognition and awareness, that development strategies of the previous 20 years had not worked, the basic needs approach failed to prevent the continuation of the problems it sought to resolve. Whereas the original approach contemplated material targets as well as non-material patterns of development and change, those who espoused and worked towards it focused essentially on the former, which could be quantified, targeted and measured. They virtually ignored the latter which in their elaboration were the preconditions of fulfilling the former. A central feature of the approach had been the non-material considerations, but because these were inadequately defined in theory, the result was that they were effectively ignored in practice, "...officially only implied, perhaps due to their implications for significant change" (Truong, 1992, p.p. 6-7). The material needs included adequate nutrition, safe drinking water, secure livelihood, public transport, education and health services. Among non-material needs were self-determination, self-reliance, political freedom and security, participation in decision-making processes, national and cultural identity, and a sense of purpose in life.

Called the decade of social development, the 70s also saw the promotion of strategies based on theories of distribution with growth. After twenty years, the trickle-down effect had showed its limitations. Disillusionment with the development project, the failure of which "...in most countries in the world is now patent" (Dag Hammarskjöld Report, 1975, p. 41) was causing a major re-thinking even in mainstream institutions. In its most populist phase the World Bank advocated the reallocation of public investment towards the satisfaction of basic needs and the productive capacity of the poor, towards the small scale and called for the redistribution of assets, physical and human capital. During this phase land reforms were advocated, targeted policies supported and designed and public investment was re-oriented to the poorer sectors as opposed to the industrial capacities. Although those who promoted such an approach admitted that in the short run this would result in decreased incomes for the 'rich', while in the long run it was likely to increase the income of all groups, they overlooked the structural factors of the societies towards which this was preached and of the international economic order within which economic decisions had to be made. Little attention was paid to the self-interest or public choice school of political economy which anticipated that all players - citizens, bureaucrats and politicians - seek to influence and direct public policy to their own immediate ends, and not to the greater long-term good. State and bureaucrats were thus not the benevolent guardians of public welfare, they were not disinterested actors in the unfolding drama. It was these same structural features which prevented such thinking from becoming fully entrenched in practice and from potentially fulfilling its goals.

The seventies were also a period in which the financial institutions began to acquire prominence on the development scene, though not in the roles anticipated for them at Bretton Woods. After having served the interests of the industrialized west between 1946-

1971[8], the Bretton Woods institutions, without significantly altering their Articles of Agreement became increasingly involved with developing countries. Keeping in mind that the voting mechanisms of the Bank and Fund favoured the wealthier industrialized members[9], the policies which emanated from both were greatly influenced by their experience and interest. The World Bank which had been conceived of as a mechanism by which obstacles to development were to be removed and as a source of finance for reconstruction of impoverished economies, used these financial resources to finance policies and projects aimed at integrating the underdeveloped economies within the world market (*Justice Denied*, p. iii). It was neither anticipated nor considered that those who enter the market on an unequal basis are more than likely to leave it with an unequal share, as markets are not designed to equitably distribute the goods which enter it, but rather to ensure the use and production of such goods. Similarly the IMF, set up to redistribute and balance the effects of growing trade and finance, to give the invisible hand some assistance, instead became "...a collector of official debts and enforcer of uniform policies which dismantle the economic regulatory powers of States" (*ibid.*).

The New International Economic Order (NIEO), advocated by the countries of the developing world, addressed the structural features of the international trading order in an attempt to restructure it in such a way that they could avoid being forced to make choices that were detrimental to their own internal capacity to develop, stressing that external factors kept them in their particular stages of under-development and dependence. Now there is recognition that though the above remains true, there are also internal structures which contribute significantly to the situation and which can only be overcome internally, and be complemented by changes to the external circumstances. The NIEO crystallized the ideas found within heterodoxical thinking, citing that it was capital and the focus on capital accumulation within the existing world order that had created dependency and underdevelopment. It called for a change in North-South relations and was the basis for, though never became the core of, trade negotiations within UNCTAD (1976), itself inspired by a leader of the heterodoxical school, Raúl Prebisch and geared towards attending to the failures of GATT[10]. Though no longer a conference in the proper sense of the word, it exists to-day because of the pressures of its constituent members, the developing world, though is less an agency which does something and more an "...expression of the failure of the underdeveloped states to get something done" (Nicholas, 1975, p.150).

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[8]Misra. R. "Foreword" in Chowdhury *et. al*, 1992, p. 1

[9]Votes are weighted according to contributions made within each. The US, in 1993, had 18% of voting power in the IMF and 20% in the WB. (cited in *Justice Denied*, p. iii)

[10]Though a trade organization had been foreseen by those attending the Bretton Woods Conference, to deal "...comprehensively with trade, foreign investment, commodity agreements, restrictive practices and full employment" (Nicholas, 1975, p. 163), the protectionist policies and practices of the US and the UK, among others, prevented the International Trade Organization (ITO) from materializing. Instead, GATT, a multi-lateral tariff treaty which had been established as a stop-gap measure was formalized. Fifty years later with the completion of the GATT-Uruguay Round we are witnessing the birth of the World Trade Organization (WTO).

Adding to Disintegration

Besides not deviating from a growth syndrome many of the modifications, realignments and re-orientations made in the past, in part reflections of alternative voices at the time, were made in bits and pieces. That is, elements of what critics said were adopted, rarely the whole packet, thereby limiting from the start the potential effects of truly re-orienting development as such. A case in point is the basic needs approach which was so strongly advocated and implemented by the whole range of development actors. Lip-service had been paid to the non-material dimension of basic needs, the rhetoric was impressive but was little more than that, rarely going beyond the paper into practice. This may partly be the result of poor theoretical elaboration of the concepts, but it is also the result of an absence of will to carry it through. The lack of theoretical basis was a convenient excuse to avoid pursuing such notions. There was a belief that if these notions were implicit, in the rhetoric, they would somehow become manifest in practice. They were considered less as prerequisites to a basic needs strategy and more as inherent characteristics of a society. Characteristics which would 'naturally' be supported by pursuing such an approach.

Basic needs is not the only example to demonstrate this selective 'add-on' policy of mainstream doctrine. The whole debate regarding the incorporation of women is another example which from a theoretical point of view has been in a constant process of trying to overcome this 'add-on' or afterthought consideration. From Women in Development to Women and Development and more recently Gender and Development, advocates of the role of women in society and therefore in development, have been trying to rectify the results (or lack of as the case may be) of adding on, of being considered after all else has been. The result of this process, of constant theoretical renewal, revision and reconsideration, reflects an element which is shared by contemporary alternative voices. It is not only the absence of consideration of certain elements and concerns in the dominant doctrine that has resulted in a relatively poor development record, but rather the means by which such a discourse proposes to deal with the problems that ensures these considerations will continue to be ignored in the final analysis.

The cumulative effect of development defined principally by economic growth and minimally affected by concerns for employment, basic needs, women and poverty, combined with the changes in the global environment - politically and economically - have contributed to unleashing from the margins additional concerns and new thinking. Foremost among these is a renewed concern with the human dimension and the environmental consequences of development. The field is divided, for now it is less a case of the mainstream not listening and the alternatives clamouring, but rather of both using similar language to debate these issues; although more than likely from different starting points and with opposed means of overcoming the related problems. These are confusing times where debates no longer depend on the use of words but require an in-depth analysis of why and how words are used.

At this point the present analysis could take two distinct paths. On the one hand one could look at and analyze present circumstances and show how they reinforce the disintegration

of a human rights project, by continuing to act on the two projects thus far presented. On the other hand, there is sufficient evidence to suggest that present day processes are contributing to the reconstruction of an integrated human rights project. That a diamond is slowly taking shape. In both cases it is the response to the crisis and challenges of the 80s that are directing and influencing the processes. Very broadly speaking, the resurgence of the mainstream's precursors are contributing to a continuation of this disintegration, while the 'voices' of the alternatives are contributing to its potential re-integration. The dividing line of who did what, when and how is not at all clear cut. While some elements of the mainstream have been responsive to the demands of the alternatives others have not. Similarly, some of these demands have been tailored to existing mandates while others have stimulated a review and reform of such mandates. The basis of this present analysis is that through the publication of the HDRs there is evidence that a part of the mainstream is listening to a part of the alternatives. From this partial responsiveness something can be constructed, or as the case may be, re-constructed. Before going into such an analysis however a clearer understanding of why alternatives are gaining a greater platform, and of what they are saying is in order.

Chapter Four: Crisis and Repercussion - A Turning Point

Introduction

Broadly speaking, the 1980s were marked by extremes of despair and hope. The despair of continued and in many cases exacerbated poverty, of new pockets of poverty and marginalization confronted the hope represented by the waves of democracy and freedom which swept across the world. The economic crisis with which the decade began threatened concrete achievements of earlier decades, contributed to the creation of additional tensions between and within societies and halted the trend towards reducing the North-South divide. Trends which suggested that the North-South confrontation could be eased and thus provide a platform from which constructive dialogue could attend to what were becoming global issues. The political events of the same decade freed many from authoritarian and communist rule which had denied them their freedoms, but at the same time exposed the turmoil of their economies and their societies. In celebrating the victory of democracy however, sources for future conflicts were overlooked or minimalised by those who had been championing its cause for so long. There were extremes of responses to the economic crisis and to the effects it had on different countries and on groups of people within countries. The political events which have marked the decade caused similar reactions. On the one extreme were those advocating a return to past theories and practices, while on the other were those searching for alternatives to what had already proven its limitations. In terms of the political, newly found freedom was the opportunity to express all discontent and find room for having interests attended to. In some cases this was accommodated more easily than others, exposing the fact that democracy in and of itself does not produce the institutions and infrastructure required to sustain it.

At a Roundtable Conference on Global Change, sponsored by UNDP in July of 1994, one of the Overview papers pointed out that the 80s had "...brought a return of the old sequence that had proved wrong again and again: growth first, distribution later; stop inflation first, create employment later; buy now, pay later; fee trade now, industrialize later," suggesting that it was perhaps time to acknowledge past failures for what they were and search for social reforms which would allow for a broader understanding of the project before them (Emmerij, 1994, p. 3). Development defined as economic growth has not resulted in the inclusion of all peoples in the march towards advancement and progress, as had been envisaged in the mid-1940s. The crisis and the events which marked the last decade have provided opportunities for the world to see that this is a fact and not mere interpretation. With reality exposed, questions have been raised by all concerned[1] as to the meaning of development, democracy and human rights. In *The World at the Crossroads* the authors suggest that the present course upon which the world is embarked, which is a continuation of past assumptions and principles is the 'wrong fork in

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[1]These being those providing, donors, and those on the receiving end of aid and development assistance, the academic and activist communities and above all the grassroots themselves who have been increasingly excluded from projects implemented and designed in their name.

the road'. This echoes what is being said by contemporary alternatives, when they are saying in their manifestations that there are other principles by which to guide our actions, other histories and cultures from which to make our assumptions and thus alternative ways of responding to the crisis. What differentiates contemporary alternatives from their ancestors is that they have gone beyond the parameters of the mainstream, searching for alternatives in those parts of the world hitherto ignored, in cultures, religions and practices whose value and contribution had been silenced by the culture, secularism and practices which accompanied economic growth 'á la West'. Furthermore, the environmental component of contemporary alternatives challenges an economic perspective that does not calculate the value of natural resources nor anticipates the cost factor of waste production, pointing out that economic growth, environmental pollution and depletion and development concerns are inextricably linked[2].

Exclusion & Marginalization versus Inclusion and Progress

After 40 years of development, poverty has never been more acute, income disparities between and within countries continue to grow[3] and the environmental damage being caused by its thesis threatens the solutions to many poverty related problems and the world as we know it. Despite differing emphasis within development practice since its birth it was, almost from the start, "...reduced to economic growth" (Esteva in Sachs, 1993, p.12) and thus inextricably linked to economic growth patterns and the considerations and interests of its promoters. The link which was perhaps not as manifest in its early stages, with the increasingly global, complex, interconnected world of trade, has become a key issue. One can no longer ignore that the prescription of a different era, combined with its failures to meet its own aspirations needs serious reflection. Not only has poverty and impoverishment persisted in those areas of the world toward which policies aimed at eliminating it were directed, but it has extended into those countries from which the solutions had emerged. Poverty, impoverishment and marginalization are no longer the exclusive characteristics of the underdeveloped countries of the South, but are becoming more and more apparent in the richer industrialized countries of the North. The terms North and South have little relevance, for within each there are North and South dimensions, perceptions and life-styles. "The world is a trans-national pyramid of social classes, not a sphere sliced into northern and southern hemispheres" (*Justice Denied*, p. 170).

The advances of the social development decade, the seventies, were quickly eroded by the effects of the crisis of the eighties, often referred to as the lost decade or the "...decade of painful learning" (Truong, 1992, p.7). The NIEO Programme of Action never amounted

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[2]See Rees and Wackernagel (1994) "Ecological Footprints and Appropriate Carrying Capacity: Measuring the Natural Capital Requirements of the Human Economy", in Jannson, Hammer, Folke and Costanza (eds.) (1994) *Investing in Natural Capital: The Ecological Economics Approach to Sustainability*, Washington, DC, Island Press

[3]According to the UNDP Human Development Report for 1993 the top 20% of the population enjoys an income more than 150 times greater than the bottom 20%. In 1960 the North was 20 times richer, in 1980 46 times. (Sachs, p.3).

to much more than a commitment to commit, in the words of the Netherlands' Development Co-operation Minister Jan Pronk. The power exhibited by OPEC was perceived and dealt with as a threat to the position and power of the industrial countries. The debt crisis and recession which followed on the heels of the oil shock resulted in a regression of the advances made in recognizing the emergence of a global inter-linked economy. The solidarity of the South was undermined by divergence of interests and immediacy of problems. And, as a fallout of the global economic recession of the early 80s the momentum for "...constructive change in international economic affairs in furtherance of a more stable and equitable global future had disappeared" (Helleiner, 1990, p.10). In the North, conservatism and individualism were undercurrents in the recessionary and post-recessionary economic measures taken. Undercurrents which permeated the international development institutions (namely the WB and the IMF), and put developing countries on the defensive as they searched for accommodation. The crisis of the welfare state and the steps taken to dismantle it hardened the blow of failure, for it exposed the limitations and consequences of states refraining from balancing the effects of economic growth, creating larger and more visible pockets of poverty and marginalization. The social effects and costs of this were not immediate while the economic ones, to the state, were. This contributed to the emergence of a stand taken by the North that structural changes were required. Structural changes however became structural adjustments, defined by those whose interests (and experiences) lay elsewhere and whose vision was guided by a balance sheet of economic costs and not of social effects and well-being. This was in effect a period in which advances in economic, social and cultural rights were eroded or being threatened, both in countries which had long established them and in those still fighting for their implementation.

The structural adjustment programmes (SAPs) of the 1980s differed from earlier structurally motivated initiatives. This time, what was advocated and promoted was not intervention of the state in ensuring an appropriate structural environment for development (economic growth), nor the structuring of the state to provide for redistribution of resources in the form of social services and benefits which was superimposed on the aforementioned role of the state. This time it was rather a roll-back of the state to allow for the market to provide the corrections necessary for development, and unburden the (unqualified) expenses of the state. There was a rediscovery of the neo-liberal doctrine which resurrected the 19th century doctrine of laissez-faire. The message was to privatize inefficient state enterprises which were financial drains on the state[4]; liberalize foreign trade; abolish protectionism; link the economies of the world and allow free market forces to achieve macro-economic equilibrium and stability. This resurgence or revival of neo-classical economics and neo-liberal policies reflected a counter revolution which set out to re-establish the primacy of economics and do away with development economics. Among the contributing factors which encouraged this line of thought and in

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[4]This resulted in reduction of social spending which were analyzed not in terms of their social content but of their financial burden and did not anticipate nor leave room for considering the costs of privatizing industries and enterprises in terms of unemployment created, increased costs of services for those more than likely already unable to afford them (many privatization's took place in the service sector, of water. electricity etc.).

essence ensured that it take root were: the crisis of the welfare state in industrial countries; the critique of import substitution industrialization; the success of what were being termed the NICs, (the newly industrialized countries) and those countries which had followed export oriented industrialization; the transition of the socialist states from centralized planning to market planning, supporting the 'primacy of the market' argument as the source of and for development, and, finally, the failure of self-reliant development strategies.

However, despite registered successes in certain fields[5], including economic growth for some countries (which itself has been dependent upon continued poverty, marginalization and exclusion of many - people and countries), poverty persists on a larger scale than when development was proposed to solve it. Income disparities are wider now, not just between nations, but within them - industrial[6] and developing alike. The social fabric which weaves societies and sustains them in crisis is eroding[7] with no alternative taking its place. Misery and despair continue to confront us in more horrifying forms[8]. Development may have 'solved' some problems but it seems to have unleashed others for which the world has been caught unprepared and in some cases unaware. Forty plus years of solutions rooted in the static belief that economic growth would trickle down, with some assistance, to ongoing processes have and are proving their limitations. Poverty and 'underdevelopment' are increasingly linked to causes resulting from structural defaults that cannot be rectified by superimposing solutions on one another without tackling the root of the problem. Furthermore, both are now analyzed as the principle contributing factors to insecurity and intra-state conflict[9], themselves a source of increased abuse and violation of all human rights, not merely one set or the other.

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[5]The 1990 HDR provides a close look at those social indicators which improved significantly in the South in the 1960s and 70s, vis-á-vis similar trends in the North. The 1992 Report when analyzing the global trends in the 1980s shows how some of these gains were effectively reversed by the global economic crisis and measures taken because of it.

[6]The disaggregation of HDI for groups within countries highlights this point: ' in the US. with the HDIs of white, black and Hispanic populations separated, whites rank i in the world (ahead of Japan), blacks rank 31 (next to Trinidad and Tobago) and Hispanics rank 35 (next to Estonia). A similar situation is found for other countries which have data available according to racial and/or ethnic groups, both in the developing and industrialized world alike. (1993 HDR, Chapter One).

[7]The privatization of health, education and social services leave to market forces the basis for human survival and human dignity. The distancing of political processes which are more in the hands of wealthy lobby/action groups increases the distance between those who govern and those in whose name they do so; representation becomes a statistical game and not a means of communication. Migration of families, or parts of families in search of income opportunities contributes to the erosion of communities and security networks associated with them.

[8]This is evidenced by increased homelessness, drug addiction and drug crimes, rapes, suicides, murder victims, the break-up of families etc., While these indicators are increasing the means by which to support those affected by it are being eroded. The private sector is not replacing the institutions or safety networks increasingly being called upon by the effects of the above. (1991 HDR, Chapter Two) Added to this are the horrors of ethnic conflicts, 'ethnic cleansing', and terrorism which are becoming 'regular' features on the global scene.

[9]See, among others, Agenda for Peace. Agenda for Development, Declaration on the Right to Development, the Vienna Declaration and Fortman, Bas de Gaay "Sitting Back in Horror: Intra-State Conflict in a Global Context"

Constructing Alternative Futures

Alternatives, in the words of Friedman, exist precisely "...because mainstream doctrine exists" (Friedman, 1992, p. viii). To every point of view there is another on the same subject which differs not in the subject matter itself, but in the manner in which it is perceived and analyzed. Alternatives have always existed in every sphere of life: from politics, to economics, religion, social relations and cultural affairs there have been ways of doing and seeing things and alternatives to the same. Some alternatives have been maintained at the margin of their fields for a variety of reasons not the least of which is the fear of entrenched interests that these alternatives will displace them and therefore undermine the authority they may have accumulated over the years. Any challenge to this authority is therefore always viewed with suspicion, dismissed as unreasonable and often thwarted by the power concomitant to the authority gained. The display of this power can or cannot be violent. More often than not though, it is disguised and subtle, manifesting itself not through physical presence but rather through rhetorical persuasion and eloquence. The entrenchment of a discourse itself becomes a weapon wielded over those who would question its authority, scientifically and morally. Deconstructing the discourse therefore becomes a counter weapon, one of exposing blatant contradictions, undermining the authority gained from them and creating from there, not alternatives that can be superimposed on and within the dominant discourse, but rather alternatives that start from the root of the problem. The purpose becomes reconstruction as opposed to reform.

Past alternatives, by subscribing to the same goal but proposing different means (regarding economic growth) have inadvertently managed to contribute to the persistence of the mainstream, allowing it to be re-entrenched through co-optation, censorship, obfuscation, and the like. For though the alternatives of the past did propose alternative ways of confronting problems, organizing societies and building for the future, their ideas were selectively adopted, taken piecemeal. As each alternative was incorporated, partly or fully, new situations were and are created eliciting additional alternatives. There comes a time though when the house of cards must tumble, when the additional weight of exceptions, additions and considerations become too great for the underlying structure to sustain them. History does not end (as Fukoyama would have us believe) but rather proceeds. Contemporary alternatives arising from increasing social unrest and instability within and between states and nations, discontent with entrenched political practices and also from those whose interests are absent from any decision making, are evidence that we are at such a juncture. These alternatives not only question and challenge the way we do things, but the roots upon which and from which such practices grow. The women's movement no longer simply demands equality, but questions the notion of power as derived from patriarchy; environmentalists have gone beyond methods of recycling our waste to questioning an economic system that omits from its equations the production of waste, the destruction of non-renewable resources etc.; and indigenous communities and ethnic minorities vociferously point out that 'positive discrimination' has not changed the manner in which they are treated, nor bred respect for their communal identities, but rather stimulated more subtle means of discrimination, and persecution. These are but a few examples from which it should not be surmised that they are completely new

manifestations, ideas or convictions. In some way they have always existed, at the margins; the margins not only of the mainstream but of the alternatives themselves. Between these radical voices and the mainstream there were alternatives that were more amenable to the dominant doctrine and which could be more easily co-opted, incorporated and considered. These past alternatives have run their course however, and contributed to new circumstances, new conditions to which the contemporary alternatives are now responding.

A particularly striking feature of contemporary alternatives seems to be that they are so much 'louder', so much more apparent than their predecessors. The factors contributing to this are as varied and inter-related as the symptoms to which they are responding. That is, one cannot isolate a single factor, nor incident, that has resulted in the larger presence of alternatives[10] but rather one must look at the evolution of the conditions to which they respond, and the interaction of several features of the present world order. On the one hand the dimension of the crisis' (social, environmental, political, economic, etc.) are greater, broader, in size and impact. This is brought to light by the advances made in communication. Furthermore, there are greater numbers of actors in civil society making use of these channels of communication, producing information and exposing facts that might otherwise not find a forum. Such methods of communication are also being used trans-nationally, by civil society[11], to share information and form support networks. In the development field the crisis of the state has contributed both to the "...explosive proliferation of NGOs and their activities worldwide" (Friedman, 1992, p. vii), and to the increased instances in which many of these are used to undertake development work. Their increased presence on the scene and legitimation (at least by donor countries and international organizations such as the UN and its agencies) has given them the privileged position to make public the alternative practices, not just theories and discourse, but real life applications of the same. They have used this increased legitimacy to counter the mainstream 'on the spot'. It is impossible to ignore them at the conferences they organize parallel to those sponsored by the UN and others. Their presence in Nairobi, Rio, Vienna and Cairo (and undoubtedly in Copenhagen and Beijing)[12] makes it increasingly difficult to keep their voices at the margin, excluded from the platforms from which changes could manifest themselves. Alternative development in this sense might perhaps better be described as a "...dialectical ideology .... (which seeks to) transform (mainstream) dramatically to make it possible for disempowered sectors to be included in political and economic processes and have their rights as citizens and human beings acknowledged"

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[10]Presence in terms of the proliferation of NGOs, the rise of social movements, the construction of new social movements, the increased use of new forms of communication, the presence of new and varied forms of communicating news and information to people (alternative media), programmes such as PADS at the ISS and other academic institutions etc.

[11]Civil society here is to be understood as all those manifestations of interests, concerns, demands which take place outside of established state, government and political structures, of either long or short term duration. NGOs, social movements (old and or new), civic organizations, alternative media/communication publications and methods etc.

[12]Nairobi - 1985 Women's Conference; Rio - 1992 Environment Conference; Vienna - 1993 Human Rights Conference; Cairo - 1994 Population Conference; Copenhagen - 1995 Social Summit and Beijing - 1995 World Conference on Women.

(Friedman, 1992, p. viii). Furthermore, alternative development is not presented, nor should it be perceived, as a path to be followed by developing countries alone. Rather, because of the different factors of combinations, they reflect worldwide concerns and thus have worldwide relevance (Kothari, 1980, p.37). The gaps which they seek to close, the question of access which they wish to reflect are as applicable to the marginalised in third world societies as they are to those excluded in the developed world. Richard Falk, in analyzing the promise of social movements would add to this that they, as an expression of alternative means of representation "...embody our best hopes for challenging established and oppressive political, economic and cultural arrangements at the levels of social complexity, from the interpersonal to the international" (Falk, 1987, p.173)[13].

Underlying all the factors mentioned above is one crucial element: the voices at the margin have been growing, both in quality and quantity. More and more people and subjects are marginalised from the dominant discourse, unable to fit into its precepts, prevented from influencing its direction, and excluded from its processes. Suffering from these circumstances they increasingly protest and manifest their discontent. Despite supposed attention to them, their marginalization has grown over the years, their numbers increased and the marginalization itself has extended. More important perhaps is the fact that these marginalised voices are not just in the so-called developing world. They are also increasingly present in the industrialized world, though in differing forms. This raises the question, whether the model to be copied is itself producing discord, should it in fact be copied? The nature of the problems may differ, relatively, between the developing and the industrialized world, but the fact remains that the model being promoted itself has negative impacts where it is claimed to have been a success. The same model which has been promoted for close to half a century yet has not 'solved' the problems it set out to. Therefore should we not question the model itself, as opposed to adding on bits and pieces?

Development thinking as we know it is a product of the twentieth century, rooted firmly in the success of its thesis in the West as a formula for advancement elsewhere. It cannot therefore be easily separated from the practices upon which it evolved. With each application of a stream of thinking new conditions, circumstances, observations contributed in some way to modifying the practice, though not necessarily the thesis. It is therefore difficult to clearly separate the thinking of and on development from its application and adoption. Contemporary alternatives point to this clearly in undertaking two streams of protest and proposal. On the one hand is the critique of the underlying thesis of development, understood and worked upon by both the orthodox and heterodox schools of thought as economic growth. On the other is the critique of practices which have sought to add on, consider almost as afterthoughts the concerns raised by those excluded. In other words, while the basic thesis was never questioned in the thinking, the same thesis seems to have been ignored or considered irrelevant by those implementing projects and programmes in the name of development. The challenge in presenting the above is in structuring it in such a way that we can follow and understand how both

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[13]For Falk social movements are the core of new politics which is comprised of democracy, human rights, feminism, ecology and peace (Falk, 1987, p. 174).

thinking and practice have led us to where we are today, and proceed from that towards a more complete vision of the whole.

"1994 will be a year in which countries get sharply richer. This spurt of wealth-creation will be almost exclusively the preserve of 3.5 billion people in the developing world" (p.5). So begins the forecast of 'The World in 1994' published by The Economist. It continues to say though, that for the "...880 million people of the advanced world," prospects are apparently not so good. But fear not, for while those 'wretched of the earth' finally get some justice (and the mainstream's conviction in itself is unbelievable), "...faster growth in the third world ... is (also) the *perfect chance* for the industrial countries to become richer themselves[14]" (ibid., p.16, emphasis added).

There is no indication of who in the Third World will get richer, how, at what price, through whose efforts nor with what resources. Nor in fact of what kind of growth is referred to. This should, however, not surprise us, for as history has made invisible the efforts, sacrifices and lives of those who made history possible[15], so economics has abstracted the efforts, sacrifices, adjustments and the value of those and that upon which economics function[16]. In each case it is virtually the same voices that have been silenced: the poor, women and nature, and in the search for alternatives it is to these voices that greater attention is being paid.

The definition of development as economic growth, has had a variety of effects which were to be expected. People, humans, have been absent or hidden by the theories, practices and programmes designed in their name, appearing as aggregate statistics, without faces and used as unaccounted means towards an end. The environment has been treated as an endless resource with no value other than that which it provides, or rather is calculated as providing, free of charge. Waste has been a by-product the cost of which continues to be ignored in economic calculations regardless of its impact on the environment, and thus on the people in that environment which are affected, threatened. Culture and identity have been presumed irrelevant in making choices, undermined as a source of cohesiveness and stability within and between societies, and silenced in the search for alternative means of confronting present problems[17]. History has not ended but rather is taking place everyday and within its processes are ideas and concepts not being permitted to be exercised. Economic growth can no longer be conceived as an end, but

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[14]This is actually presented as a thesis which the West needs to be convinced about, for the author of the article maintains that leaders in the industrialized countries, in principle view prosperity or growth elsewhere as a threat to their own. The 'paper' potential of the above is self-evident but we (I) will leave it to those more versed in the topic to pursue it.

[15]Soldiers, slaves, women etc. instead of generals, colonels, landowners and men.

[16]Using GNP to measure the development of a country excludes analysis of what it cost in terms of lives, sacrifices, efforts, loss etc. of people themselves who allow that an economy occurs in the first place and thus are part and parcel of the efforts to achieve a GNP at all.

[17] Just because the West has run out of ideas does not mean there are no other solutions. The emphasis on development and advancement as achieved in the West, and having been elaborated at a time when other parts of the world were just gaining their independence and sovereignty prevented other world views not only from being expressed, or finding a platform for expression but from being implemented as well.

needs to be conceived simply as a means towards an end, to be defined by those the alternative voices represent[18]. An "...excessive preoccupation with GNP growth and national income accounts has obscured that powerful perspective (of the human being, humanity) supplanting a focus on ends by an obsession with merely the means" (HDR, 1990, p. 9).

Contemporary alternative voices are saying that people matter, the environment matters, culture and identity matter. These are not abstract considerations but realities. They are not means to another end but ends in themselves. These realities can no longer be excluded from the processes designed or taking place in their name nor from the formulas proposed. The question remains however, can the mainstream respond in any other way than that by which it has responded in the past? What will it take to displace economic growth as the paradigm for development in favour of one, or more, which have the above mentioned alternatives at their core? The challenge is not merely to ensure this, but along with it the reconstruction of societies in which dynamic processes of change are encouraged and not stifled by adherence to a single way of doing things. "The failures of the past should be a source of instruction, not of political paralysis" (1992 HDR, p.8).

The Changing Human Rights Agenda

The 1980s exposed the reality at the margins, providing the opportunity for those increasingly stuck there to manifest their discontent, protest against a continuation of past thesis' and propose solutions. Similarly rescued from the margins were the economic, social and cultural rights of the human rights agenda. Although the human rights fora and the UN itself had consistently, and constantly, reaffirmed that all rights embodied in both the ICESCR and the ICCPR were interdependent and indivisible, the actual work of the system had allowed the former to be marginalised from the human rights field. As a focus on means had contributed to development being synonymous with economic development, so a focus on the means of achieving civil and political rights contributed to them being synonymous with all rights. Several indications, coming from the human rights organs of the UN suggest that during the 1980s a change was taking place. What precisely triggered it, how and when is perhaps less relevant than how it is manifested and interpreted.

Whereas the ICCPR in article 40 clearly establishes a body (the Human Rights Committee) to which and through which States parties are to "...report on the measures they have adopted which give effect to the rights recognized (therein)," the ICESCR notably does not include such a procedure. Although the ICESCR establishes that reports on measures adopted and progress made are to be prepared (article 16), no specific body was established to study and take action on them, nor were specific measures identified for follow-up measures. The intent of the reporting mechanism was less one of imposing sanctions which were difficult to determine, and more one of developing a dialogue and providing the opportunity for constructive recommendations and the sharing of

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[18]For an interesting comprehension of what this might mean in reality see Green Economists, Group of (1991) *Ecological Economics: A practical programme for global reform*, Zed Books, London and New Jersey (selected chapters)

experiences. Reports were to be transmitted to the ECOSOC Working Group via the SG and from ECOSOC, as it deemed appropriate, to the specialized agencies of the UN for further study, comment and follow-up action. Dissatisfaction with the work of the ECOSOC Working Group however led to the creation, in 1986, of a Committee of Experts on Economic, Social and Cultural Rights to specifically deal with these reports. The forum for discussion was thus extended from States parties alone, sharing with the ICCPR the input of expert opinions and comments (Henckaerts, 1994, p.1).

At the close of that same year the United Nations Declaration on the Right to Development (UNDRD[19]) was adopted by the General Assembly. Motivated by what was felt to be a lack of attention to economic, social and cultural rights this declaration complements the purpose of the UDHR and "...recognizes that absolute poverty is resulting not so much from the violation of separate human rights as from the negation of the indivisibility and inseparability of *all* human rights" (Chowdhury *et. al*, 1992, p.21). The Declaration has helped to spread two essential points, themselves rooted in the UDHR and the UN Charter, which are that development is not merely equal to economic growth, but rather implies improving the human dimension, and furthermore that it is not merely the concern of governments but also of whole populations and people themselves. Present debates regarding the potential legal nature[20] of such a Declaration and thus the means and mechanisms by which to implement it has divided the developed and the developing world. Nonetheless its adoption has provided a forum in which economic, social and cultural rights have been drawn in from the margins.

On the eve of the ICESCR's coming into force in 1975 the Commission on Human Rights published a study entitled "The Realization of Economic, Social and Cultural Rights: Problems, Policies and Progress". Since then it has adopted numerous resolutions pertaining to its contents, problems and nature. Ten years later however, it was felt that a new report was required and this has resulted in the four reports presented by Mr. Danilo Türk, as Special Rapporteur to the Sub-Commission on "The Realization of Economic, Social and Cultural Rights". They have been supplemented by reports dealing with specific rights contained within the ICESCR such as the one prepared by Asbjørn Eide on the relationship between income distribution and the enjoyment of human rights. If recommendations contained within the above mentioned reports to the Commission are accepted, studies and reports on extreme poverty and exclusion (Türk, 1990, p. 64), the

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[19]Annex II

[20]The collection of essays and comments found in Chowdhury *et. al.*, 1992 provides a broad range of analyses regarding the legal nature of the Right to Development, suggesting that even if it is accepted as part of international law this alone will not ensure its enforceability, but rather in combination with moral, emotional, cultural and political basis will it find its strength. The right to development "...can only take firm roots in international law if the nations agree upon a humanistically oriented definition of development" (p. 149). The contributions found in *The World at the Crossroads* would add to this the notion of expanded humanism which moves beyond an anthropocentric view of the world. If there was an agreement on a humanistically oriented definition of development though, then international law would not necessarily be required to implement it but rather to secure it. The debates and discussions surrounding the Right to Development, while potentially contributing to a stalemate also provide the opportunity for re-defining development in the first place, in a humanistically oriented manner.

effects of structural adjustment on the realization of economic, social and cultural rights (Türk, 1991, p. 83), the role of financial institutions in the realization of economic, social and cultural rights (*ibid.*, p.84), the relationship between racial discrimination, and discrimination against women, and the realization of economic, social and cultural rights (Türk, 1992, p. 55 and Eide, 1994, p.23), further studies on the relationship between income and the enjoyment of human rights (Eide, 1994, p. 23), and the relationship between land reform and levels of income/income distribution (*ibid.*, p. 24) among many others will be forthcoming. The preparation of reports, especially within the UN system does not guarantee action on the conclusions and recommendations contained therein[21]. In the case of the Sub-Commission though it does at least guarantee a spot on its agenda which in itself ensures some debate and discussion on the issues brought up, thus bringing issues related to economic, social and cultural rights in from the margins. Granted, the Sub-Commission is a gathering of experts and not of States, but their reports and recommendations in turn reach the agenda of the Commission on Human Rights[22] which is made up of State representatives. It is a long and circuitous route, but it is a route which is increasingly being taken, or rather being used for economic, social and cultural rights as much as civil and political rights.

Additional fora in which economic, social and cultural rights agenda items are discussed by expert bodies and then by States members are the treaty bodies or supervisory committees which have resulted from the entry into force of international human rights conventions. Except for the Committee on Economic, Social and Cultural Rights (see Chapter Two) these are not UN organs but derive their status from the conventions concerned. Nonetheless, the reports and recommendations that result from their deliberations do reach the GA via its Third Committee (The Committee on Social and Humanitarian Affairs). The Human Rights Committee (established as per article 40 of the ICCPR), the Committee on the Elimination of Racial Discrimination (CERD), the Committee for the Elimination of Discrimination Against Women (CEDAW), the Committee Against Torture (CAT) and the Committee on the Rights of the Child (CRC) are all bodies made up of experts acting in their personal capacities who supervise the implementation of the conventions concerned. In the process of their work they receive input from States, individuals and others (among which are NGOs), regularly submitting their reports to the GA. Especially with CEDAW and the CRC increasing attention is being paid to the contents of the ICESCR and the debates on the UNDRD, reinforcing the interdependence and indivisibility of human rights and pointing to the need for more coherent attention to all human rights within the UN's work.

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[21]Conclusions reached by Türk in 1990 regarding the role of UN agencies are the same as those reached by Alston in 1979 when he stated that "...the decisive element in determining the success or failure of the Covenant will be the extent to which the UN and Specialized Agencies are able to co-operate effectively in its implementation" (Alston, 1979(a), p.13).

[22]From the Commission, which receives input from the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, Rapporteurs and Working Groups, reports are made to ECOSOC and in turn to the General Assembly via the Third Committee. The Commission, ECOSOC and the GA are made up of States members while the Sub-Commission is made up of experts acting in their own capacities.

Chapter Five: Towards an Integrated Human Rights Project

Introduction

As conceived within the UN Charter, elaborated upon in the Universal Declaration on Human Rights and specified in the International Covenants on Economic, Social and Cultural Rights and Civil and Political Rights, human rights as such were part of a larger purpose. That purpose was to maintain peace and security in order that all peoples could live with dignity and be assured social progress and better standards of living. They were seen "...not simply as rights but as part of a condition under which justice and the promotion of 'social progress and a better standard of life in larger freedom' could be achieved" (Langley, 1993, p. 115). The means by which the world set about to fulfill these goals and aspirations however disintegrated this concept. Over time, the overwhelming preoccupation with means ensured that the pursuit of human rights continued to be disintegrated from its larger purpose. Notions of development which specifically referred to people became translated into economic growth of States; human rights, which established minimum standards of achievement for all areas of our lives, minimum standards of development, became synonymous with ensuring the State did not interfere, abuse or violate civil and political rights. Whereas in both cases the original intent had been in the name of 'we the peoples', the means by which to reach them became ends in themselves.

An integrated approach to human rights has been, until recently, the domain of the UN's human rights organs. The impetus for integration is now coming from all sides. From human rights organs and agencies, from such documents as the Agenda for Peace and the Agenda for Development, the Declaration on the Right to Development and the Human Development Reports, and from those whose very rights and opportunities for advancement and progress have been systematically undermined. Alternative voices question the direction and means of achieving development, and demand a reorientation of the methods. They add to this that such means must respond to ends defined by people, in all their diversity and to nature in all its manifestations. These voices may not always speak the language of human rights per se, but their objective, the retrieval of the human element, of dignity and opportunity and the need for structural changes in international relations, economic and otherwise, echo what human rights originally set out to do. It is in the attention that they are receiving, in the platforms which they have occupied and in the messages which they contain that one can see a trend towards an integrated human rights project. A trend which would close the diamond referred to earlier.

Returning to the beginning

From the beginning[1] it has been the human rights discourse, before that of development, which implicitly recognized the limitations of the then existing structural order, both national and international, for the fulfillment not only of rights but also of the aspirations of development. Article 28 of the UDHR clearly states that: "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized." The creation of the United Nations was, in the first place, a response to a collapsed international order, its purpose was to secure the peace just established and maintain it in the future. Providing such an order as was necessary not only for peace and security but for progress and advancement of all peoples. This joint venture of respect for human rights and development defined as the advancement of all peoples towards higher standards of living, was subsequently reaffirmed in the Proclamation of Tehran which marked the 20th anniversary of the UDHR. At the first International Conference on Human Rights (1968) the delegates reaffirmed the "...principles enshrined in the Universal Declaration" and urged all peoples and governments to "...*redouble* their efforts to provide for all human beings a life consonant with freedom and dignity and conducive to physical, mental, social and spiritual welfare" (UN, 1988, p. 46, emphasis added)

Beyond the human rights fora it was the call for a New International Economic Order that first echoed this call for a restructuring of relations, and though it limited itself to the international order, and more specifically to that pertaining to North-South trade relations, it touched the core of what Article 28 had highlighted 25 years earlier. The fate of the NIEO is well known and documented (see Chapter Three) and the structural impediments which motivated its elaboration continue to persist. The call for a NIEO had stemmed from the recognition that "...existing international structures still work to the advantage of the powerful and to the detriment of the weak" (van Boven, 1982, p. 148). It was not merely a end in itself but rather a means of achieving equity and justice between and within nations with its final objective resting in the "...dignity and well-being of the whole human person" (*ibid.*, p.175). The adoption of the Programme of Action towards a New International Economic Order was the first time that the GA formally acknowledged that "..economic injustice was as much a threat to world security and peace as were military and political tensions and conflicts" (South Commission, 1990, p. 216). While some advances were made in the years immediately following the launching of the NIEO 1974[2], by 1979 events in the North reduced the opportunities for North-South dialogue. The events which followed, such as economic recession, growth in protectionism and the increasing debt of the Third World not only contributed to its setback but also highlighted its conclusions even further.

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[1]For the purposes of this analysis the beginning is considered to be parallel to the emergence of the United Nations, without implying that human rights or development economics are devoid of their own history and their own beginning.

[2]See Chapter 5 'North-South Relations and the Management of the International System' in the South Commission Report.

Before the NIEO had faltered the fundamental neglect of the link between human rights and development came under scrutiny. A year after the International Covenants came into force the Commission for Human Rights felt there was a need to investigate the international legal implications and possibilities for a right to development. The study which the Secretary-General subsequently undertook at the Commission's request concluded that "...the analysis of legal norms undertaken in this study indicates that there is a very substantial body of principles based on the Charter of the UN and the IBR, and reinforced by a range of conventions, declarations and resolutions which demonstrate the existence of a human right to development in international law" (cited in Mower, 1985, p.156). The resulting Draft Declaration prepared by the Commission considered a more dynamic view of human rights as instruments for change in the international economic and social order (ibid., p. 159). The very notion of a right to development had emerged within a structural approach to human rights and took on development as a comprehensive whole, explicitly dealing with the interdependence of CPR and ESCR and society as a whole. Together, the ICESCR, the ICCPR and the Declaration on the Right to Development "...impose obligations not only on those governments of the Third World where there is failure to meet such rights, but also on the international community generally, and the richer countries in particular," where there was failure in ensuring an international order conducive to the realization of human rights (Stewart, 1988, p. 35).

The United Nations Declaration on the Right to Development (UNDRD) was adopted by the General Assembly in 1986, and has been the subject of considerable debate between donor countries on the one hand who reject the right of governments from the developing countries to obtain aid, and on the other hand the developing countries demanding among other things not aid itself, but the right to decide from whom it should be received and how. The position of the developing countries is sustained by the Report of the South Commission which was published in 1990 under the title *Challenge to the South*[3]. Though the report does not make specific reference to the Declaration, its goals are embodied in the challenges the Report places before the countries of the South[4], and the importance of the structural dimensions of trade and development, among others, are clearly discussed. Whether or not the Right to Development as an additional human rights tool will be effective in ensuring change in the world order such that human rights in all their manifestations will be central to international relations is questionable. The record of earlier instruments and the pattern of dealing with them could arguably be used as a reason not to take the Declaration further. However, continued debates surrounding it do ensure that the themes contained therein are debated and find a platform for discussion. This in itself and in consideration of what follows is an important dimension for stimulating

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[3]This report follows on the precedents set by the Pearson Report "Partners in Development" (1960s), Brandt Report "North-South: A Programme for Survival" (1980) , the 1983 report entitled "Common Crisis: North-South Cooperation for World Recovery" (1983) and the Brundtland Report "Our Common Future" (1987) with the exception that for the first time those who prepared the report consisted solely of representatives from the South, from the developing world that is from that part of the world to which these reports were addressed.
[4]A summary of these challenges can be found in Choudhury. 1993 p. p. 191-192.

change, not just from a point of view of action but also in the thinking and practices which will then support and stimulate any change.

One of the reasons for the failure of the ICESCR to be translated into action was the lack of operationalization of the standards laid down in it. Recently, efforts have been undertaken to redress this. By UNICEF, first with its publication and promotion of policies under the title of 'Adjustment with a Human Face' (published in 1987) and then with its World Summit for Children in which it contributed to the efforts towards ensuring the ratification of the Convention on the Rights of the Child, WHO with the Right to Health[5] campaign and UNESCO at their World Conference on Education (1990). These have been supported by some conceptual clarification such as those regarding participation[6] and cultural identity[7] among others. In Rio and Cairo the conferences on the environment and development (1992) and population and development (1994) have reinforced this move and there are clear indications that the same will hold true for Copenhagen and Beijing[8]. Nevertheless there continues to be an interchange of the needs and rights language, with neither as yet being consistent. There is however sufficient room for interpretation and understanding as to the degree to which economic, social and cultural human rights are implied. This is paralleled by a growing consensus and move towards accepting (as evidenced by the acceptance of the UNDRD[9]) what the UDHR recognized in 1948 and the ICESCR reiterated in 1966, that without structural changes in international and national orders the fulfillment of human rights would remain illusive. The importance of the global agencies in this is that they "...provide a forum where development needs can be presented and pressure applied for appropriate measures" (Mower, 1985, p. 160). They are thus reclaiming the space granted them and the obligations expected of them in article 18 of the ICESCR towards the progressive achievement of human rights.

The increased participation of the non-governmental organizations, as part of the official conferences and in the parallel conferences is also particularly relevant. Their role in ensuring that human rights were a central component of the UN Charter and later in working with the Commission was testimony to their importance. Whereas some of this had been eroded and they were increasingly forced to channel their input via the UN's agencies, today they are experiencing a resurgence which is unlikely to recede again and which supports the human rights thesis that it is for people that they were designed and not for governments alone.

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[5]In line with the Health for All by the Year 2000 as elaborated upon by WHO in 1978 at the Alma Ata Conference.

[6]For a detailed introduction into what the process of clarifying participation has meant and will probably entail in the future see: Stiefel, Matthias and Wolfe, Marshal (1994) *A Voice for the Excluded: Popular Participation in Development, Utopia or Necessity?* Zed Books Ltd., London and New Jersey

[7]Evidenced by an increased presence of cultural studies in academic circles and curricula.

[8]Though the Beijing Conference is on Women, issues pertaining to women and development are a central item of the agenda.

[9]Which in article 3 calls for a new international economic order.

Why the Human Development Reports?

Given that human rights are so intimately linked to the United Nations system, and in view of the fact that the latter is an influential force in the field of development, it to this forum that we turn to reinforce the argument that the development and human rights discourses are moving towards a re-merger. The UNDP sponsored Human Development Reports of the last five years have received much attention and are themselves a reflection of this process. It should be emphasized that the present discussion will not deal with UNDP's programmes nor its application of the contents of the report. Nevertheless, it is interesting to note a change in the preface to this year's report. Whereas earlier reports made the customary disclaimer that the UNDP was not responsible for the contents, this year it was added that UNDP was "...now poised to move from messages to action" (HDR, 1994, p. iii).

A prominent social activist in Brazil said of the United Nations Report on Human Development that it was "...undoubtedly one of the most important documents written in the past decade, ... important because it places humanity once again at the center of development, and therefore subordinates the economic to the social" (Souza, 1991, p. 111). His optimism and praise though does not blind him to the limits of the report, nor to the need for a careful and rigorous review, but from this starting point at least one can be constructive about its contents and respond to its invitation for comment and contribution. An analysis of each years' report, in terms of how it differs from the mainstream discourse, what remains the same and how it builds on itself points increasingly to a discourse that is beginning to parallel the human rights discourse in almost everything except the 'rights' terminology. By qualifying development with 'human' and recognizing that what is presented is but part of what should be an ongoing process, the HDRs are echoing a fundamental element of human rights, that they are neither static nor reducible to procedures and mechanisms alone. Rather, they are part of processes within society which both satisfy human rights and create understanding and conditions for their continuous extension and improvement. A comprehensive analysis of these reports in terms of their impact on and contribution to a redefinition of the discourse would of course require much more in-depth analysis of who prepared them, how, under what instructions and conditions and how they have responded to criticisms and contributions. This would go beyond the scope of this which focuses on what the contents of the reports are indicating, with the belief that by capitalizing on the contents one can suggest a direction.

Attention to the more scientific aspects of the compilation of the HDI, the means by which aggregates have been combined to tell a certain story and the limitations of the same will be left to those more versed in the matter[10]. What is valuable of the HDI in the context of the present discussion is that it is not considered nor presented as a static element of measuring trends in human development, identifying strategies and proposing solutions,

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[10]Choudhury (1993) provides a critical analysis of how the HDI was arrived at and how it is used. Each edition of the HDR also provides an analysis of how the HDI was elaborated and how it has been modified over the years. The reports also draw attention to their own limitations and identify points for future improvement of the HDI and the measurements used to compile it.

but rather it is presented as a indicator of trends and processes. Critics who suggest the HDI is 'unscientific or unreliable' miss the point. It is suggested as a means of measuring human development in relation to others and to earlier points in time, and one which should in its elaboration suggest ways of improving itself according to the realities it seeks to measure. We are not told to accept the HDI as a replacement for GDP, but rather consider the elements contained within it as a way of understanding GDP and what it (and other statistical indicators) mean in the everyday lives of people. "Improving the human development index continues to be an evolutionary search for a more satisfactory yardstick of socio-economic progress," the HDI itself is "...a concept much broader than its measurement" (HDR, 1991, p. 15).

Just as economists have contributed to the definition of development as growth and the military industrial complex military security to security (see reference in the Foreword) so the HDRs are perceived here as attempting to reverse and redefine both security and development, by breaking down the elements which have allowed the above to be perpetuated, extended and entrenched. What they are saying in the process, is that human dignity must define not only how we perceive development per se but how we visualize the future for all states, rich or poor, North or South, East or West. Had these reports been surreptitiously filed from their first publication we would have missed an important element of their contribution to the redefinition of development. That is, by learning from mistakes or oversights made in earlier reports, recognizing that there are other contributions to be made and determined to continue exploring their own project they provide an opportunity for constructive dialogue. The first report in 1990 certainly offered no inspiration to the alternatives, the introduction of the Human Freedom Index (HFI) in 1991 was the other extreme, too much too soon even for those willing to see radical changes. Since then, subsequent reports have had their weak and strong points in relation to both the alternatives and human rights. However, without tracing their evolution opportunities for capitalizing on the strong points and highlighting the reasons for the weak points, one cannot constructively contribute to a new definition of development. Construction requires time, step by step procedures in which the benefits for all are pointed out in a way to garner allies, as opposed to creating gulfs of difference and confrontation.

Finally, the HDRs reiterate much of the basic needs approach but they are broader because they have inserted the conceptualizations that have since taken place on some of the non-material cornerstones. In so doing the HDRs are approximating themselves to the ideals, goals and aspirations of the ICESCR. One wonders though what the aversion is to stating, that much of what is called for is already enshrined in international legislation to which every member of the UN already has an obligation. Granted not all members of the UN have ratified all of the human rights instruments, upon joining the UN however they are obliged to maintain the principles of the UDHR, itself the precursor of the ICESCR and the ICCPR. The arguments of the Reports might therefore best be viewed, not as a call for something new but rather as the reinforcement of the imperatives which already exist. Imperatives which contemporary alternatives are attempting to rescue from the margins of proceduralism and a focus on means.

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Resounding Echoes of the Human Rights Discourse

The first and most obvious contribution of the HDRs to an integration of human rights is the introduction of the *human* element and dimension of development. That is, while they maintain a certain faith in economic growth as the means towards meeting development they argue that such growth needs to be reoriented from being measured as growth in GNP to one measured as increased opportunities for people. The first HDR, published in 1990 defined development as a "...process of enlarging people's choices," a process which involved the "...creation of a conducive environment for people, individually and collectively" (p. 1), to achieve higher levels of well-being. The Human Development Index (HDI) was introduced as a means of measuring such a process of development, against earlier periods within the same country and against other countries. Its statistical compilation included longevity, knowledge and decent living standards. Longevity was measured by life expectancy levels and presented as indicators of nutrition and good health (articles 11 and 12), knowledge by literacy figures (articles 13 and 14) and standard of living by per capita income (articles 6 and 11). The authors of the Report acknowledged that the data used was insufficient, especially the latter which did not capture land access, credit opportunities and facilities etc., and that as averages they concealed wide disparities within the overall population. Nonetheless, in response to the fact that in their view GNP conceals more than it reveals, that its growth does not equal reduced socio-economic deprivation, that increased income is no protection against the spread of problems[11] and that despite reduced growth in some countries advances have been demonstrated in human development efforts, they propose to begin a process by which its limitations can be overcome. Another reason for pursuing a composite index relates specifically to the fact that since people do not isolate factors of their lives, the instruments designed to improve those same lives should not do so either.

In subsequent reports the HDI has been continuously elaborated upon and improved. In 1991, knowledge was no longer measured as literacy but as average years of schooling; income below the poverty level was no longer considered to make no contribution, and therefore was no longer equal to zero but given progressively diminishing weight. The 1991 report provided separate HDIs for women and men (gender sensitive HDI), highlighting in relative terms the disparities between them, and an income-adjusted HDI which highlighted the differences and disparities within countries. The same Report also included an attempt to measure human progress over time to highlight what has been possible and what not in light of GNPs. The controversial Human Freedom Index[12] (HFI) was introduced as a complement to the HDI in an effort to highlight that human development was not possible without human freedom. The conceptual problems encountered and the criticism received (primarily from the developing countries)

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[11]See points made in Chapter Four.

[12]Based on the Charles Humana index which was perceived as being the "...most systematic and extensive coverage". After stating that the Report goes on to pose a variety of contentious questions as to its universal or even common acceptance. Nonetheless the exercise is presented as one which should encourage further research and study. (Chapter 1)

prevented this index from being elaborated upon the following year and reconfirmed the difficulties of attempting to integrate human rights into development based on the latter's terms and not the other way around. The battle was not abandoned though and in 1994 the Report replaced the HFI with the Political Freedom Index (PFI) as a means of "...assessing the status of human rights (civil and political) according to generally accepted concepts and values" (p. 3). Since 1992 significant improvements to the HDI, other than in better data collection[13] have not been made, "... in order to allow comparison with the 1992 data" (HDR, 1993 p. 11). This has not meant that the authors have refrained from identifying what future improvements might be. Among those thus far suggested have been provincial and regional, and urban and rural HDIs which could enhance understanding of grievances[14], and an environmentally sensitive HDI which could reflect resource depletion and other forms of environmental degradation[15] (HDR, 1992 p.22-24)

In terms of the definition of human development the Reports have been building on one another, redefining it, expanding upon it and in the process attempting to capture its complexity. Besides qualifying development as human, and thus pointing to what human rights themselves and notions of development had stated forty-five years previous, this process has made additional contributions towards this integration. For example, the issue of opportunity in the 1991 report, economic, political, social or cultural, that people must have or be provided with in order to be active in their own development recaptures what the ICESCR states in its articles: article 6 regarding the opportunity to gain a living; article 8 on the opportunity for choice in joining a trade union; article 13 which provides for the opportunity to choose an educational system in accordance with one's own beliefs etc.; and article 15 which seeks to protect an environment in which all may enjoy opportunities for a cultural life. Participation, a central concept to both the ICESCR and the ICCPR is added to the definition of human development in 1993. The link is made with empowerment in that with participation, in markets, through governments and through community organizations people are given and take advantage of opportunities for their empowerment. Empowerment thus contributes to a situation in which forces for historic change are driven and additional opportunities for people and their development are created. Participation makes human development a process of progressive change, echoing article 2 of the ICESCR in calling for the progressive realization of the rights contained within it.

In problematizing opportunity and participation the HDR's identify obstacles to their fulfillment for individuals and the State, and from these point to *paths* which could be taken to overcome them. Their analysis is not conclusive. It creates opportunities for debate in which those who participate may define what is most suited to them, in keeping with the basic principles upon which human development rests. Though the Reports

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[13]Such as data according to racial and or ethnic groups which demonstrates that discrimination is still a factor to be contented with, HDR 1993.

[14]And thus potentially allow for a better understanding and anticipation of intra-state conflict.

[15]And thus potentially contribute to the design of economic indicators which would allow for such considerations in the design of policies and actions, and measures to prevent continued depletion and degradation.

provide examples of policies[16] which may fulfill human development they are careful to note that such policies must be defined within the States for which they are designed and not imposed from outside.

In the last HDR, in anticipation of the Social Summit another aspect has been introduced which builds on the trend towards an integrated human rights project. Under the title 'new dimensions of human security' the 1994 Report proposed that we move from an understanding security as that of nations towards one that is defined by people. That security be concerned with human life and dignity and that threats to it be recognized as having economic, environmental, personal, political and health dimensions, among others. The Report however is not so much introducing 'new' aspects of security as it is reiterating the conceptualization of security arrived at more than forty years ago, when freedom from fear and freedom from want were clearly entrenched in the UN Charter and the declarations and treaties[17] which followed. In calling for a restructuring of disparities in production and consumption patterns for instance they reiterate article 11 of the ICESCR on world food production and distribution, not to mention article 28 of the UDHR which calls for an international order in which all the rights and freedoms may be fully realized. Within the discussion of security the authors finally discuss that while opportunities need to be created for human development to flourish there are also responsibilities (for all) in the process, in ensuring that opportunities are available - for people and for states.

There are several other points within the HDRs which point towards an integrated human rights project, enough to warrant an in-depth analysis of them alone. Their introduction of alternative uses for the peace divided in meeting the aspirations of human development: of the importance of the external debt in limiting the opportunities for human development, of the role of political will and how it may be stimulated, and of integrating the efforts of the UN system as a whole are but a few of them. There is however, one additional discussion which the Reports has raised which is worth mentioning here, that is the one on a 'global human compact'.

Introduced in the 1992 Report and elaborated upon in 1994 the argument for a global human compact is that while we are presently in a period of rapid economic globalization, the interests of those excluded from it are running the risk of remaining so. In analyzing the present global condition, and more particularly existing global institutions they conclude that while the condition requires increasing attention the institutions entrusted to do so are weak, act in an ad hoc and unpredictable manner and are far from managing the

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[16]The 1991 Report, in which Financing Human Development was the focus, introduces four ratios by which an analysis of human development spending can be evaluated and thus by which human development can be better financed. Their presentation of the matter is fairly broad covering reformed tax systems, the use of the peace dividend, obstacles posed by external debt repayments and the serving of the interest etc. The ratios are proposed as a means of reviewing, re-orienting and redefining priorities, not simply as an indications of where and how cuts are to be made. The four ratios are: public expenditure ratio (government share of GNP); social allocation ratio (social services ratio of GNP); social priority ratio (human priority share of social sector spending) and human expenditure ratio (human priority share of GNP).

[17]i.e. the two International Covenants on Human Rights.

new global economy in a democratic fashion (HDR, 1992). The G-7 is identified as an elite gathering more likely to expand through co-optation versus co-operation. The G-24/G-77 are marginally influential. The IMF and the WB have both drifted from their original purposes, only 7% of world trade is in line with GATT, and the UN is a marginal player on the global economic scene. Of the UN the Report goes on to say that as a sectoralized institution it lacks an overall perspective and has since its heyday in the 50s/60s been an intellectual vacuum. These are hard hitting conclusions, but ones which the authors of the Report suggest should be used to build from. In order to build though a compact needs to be reached in which all actors on the global scene share a vision towards which to work. A compact in which all nations would pledge to work towards goals already established and agreed upon (HDR, 1994, p. 77). Goals which are themselves the essence of the ICESCR - education, primary health care, access to land and credit, decent standards of living, reduced rates of maternal mortality and malnutrition etc. The evolution and design of a global human compact would be an opportunity to create a new global order "...based on mutual respect among nations, on greater equality of opportunity for their people and on new structures of peace and security" (HDR, 1992, p. 88). In the conclusions of their analysis of why this is needed and in the suggestions for what it might entail the call was made for a summit on human development, for which the UN is now preparing. The Social Summit thus has on its agenda the consideration of how development needs to be redefined according to its central element, people, and also in view of issues raised in the Agendas for Peace and for Development. The 1994 Report proposes an agenda for the Summit and makes concrete recommendations. It fails however to point out that many of these are already agreed upon and in essence enshrined in international law. The UNDRD does not substantially differ from the global human compact, sharing with it not only that human beings, people, should be the center, ends and means of development, but that structural changes in the world order are urgently required in order for this to be able to occur. It is particularly striking that six years after its adoption the UNDRD, which reaffirms the interdependence and indivisibility of all human rights and which reiterates the spirit which stimulated the construction of an international system for a new global order is absent from a series of documents which seeks to propose yet another new order. The UNDRD may be the subject of divided debate regarding its legal nature and thus its justiciability, but it has been endorsed, its content and purpose affirmed, and its ideals maintained.

Additional Considerations

The HDRs are much richer than thus far indicated. They go beyond presenting a definition of human development to showing how it was reached, what its drawbacks and limitations are and more importantly, in showing how it can be used to design, identify or propose policy actions[18]. Each year a specific topic has been chosen, problematized, analyzed against the definition, used to strengthen the meaning of human development and to identify the obstacles to its implementation[19]. The Reports attempt to be current,

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[18]See the 20:20 proposal in the 1994 Report for financing a global human compact .

[19]1990 - Concept and Measuring of Human Development, and a special focus on Urban Poverty

   1991 - Financing Human Development, role of governments, and HFI introduced

responding to events fresh in our minds, and welcome contributions, criticism and improvements to this endeavour. And since human development is defined as "...development *of* the people *for* the people and *by* the people" (HDR, 1993, p.3) it engages all of us to be part of its purpose. Terms such as North-South, East-West, developed-underdeveloped, rich-poor etc. are presented as factors which differentiate our condition, not as factors determining it. This is not to say there is no room for improvement. On the contrary, there is probably as much absent as there is present in their analysis. But in a world where there are as many alternatives as there are problems, do we want a conclusive document to meet them, can one actually be conceived? Would it not be more constructive to take advantage of the opportunities and spaces created within which and from which something new can be built. Something new which recaptures the advances, learns from mistakes and looks ahead to the future with the imperatives which exist.

In the context of the HDRs, in varying degrees, we hear the echo of contemporary alternatives which tell us that people matter, that they are ends and means of development, not merely means; that the concerns of women cannot simply be added on or targeted in isolation of an analysis of broader societal processes; that culture matters, that decisions and choices must be made according to the beliefs and convictions of those who have to live with them, and that nature matters[20], and needs particular attention in economic decision-making. The importance of NGOs and civil society as more or less institutionalized forms of expressing interests which are not accommodated in existing forms of representation is maintained in the Reports, both as sources of participation and for constructing futures. Such a view of NGOs is shared by the human rights organs of the UN as evidenced by their relationship from the start. The need for human rights NGOs to pay greater attention to economic, social and cultural rights and thus balance their advocacy and work on behalf of civil and political rights is a belief they[21] and the UN human rights organs share[22] and which with their growing involvement with UN Conferences they are likely to pursue. The human rights terminology may as yet not have permeated the NGOs, the UN's Specialized Agencies and the HDR's themselves, but the areas of attention, the nature of the language used and the aspects they are attempting to recover indicate a return towards an integrated human rights project. A project in which in the name of human rights, opportunities for people to improve their standards of living and well-being are worked at and provided. Once this happens, the human rights project and the development project will have re-merged and the diamond will finally have taken its shape. To bring out all its luster, however, will require careful polishing.

1992 - Global Dimension of Human Development, link of human development and the environment was introduced in this context, introduction of new global compact and replacement of HFI with PFI

1993 - People's Participation. 'jobless growth' phenomena introduced

1994 - New Dimensions of Human Security, as well as issues relating to Social Summit

[20]This as yet has not been extended upon by the HDRs though they have made reference to its need. In the ICESCR furthermore there is sufficient room for interpretation on the subject in articles 1 and 11.

[21]See *Justice Denied*, Chapters 6 and 7.

[22]See Türk 1992, p.62.

Afterword

Human rights have at their core human dignity. Development as it was implied in the UN Charter shared this notion. From the start however, an integrated approach to and implementation of a human rights project has been sacrificed by the focus on and attention to means of achievement. In focusing on the mechanisms, procedures, rules, ways and means of fulfilling the mandates, the why was lost. By attending to the role, actions and limitations of the state, the who was lost. The qualification of development as human development, the notion of justice and security as one of social dimensions and the consideration of voices beyond the state are indications that a path is being taken, or at least searched for, that leads towards the reintegration of human rights. A path in which the dignity, security and opportunity of all human beings is allowed and encouraged to flourish. The challenge to the United Nations, as the only form of global governance we have and of the agencies within that system, is to balance the needs of the macro with the demands of the micro, to find a way of balancing not the bottom line of an accounting sheet, but the bottom line of life itself. Since as an institution it is not more than the sum of its parts, made up of States, it must find a way of responding to the micro without alienating the macro[1]. Of providing fora in which constructive debates can take place and from which lessons can be learnt. If the name of the game is consciousness raising and creating awareness then a positive environment must be fostered in which this can take place.

The present analysis began by saying that the burden of optimists is to justify how they remain so and why. That I am an optimist is evidenced by the fact that I even see a diamond shape forming, and that is what I have attempted to demonstrate. All that has been said thus far however should not be construed as denying the presence of strong forces preventing the diamond from taking shape. There are. The role of development aid in disintegrating an integrated human rights project is real[2]. The nature of the State system in the face of global problems will be an obstacle to the global governance required to tackle many of the problems referred to earlier. Democracy offers fragile hope if its procedural requirements are advocated in the absence of the consciousness and the institutions required to maintain it and without due consideration to the history which created it[3]. In justifying why I am an optimist however I have little room left to be a cynic and leave these issues for future consideration. I do however believe that by raising some of these issues, albeit loosely, the HDRs provide a forum from which they can be

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[1] What needs to be avoided is a situation similar to what happened within the IMF recently when the President's suggestion for increasing the amount of SDRs, in response to demands from the developing world and their own concerns for social justice, was met with antagonism by the industrialized world. Antagonism which first and foremost was directed at the President's presumption and not the issue itself. The situation resulted in an acrimonious debate about his role and less one on the reasons behind his suggestion or the nature of SDR's themselves. (IHT, Mon. Oct. 3, 1994 p.1)

[2] See Tomaševski, Katarina (1993) *Development Aid and Human Rights Revisited*, Pinter Publishers, London and New York

[3] See Arat, Zehra F. (1991) *Democracy and Human Rights in Developing Countries*, Lynne Rienner Publishers, Boulder, Colorado

discussed and therefore potentially contribute to an environment in which alternatives can be practiced and improved upon. I therefore remain an optimist and will continue to search for that with which we can build and not solely that which deconstructs with no other purpose than to expose what is wrong. That is the first step, the next is building upon what we have.

LIST OF ABBREVIATIONS

BNA	Basic Needs Approach
BNS	Basic Needs Strategy
CPR	Civil and Political Rights
ECOSOC	Economic and Social Council (of the United Nations)
ESCR	Economic, Social and Cultural Rights
FAO	Food and Agriculture Organization
GA	General Assembly (of the United Nations)
GAD	Gender and Development
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
GNP	Gross National Product
HDI	Human Development Index
HDR	Human Development Reports
HFI	Human Freedom Index
IBR	International Bill of Rights
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IHT	International Herald Tribune
ILO	International Labour Organization
IMF	International Monetary Fund
ISI	Import Substitution Industrialization
ITO	International Trade Organization
NGOs	Non-governmental Organizations
NICs	Newly Industrialized Countries
NIEO	New International Economic Order
OPEC	Oil Producing and Exporting Countries
PFI	Political Freedom Index
SAPs	Structural Adjustment Programmes
SDRs	Special Drawing Rights
SG	Secretary-General (of the United Nations)
TNC	Trans-National Corporations
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNDRD	United Nations Declaration on the Right to Development
UNESCO	United Nations Education, Science and Cultural Organization
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
WAD	Women and Development
WB	World Bank
WHO	World Health Organization
WID	Women in Development
WTO	World Trade Organization

International Covenant on Economic, Social and Cultural Rights

Adopted and opened for signature, ratification and accession by General Assembly resolution 2200 A (XXI) of 16 December 1966

Entry into force: 3 January 1976, in accordance with article 27

PREAMBLE

The State Parties to the Present Covenant,

Considering, that in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Recognizing that these rights derive from the inherent dignity of the person,

Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights,

Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms,

Realizing that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant,

Agree upon the following articles:

PART I
Article 1

1. All peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based on the principle of mutual benefit and international law. In no case may a people be deprived of its own means of subsistence.

3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right to self-determination, and shall respect that rights, in conformity with the provision of the Charter of the United Nations.

PART II
Article 2

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3. Developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to non-nationals.

Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

Article 4

The States Parties to the present Covenant recognize that, in the enjoyment of those rights provided by the State in conformity with the present Covenant, the State may subject such rights only to such limitations as are determined by law only in so far as this may be compatible with the nature of these rights and solely for the purpose of promoting general welfare in a democratic society.

Article 5

1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights or freedoms recognized herein, or at their limitation to a greater extent than is provided for in the present Covenant.

2. No restriction upon or derogation from any of the fundamental human rights recognized or existing in any country in virtue of law, conventions, regulations or custom shall be admitted on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

PART III
Article 6

1. The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programme, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

Article 7

The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

(a) Remuneration which provides all workers, as a minimum, with:

(i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed condition of work not inferior to those enjoyed by men, with equal pay for equal work;

(ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;

(b) Safe and healthy working conditions;

(c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;

(d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

Article 8

1. The States Parties to the present Covenant undertake to ensure:

(a) The right of everyone to form a trade union and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;

(b) The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations;

(c) The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;

(d) The right to strike, provided that it is exercised in conformity with the laws of the particular country.

2. This article shall not prevent the imposition of lawful restriction on the exercise of these rights by the members of the armed forces or of the police or of the administration of the State.

3. Nothing in this article shall authorize States Parties of the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which prejudice, or apply the law in such a manner as would prejudice, the guarantees provided for in that Convention.

Article 9

The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

Article 10

The States Parties to the present Covenant recognize that:

1. The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible to the care and education of dependent children. Marriage must be entered into with the free consent of intending spouses.

2. Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such a period working mothers should be accorded paid leave or leave with adequate social security benefits.

3. Special measures of protection and assistance should be taken on behalf of children and young persons without any discrimination for reasons of parentage and other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. State should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.

Article 11

1. The States Parties to present Covenant recognize the right of everyone to an adequate standard living for himself and his family, including adequate food, clothing and housing, and to the continuos improvement of living conditions. The States parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental rights of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programme, which are needed:

(a) To improve methods of production, conservation and distribution of food making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;

(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure a distribution of world food supplies in relation to need.

Article 12

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

2. The steps to be taken by States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:

(a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;

(b) The improvement of all aspects of environmental and industrial hygiene;

(c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;

(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

Article 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promoted understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

(a) Primary education shall be compulsory and available free to all;

(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;

(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;

(d) Fundamental education shall be encouraged or intensified as far as is possible for those persons who have not received or completed the whole period of their education;

(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 14

Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory free education for all.

Article 15

1. The States Parties to the present Covenant recognize the right of everyone:

(a) To take part in cultural life;

(b) To enjoy the benefits of scientific progress and its applications;

(c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is author.

2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.

3. The States parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.

4. The States parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.

PART IV
Article 16

1. The States Parties to the present Covenant undertake to submit in conformity with this part of the Covenant reports on the measures which they have adopted and the progress made in achieving the observance of the rights recognized herein.

2. *(a)* All reports shall be submitted to the Secretary-General of the United Nations, who shall transmit copies to the Economic and Social Council for consideration in accordance with the provisions of the present Covenant;

(b) The Secretary-General of the United Nations shall also transmit to the specialized agencies copies of the reports, or any relevant parts therefrom, from States Parties to the present Covenant which are also members of these specialized agencies in so far as these reports, or parts therefrom, relate to any matters which fall within the responsibilities of said agencies in accordance with their constitutional instruments.

Article 17

1. The States Parties to the present Covenant shall furnish reports in stages, in accordance with a programme to be established by the Economic and Social Council within one year of the entry into force of the present Covenant after consultation with the States Parties and the specialized agencies concerned.

2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Covenant.

3. Where relevant information has previously been furnished to the United Nations or to any specialized agency by any State Party to the present Covenant, it will not be necessary to reproduce that information, but a precise reference to the information will suffice.

Article 18

Pursuant to its responsibilities under the Charter of the United Nations in the filed of human rights and fundamental freedoms, the Economic and Social Council may make arrangements with the specialized agencies in respect of their reporting to it on the progress made in achieving the observance of the provisions of the present Covenant falling within the scope of their activities. These reports may include particulars of decisions and recommendations on such implementation adopted by their competent organs.

Article 19

The Economic and Social Council may transmit to the Commission on Human Rights for study and general recommendation or, as appropriate, for information the reports concerning

human rights submitted by States in accordance with articles 16 and 17, and those concerning human rights submitted by the specialized agencies in accordance with article 18.

Article 20

The States Parties to the present Covenant and the specialized agencies concerned may submit comments to the Economic and Social Council on any general recommendation under article 19 or reference to such general recommendation in any report of the Commission on Human Rights or any documentation referred to therein.

Article 21

The Economic and Social Council may submit from time to time to the General Assembly reports with recommendations of a general nature and a summary of the information received from the States Parties to the present Covenant and the specialized agencies on the measures taken and the progress made in achieving general observance of the rights recognized in the present Covenant.

Article 22

The Economic and Social Council may bring to the attention of other organs of the United Nations, their subsidiary organs and specialized agencies concerned with furnishing technical assistance any matters arising out of the reports referred to in this part of the present Covenant which may assist such bodies in deciding, each within its field of competence, on the advisability of international measures likely to contribute to the effective progressive implementation of the present Covenant.

Article 23

The States Parties to the present Covenant agree that international action for the achievement of the rights recognized in the present Covenant includes such methods as the conclusion of conventions, the adoption of recommendations, the furnishing of technical assistance and the holding of regional meetings and technical meetings for the purpose of consultation and study organized in conjunction with the Governments concerned.

Article 24

Nothing in the present Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations and of the constitutions of the specialized agencies which defined the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt with the present Covenant.

Article 25

Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources.

PART V

Article 26

1. The present Covenant is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a party to the present Covenant.

2. The present Covenant is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Covenant shall be open to accession by any State referred to paragraph 1 of this article.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. The Secretary-General of the United Nations shall inform all States which have signed the present Covenant or acceded to it of the deposit of each instrument or ratification or accession.

Article 27

1. The present Covenant shall enter into force three months after the date of deposit with the Secretary-General of the United Nations of the thirty-fifth instrument of ratification or instrument of accession.

2. For each State ratifying the present Covenant or acceding to it after the deposit of the thirty-fifth instrument of ratification or instrument of accession, the present Covenant shall enter into force three months after the date of the deposit of its own instrument of ratification or instrument of accession.

Article 28

The provisions of the present Covenant shall extend to all parts of federal States without limitations or exceptions.

Article 29

1. Any State Party to the present Covenant may propose amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate any proposed amendments to the States Parties to the present Covenant with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by two-thirds majority of the States Parties to the present Covenant in accordance with their respective constitutional processes.

3. When amendments come into force they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Covenant and any earlier amendment which they have accepted.

Article 30

Irrespective of the notifications made under article 26, paragraph 5, the Secretary-General of the United Nations shall inform all States referred to in paragraph 1 of the same article of the following particulars:

(a) Signatures, ratifications and accessions under article 26;

(b) The date of entry into force of the present Covenant under article 27 and the date of the entry into force of any amendments under article 29.

Article 31

1. The present Covenant, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Covenant to all States referred to in article 26.

Declaration on the Right to Development

Adopted by General Assembly resolution 41/128 of 4 December 1986

The General Assembly,

Bearing in mind the purposes and principles of the Charter of the United Nations relating to the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian nature, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom,

Considering that under provisions 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 that Declaration can be fully realized,

Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Civil and Political Rights,

Recalling further the relevant agreements, conventions, resolutions, recommendations and other instruments of the United Nations and its specialized agencies concerning the integral development of the human being, economic and social progress and development of all people, including those instruments concerning decolonization, the prevention of discrimination, respect for and observance of, human rights and fundamental freedoms, the maintenance of international peace and security and the further promotion of friendly relations and co-operation among States in accordance with the Charter,

Recalling the right of peoples to self-determination, by virtue of which they have the right to freely determine their political status and to pursue their economic, social and cultural development,

Recalling also the right of peoples to exercise, subject to relevant provisions of both International Covenants on Human Rights, full and complete sovereignty over all their natural resources,

Mindful of the obligation of States under the Charter to promote universal respect for and observance of human rights and fundamental freedoms for all 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,

Considering that the elimination of the massive and flagrant violations of the human rights of the peoples and individuals affected by situations such as those resulting from colonialism, neo-

colonialism, *apartheid*, all forms of racism and racial discrimination, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity and threats of war would contribute to the establishment of circumstances propitious to the development of a great part of mankind,

Concerned at the existence of serious obstacles to development, as well as to the complete fulfilment of human beings and of peoples, constituted, *inter alia*, by the denial of civil, political, economic, social and cultural rights, and considering that all human rights and fundamental freedoms are indivisible and interdependent and that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights and that, accordingly, the promotion of, respect for and enjoyment of certain human rights and fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms,

Considering that international peace and security are essential elements for the realization of the right to development,

Reaffirming that there is a close relationship between disarmament and development and that progress in the field of disarmament would considerably promote progress in the field of development and that resources released through disarmament measures should be devoted to the economic and social development and well-being of people and, in particular, those of the developing countries,

Recognizing that the human person is the central subject of the development process and that development policy should therefore make the human being the main participant and beneficiary of development,

Recognizing that the creation of conditions favourable to the development of peoples and individuals is the primary responsibility of their States,

Aware that efforts at the international level to promote and protect human rights should be accompanied by efforts to establish a new international economic order,

Confirming that the right to development is an inalienable human right and the equality of opportunity for development is a prerogative of both nations and of individuals who make up nations,

Proclaims the following Declaration on the Right to Development:

Article 1

1. The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

2. the human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International

Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.

Article 2

1. The human person is the central subject of development and should be the active participant and beneficiary of the right to development.

2. All human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfilment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development.

3. States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom.

Article 3

1. States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development.

2. The realization of the right to development requires full respect for the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations.

3. Sates have the duty to co-operate with each other in ensuring development and eliminating obstacles to development. Sates should realize their rights and fulfil their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and co-operation along all States, as well as to encourage the observance and realization of human rights.

Article 4

1. States have the duty to take steps, individually and collectively, to formulate international development polices with a view to facilitating the full realization of the right to development.

2. Sustained action is required to promote more rapid development of developing countries. As a complement to the efforts of developing countries, effective international co-operation is essential in providing these countries with appropriate means and facilities to foster their comprehensive development.

Article 5

States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings affected by situations such as those resulting from

apartheid, all forms of racism and racial discrimination, colonialism, foreign domination and occupation, aggression, foreign interference and threats against national sovereignty, national unity and territorial integrity, threats of war and refusal to recognize the fundamental right of peoples to self-determination.

Article 6

1. All States shall co-operate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms for all without any distinction as to race, sex, language or religion.

2. All human rights and fundamental freedoms are indivisible and interdependent; equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights.

3. States should take steps to eliminate obstacles to development resulting from failure to observe civil and political rights, as well as economic, social and cultural rights.

Article 7

All States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries.

Article 8

1. States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, *inter alia*, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. Appropriate economic and social reforms should be carried out in view of eradicating all social injustices.

2. States should encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights.
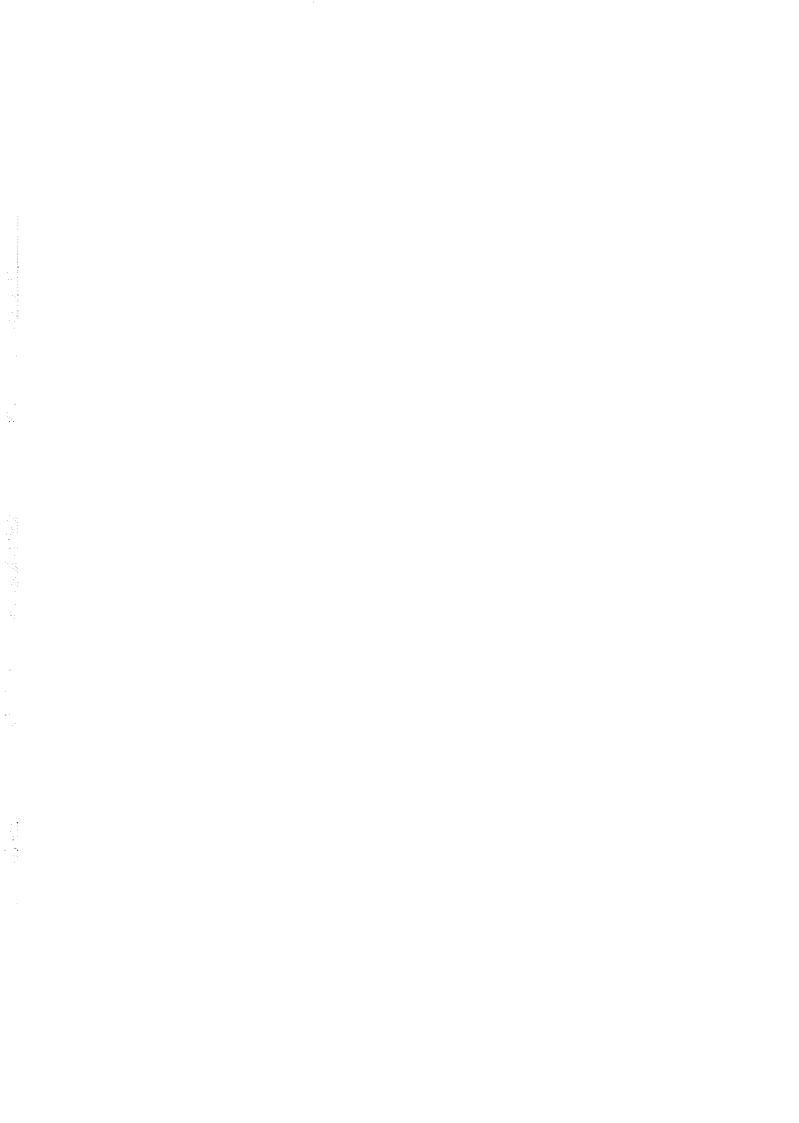
Article 9

1. All the aspects of the right to development set forth in the present Declaration are indivisible and interdependent and each of them should be considered in the context of the whole.

2. Nothing in the present Declaration shall be construed as being contrary to the purposes and principles of the United Nations, or as implying that any States, group or person has a right to engage in any activity or to perform any act aimed at the violation of the rights set forth in the Universal Declaration of Human Rights and in the International Covenants on Human Rights.

Article 10

Steps should be taken to ensure the full exercise and progressive enhancement of the right to development, including the formulation, adoption and implementation of policy, legislative and other measures at the national and international levels.

BIBLIOGRAPHY

Alston, Philip (1979a) "Making and Breaking Human Rights - The UN's Specialized Agencies and Implementation of the International Covenant on Economic, Social and Cultural Rights", Human Rights and Development Working Paper No. 1, Anti-Slavery Society, London

Alston, Philip (1979b) "Human Rights and the Basic Needs Strategy for Development", Human Rights and Development Working Paper No. 2, Anti-Slavery Society, London

Alston, Philip (1993) "The Importance of the Interplay between Economic, Social and Cultural Rights and Civil and Political Rights", Introduction to the Interregional Meeting organized by the Council of Europe in Advance of the World Conference on Human Rights, 'Human Rights at the Dawn of the 21st Century', Strasbourg, 22 January 1993

Arat, Zehra F. (1991) *Democracy and Human Rights in Developing Countries*, Lynne Rienner Publishers, Boulder, Colorado

Bassin, Benjamin [Ministry of Foreign Affairs Helsinki, Finland] (1994) "What Role for the UN in World Economic and Social Development", Participant Paper 21 for the UNDP Development Study Programme's Roundtable on Global Change entitled 'Change: Social Conflict or Harmony', Stockholm, 22-24 July 1994

Bayalama, Sylvain (1993) "Universal Human Rights and Cultural Relativism" in *Scandinavian Journal of Development Alternatives*, Vol. XII, 2 & 3, June-September 1993, p.p. 131-141

Blackwell, Trevor and Seabrook, Jeremy (1993) *The Revolt Against Change: Towards a Conserving Radicalism*, Vintage, London

Boutros-Ghali, Boutros (1992) "An Agenda for Peace", UN Document A/47/277 S/23111

Boutros-Ghali, Boutros (1994) "An Agenga for Development", 6 May 1994, mimeo

Boven, Theo van (1982) *People Matter: Views on International Human Rights Policy*, Meulenhoff Nederland, Amsterdam

Brouwers, Ria, Cranenburgh, Oda van, Wils, Frtis and Norholt, Nic Schulte (1993) "Gender Matters in Participatory Development and Good Governance" Background Paper for OECD?DAC Meeting September 1993, prepared by ISSAS, The Hague

Carty, Anthony and H.W. Singer, Editors (1993) *Conflict and Change in the 1990s: Ethics, Laws and Institutions*, The MacMillan Press Ltd., (selected chapters)

Castermans-Holleman, Monique C. (1994) "Protection of Economic, Social and Cultural Rights within the UN Framework", Paper presented at the Seventh Annual Meeting of the Academic Council of the United Nations System, June 22-25, 1994, ISS, The Hague

Chomsky, Noam and Herman, Edward S. (1979) *The Washington Connection and Third World Facism: The Political Economy of Human Rights*, Volume 1, South End Press, Boston

Choudhury, Masudul Alam (1993) "Chapter 5: A Critical Examination of Some World Development Reports" in *Comparative Development Studies: In Search of the World View*, St. Martin's Press, London

Chowdhury, Subrata Roy, Denters, Erik M.G. and Waart, Paul J.I.M. de (1992) *The Right to Development in International Law*, Martinus Nijhoff Publishers, Dordrecht, Boston, London (selected chapters)

Davies, Peter, Editor (1988) *Human Rights*, Routledge, London and New York (selected chapters)

Dias, C.J., Luckham, R., Lynch, D.O., Paul, J.C.N., Editors (1981) *Lawyers in the Third World: Comparative and Developmental Perspectives*, Scandinavian Institute of African Studies, Uppsala; International Center for Law in Development, New York - particular reference to final Chapter, "Lawyers, Legal Resources and Alternative Approaches to Development" by C.J. Dias and J.C.N. Paul

Donkersgoed-Valentine, D. van (1993) "Reflections on the Search for Alternatives" paper prepared for MDC201, ISS, The Hague

Donkersgoed-Valentine, D. van (1993) Book Review of Escobar and Alvarez below, prepared for MDC203, ISS, The Hague

Economist, The (1993) "The World in 1994", Backpool & Carlisle, the Economist Publications Ltd.

Eide, Asbjørn (1986) "The Human Rights Movement and the Transformation of the International Order" in *Alternatives* XI, Number 3 (1986), 367-402

Eide, Asbjørn (1994) "The Realisation of Economic, Social and Cultural Rights: Preparatory document on the relationship between the enjoyment of human rights, in particular economic, social and cultural rights, and income distribution" UN Document E/CN.4/Sub.2/1994/21

Emmerij, Louis [Special Adviser to the President, Inter-American Development Bank] (1994) "The Social Question in the 1990s" Overview Paper IV for the UNDP Development Study Programme's Roundtable on Global Change entitled 'Change: Social Conflict or Harmony', Stockholm, 22-24 July 1994

Escobar, Arturo (1992) "Reflections on 'development': Grassroots approaches and alternative politics in the Third World" in *Futures*, June 1992 p.p. 411-436

Escobar, Arturo and Alvarez, Sonia (eds.) (1992) *The Making of Social Movements in Latin America: Identity, Strategy and Democracy*, Westview Press, Boulder, San Francisco and Oxford

European Political Co-operation Group on Human Rights (1992) *Human Rights Reference Handbook*, Brussels

Falk, Richard (1987) "The Global Promise of Social Movements: Explorations at the Edge of Time" in *Alternatives* XII, Number 2 (1987), 173-196

Fernandes, Rubem César (1992) "Wishes for a New Decade", Paper presented at the Seminar on Development, International Cooperation and NGOs, January 1992, Rio de Janeiro, Brazil

Forsythe, David P. (1994) "The United Nations and Human Rights at 50; An Incremental but Incomplete Revolution", Paper presented at the Seventh Annual Meeting of the Academic Council of the United Nations System, June 22-25, 1994, ISS, The Hague

French, Marilyn (1985) *Beyond Power: On Women, Men, and Morals*, Ballantine Books, New York

Friedmann, John (1992) *Empowerment: The Politics of Alternative Development*, Blackwell, Cambridge and Oxford (selected chapters)

Fuentes, Marta and Frank, Andre Gunder (1989) "Ten Theses on Social Movements" in *World Development*, 1989 Vol. 17, No.2, p.p. 179-191

Gaay Fortman, Bas de (1994) "Sitting Back in Horror: Intra-State Conflict in a Global Context" Dies Natalis Speech at the ISS, The Hague, 10 October 1994

Gaay Fortman, Bas de (1994) Chapter VI "Human Rights, Entitlement Systems and the Problem of Cultural Receptivity" in   et. al. (eds) *Human Rights and Religious Values: An Uneasy Relationship*, Eermans, forthcoming

Galtung, Johan (1993) *Human Rights in Another Key*, Polity Press, Cambridge

Green Economists, Group of (1991) *Ecological Economics: A practical programme for global reform*, Zed Books, London and New Jersey (selected chapters)

Gills, Barry and Rocamora, Joel (1992) "Low intensity democracy" in *Third World Quarterly*, Vol. 13, No. 3, 1992

Hall, S., Held, D. & McGrew, A. (Eds.) (1992) *Modernity and its Futures*, Polity Press in association with Blackwell Publishers and The Open University, Cambridge and Oxford

Hancock, Graham (1991) *The Lords of Poverty*, Mandarin Paperbacks, London

Helleiner, G.K. (1990) *The New Global Economy and the Developing Countries: Essays in International Economics and Development*, Edward Elgar Publihsing Ltd., London

Henckaerts, Jean-Marie (1994) "The United Nations Committee on Economic, Social and Cultural Rights: Establishing 'Hard' Rules on 'Soft' Rights", Paper presented at the Seventh Annual Meeting of the Academic Council of the United Nations System, June 22-25, 1994, ISS, The Hague

Henderson, Hazel [Centre for Sustainable Development and Alternative World Futures Inc.] (1994) "Changing Paradigms and Indicators for Operationalizing Sustainable, Equitable Human Development" Participant Paper 38 for the UNDP Development Study Programme's Roundtable on Global Change entitled 'Change: Social Conflict or Harmony', Stockholm, 22-24 July 1994

HRNet (1993) selection of entries in the Internet system related to the World Conference on Human Rights, held in Vienna, approximate time span covered June 11 - July 7 1993 (for listing of conferences consulted see below)

Ichiyo, Muto (1993) "For an Alliance of Hope" in *Z-Papers*, April-June 1993, Vol.2, No.2, p.p. 30-38

Ingham, Barbara (1993) "The Meaning of Development: Interactions Between 'New' and 'Old' Ideas" in *World Development*, Vol. 21, No. 11, p.p. 1803-1821, 1993

Kothari, Rajni (1974) *Footsteps into the Future: Diagnosis of the Present World and a Design for an Alternative*, The Free Press, New York

Kothari, Rajni (1980) *Towards a Just World*, World Order Models Project, Working Paper Number 11, New York

Langley, Winston E. (1993) "Human Needs, Human Rights and the Demise of the Nation State" in *Scandinavian Journal of Development Alternatives*, Vol. XII, 2 & 3, June-September 1993, p.p. 103-125

Max-Neef, Manfred (1982) *From the Outside Looking in: Experiences in Barefoot Economics*, Uppsala, Dag Hammarskjöld Foundation

Max-Neef, Manfred, Elizalde, Antonio and Hopenhayn, Martin (1989) "Human Scale Development' in *Development Dialogue*, 1989:1, Uppsala

Mower Jr., A. Glenn (1985) *International Cooperation for Social Justice: Global and Regional Protection of Economic and Social Rights*, Studies in Human Rights, Number 6, Greenwood Press, Wesport and London (selected chapters)

Novib (1980?) "Human Rights and Development Cooperation" Seminar Noordwijkerhout, Netherlands

Novib (1993) *Putting People First*, Reader for the Novib Seminar in Human Development, December 1993, ISS, The Hague

Nicholas, H.G. (1975) *The United Nations as a Political Institution*, Fifth Edition, Oxford University Press, London, Oxford, New York

Parliament of the World's Religious Leaders (1993) "The Declaration of a Global Ethic", 1993 Parliament held from August 28 - September 5, 1993, Chicago Illinois, U.S.A.

Pakulski, Jan (ed.) (1991) *Social Movements: The Politics of Moral Protest*, Longman Cheshire, Melbourne (selected chapters)

Paul, James C. N. (1989) "International Development Agencies, Human Rights and Humane Development Projects" in *Alternatives* XIV, Number 1 (1989), 77-106

Pronk, Jan (1994) Presentation of the Minister for Development Cooperation of the Netherlands at the World Hearings on 'An Agenda for Development', New York, 10 June 1994 (mimeo)

Ramaswamy, V. (1991) "On the Need for a New Human Rights Consciousness" in *Human Rights Reporter* Vol. 14, No. 1, Spring-Autumn 1991, p.p. 20-22

Rivlin, Benjamin [Director, Ralph Bunche Institute on the UN] (1994) "The UN's Socio-Economic Mission" Participant Paper 12 for the UNDP Development Study Programme's Roundtable on Global Change entitled 'Change: Social Conflict or Harmony', Stockholm, 22-24 July 1994

Robertson, A.H. (1975) *Human Rights in the World*, Manchester University Press, Manchester

Sachs, W., Editor (1993) *The Development Dictionary - A Guide to Knowledge and Power*, Zed Books Ltd., London and New Jersey

Sadik, Nafis (1991) "Rethinking Modernism: Towards Human-Centered Development" in *Development*, Journal of SID, 1991:2, p.p. 15-20

Schumacher, E.F. (1973) *Small is Beautiful: a study of economics as if people mattered*, Vintage, London

Seabrook, Jeremy (1993) *Pioneers of Change - Experiments in Creating a Humane Society*, Zed Books, London

Sen, Gita and Grown, Caren (1985) *Development, Crisis and Alternative Visions: Third World Women's Perspectives*, written for DAWN - Development Alternatives with Women for a New Era, Media-Redaksjonen, Norway

Smith, Philip B., Okoye, Samuel E., Wilde, Jaap de, and Deshingkar, Priya (editors) (1994) *The World at the Crossroads: Towards a Sustainable, Equitable and Liveable World*, Earthscan Pubications Ltd., London

Somjee, A.H. (1991) *Development Theory: Critiques and Explorations*, Macmillan, London (selected chapters)

South Commission, The Report of (1990) *The Challenge to the South*, Oxford University Press, Oxford

Souza, Herbet de (Betinho) (1992) "An Incomplete Report", Paper presented at the Seminar on Development, International Cooperation and NGOs, January 1992, Rio de Janeiro, Brazil

Stewart, Frances (1988) *Basic Needs Strategies, Human Rights and the Right to Development*, Ld'A-QEH Development Studies Working Papers No.2, Oxford

Stiefel, Matthias and Wolfe, Marshal (1994) *A Voice for the Excluded: Popular Participation in Development, Utopia or Necessity?* Zed Books Ltd., London and New Jersey

Streeten, Paul [Professor Emeritus, Boston University] (1994) "Human Development Means and Ends" Participant Paper 6 for the UNDP Development Study Programme's Roundtable on Global Change entitled 'Change: Social Conflict or Harmony', Stockholm, 22-24 July 1994

Tomaševski, Katarina (1993) *Development Aid and Human Rights*, Pinter Publishers, London and New York

Truong, Thanh-Dam (1992) "Human Development: conceptual and practical issues" Paper presented at the International Forum on Intercultural Exchange, National Women's Education Center, Saitama, Japan, 30 Sept. - 2 Oct. 1992

Türk, Danilo (1989) "The New International Economic Order and the Promotion of Human Rights: Realization of Economic, Social and Cultural Rights", Preliminary Report, UN Document E/CN.4/Sub.2/1989/19

Türk, Danilo (1990) "The New International Economic Order and the Promotion of Human Rights: Realization of Economic, Social and Cultural Rights", Progress Report, UN Document E/CN.4/Sub.2/1990/19

Türk, Danilo (1991) "The Realization of Economic, Social and Cultural Rights" Second Progress Rerport, UN Document E/CN.4/Sub.2/1991/17

Türk, Danilo (1992) "The Realization of Economic, Social and Cultural Rights" Final Report, UN Document E/CN.4/Sub. 2/1992/16

UN (1988) *Human Rights: A Compilation of International Instruments*, Centre for Human Rights, Geneva

UN (1993) *World Conference on Human Rights: The Vienna Declaration and Programme of Action* (with Opening Statement of United Nations Secretary-General Boutro Boutros-Ghali), from the Vienna Conference on Human Rights, Vienna, June 1993

UNDP, *Human Development Reports 1990-1994*, UNDP, New York

UNESCO (1986) *Philosophical Foundations of Human Rights*, Introduced by Paul Ricœur, Unesco, Paris (selected chapters)

UNICEF (1990) *Children and Development in the 1990s: a UNICEF sourcebook*, prepared for the World Summit for Children, 29-30 September 1990, New York

What Now: Another Development, the 1975 Dag Hammarskjöld Report, Uppsala

Wolfe, Alan (1992) "Three Paths for Development: Market, State and Civil Society", Paper presented at the Seminar on Development, International Cooperation and NGOs, January 1992, Rio de Janeiro, Brazil

Women's International League for Peace and Freedom (WILPF), and International Institute for Human Rights, Environment and Development (INHURED International) (1994), *Justice Denied: Human Rights and the International Financial Institutions*, Geneva and Nepal

Class notes from:
>-MDB101 - Political Sociology of Development
>
>-General Course 1 - Development Theories Across the North-South Divide: Trends and Issues in the post-War period
>
>-General Course 3 - Human Rights: From Rhetoric to Reality
>
>-MDB 102 - Political Economy of Development
>
>-MDC 203 - Social Movements, National and Transnational
>
>-MDC 201 - Alternative Economic Development Strategies

Class document prepared for MDC 201 - Alternative Economic Development Strategies
Class document prepared for Synthesizing I - Meaning of Democracy and Democratization

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11/06/92	6*HUMAN RIGHTS: True democracy needed	igc:hrcoord
1/21/93	34*LATIN AMERICA: ECONOMIC PROTECTIONI	igc:hrcoord
2/09/93	53*HUMAN RIGHTS: NGOs to have key role	igc:hrcoord
3/02/93	59*HUMAN RIGHTS: NGO proposes new agen	igc:hrcoord
5/05/93	131*HUMAN RIGHTS: Development takes pri	igc:hrcoord

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>137*Human Rights: Put Development High

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>147*UNDP: Development, Democracy & HR

5/26/93 170*UNICEF: Statement to WCHR

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HRCOORD@unhr-z.comlink.ap

6/11/93 217*REVIEW: Human Rights in a Pluralist
>316*Human Rights in 1993...by Alston

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6/13/93	364*Missing Link--UNCED to WCHR	wchr:neahtawanta
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F.SOETHE@unhr-z.comlink.a
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6/14/93 435*Viva: Economic adjustment as instru   wchr:cvasconi

rcoord@igc.comlink.apc.o
>502*UNICEF: In Pursuit of the Possible

6/19/93 703*Are the Human Rights Universal?   wchr:lcdhc

HRCOORD@unhr-z.comlink.ap
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6/22/93 881*VIVA: Old Approaches, New Realities   wchr:ktesdall

B.SCHNEIDER@unhr-z.comlin

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6/24/93	1030*VIVA: In Search Of A New Developmen	wchr:steve
	1031*VIVA: What Rights? Food For Though	wchr:steve

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>1154*BIC: Obstacles to Human Rights

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