

A Right to Escape Poverty?
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Remarks by

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Thank you, Graham [Riches] and Patsy [George] for inviting me to give this year's Richard B. Splane lecture. Dr. Splane's contributions to Canadian social policy and his work on behalf of agencies like UNICEF and the International Council of Social Welfare have given him a well-deserved reputation as a progressive, wide-ranging, and influential thinker, someone whose ideas have had a profound effect on this country's policies both at home and abroad. I feel honoured to be associated with Dr. Splane in this way.

My remarks are entitled "A Right to Escape Poverty?" Let me begin by addressing the question-mark in my title. Am I challenging the view that people are entitled to a life of reasonable comfort, with access to all the basic necessities that make life possible—food, water, shelter, security of person? Am I questioning the validity of the claim made in article 25 of the Universal Declaration of Human Rights?

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

Clearly, I am *not* opposed to such sentiments, nor indeed to any of the other assertions made in the Declaration. As a proponent of human rights and international law, I firmly believe in the right of all human beings to enjoy equal rights, liberty, and what Franklin Roosevelt described as the “freedom from fear”; and to make those conditions possible, one must be able to rise above the constraints and limitations created by poverty.

The question I am posing in my title is: can poverty be overcome simply by the establishment and articulation of *rights*? What

exactly do we mean when we assert a *right*, and how do we make such notions meaningful?

First, let me remind you of the dimensions of the problem. Everyone here is familiar, at least in general terms, with the nature and scale of poverty around the world, though of necessity understandings of what constitutes poverty will differ from country to country. In Canada we have no absolute scale by which to measure the concept of poverty: there have been attempts to match dollar incomes against “basic needs,” and on such a scale it has been calculated that currently a family of four would have difficulty meeting basic needs with an income below about \$23,000 annually.¹ Such measures are only guidelines at best, however, for they operate against the background of a society which provides healthcare, public schooling, welfare support, minimum wage laws, and so on.

¹ Chris Sarlo, “Poverty in Canada: 2006 Update,” *Fraser Alert*, p.2. Fraser Institute. http://www.fraserinstitute.org/COMMERCE.WEB/product_files/PovertyinCanada2006.pdf Retrieved 14 September 2008.

Imagine instead a society in which none of these conditions apply, and in which the average annual income for a family is a *fraction* of what is regarded as barely acceptable in Canada. Last month the World Bank estimated that “1.4 billion people, or one quarter of the population of the developing world, lived below our international line of \$1.25 a day in 2005 prices.”²

To take this a little further: It has been calculated that 95% of the world’s population lives on less than \$10 a day; and that 40 percent of the world’s population—around 2.6 billion people—account for just 5% of the world’s income.

And let me give you one last, grim statistic: that 25,000-30,000 children die around the world *each day*—almost 10 million a year—before they reach the age of five, deaths directly

² Data & Research: The World Bank.
<http://econ.worldbank.org/external/default/main?pagePK=64165259&piPK=64165421&theSitePK=469372&menuPK=64166093&entityID=000158349_20080826113239> Retrieved 14 September 2008.

attributable to poverty—to the inability of their parents or caregivers to provide them with the basic necessities of life.

The numbers are so large as to be almost meaningless; they are simply too hard - - and perhaps too sad - - to grasp. Research in social psychology tells us that people are much more likely to be influenced by concrete cases of poverty, malnutrition and death. Hence the power of child sponsorship schemes. However, development research tells us that it is exactly that desire to make concrete and to personalize that tends to move people away from systemic analysis and action. Yes, helping one person is helping the world, but it is unlikely to change the world.

The UN's *Human Development Report* for 2007-2008 tries to find some hope in our situation, asking us to view statistics longitudinally, and not in the immediate term:

Since the first *Human Development Report* was published in 1990 there have been spectacular—if spectacularly uneven—advances in human development. The share of the population living in developing countries on less than US\$1 a day has fallen from 29 percent in 1990 to 18 percent in 2004. Over the same period, child mortality rates have fallen from 106 deaths per thousand live births to 83 and life expectancy has increased by 3 years. Progress in education has gathered pace.³

These figures point to a gradual amelioration of the world's poverty—yet at a rate that hardly suggests a foreseeable end to misery, hardship, and death for millions and millions of people who lack the basic needs of food, clothing, and shelter, let alone medical care or schooling. The Report continues less optimistically:

³ *Human Development Report 2007/2008: 1. The 21st Century Climate Challenge*, p. 24.
http://hdr.undp.org/en/media/HDR_20072008_EN_Chapter1.pdf Retrieved 14 September 2008.

Only around 32 countries out of 147 monitored by the World Bank are on track to achieve the Millennium Development Goal of a two-thirds reduction in child mortality by 2015. South Asia and sub-Saharan Africa are comprehensively off track. On current trends the MDG target will be missed by a margin that will represent 4.4 million additional deaths in 2015. (p.25)

In his 2007 Commencement address at Harvard, Bill Gates observed: “[H]umanity’s greatest advances are not in its discoveries – but in how those discoveries are applied to reduce inequity. Whether through democracy, strong public education, quality health care, or broad economic opportunity – reducing inequity is the highest human achievement.” But in the face of continuing global poverty, what is to be done?

We know that there are many non-governmental agencies that are dedicated to fighting poverty all over the world—Oxfam, for

example, has been engaged in famine relief and development aid around the globe for over 60 years; similarly CARE, the “Cooperative for Assistance and Relief Everywhere,” was founded at about the same time, and operates in 70 countries around the world. These and many other non-governmental agencies contribute billions of dollars every year to address poverty and sickness, and do a wonderful job. But the difficulty they face in many, if not most cases, is that they exist in a kind of moral and political vacuum: in most of the places that they operate, they cannot effect the kinds of changes in law or governance that might help to attack the roots of poverty. Indeed, such organizations often produce a negative response in local regimes that see them as introducing western ideas and values that might threaten the current power structure.

At the level of state involvement, there have been many attempts to come to some kind of international understanding about the need to eradicate poverty and its most obvious manifestation, hunger.

From the time of the Universal Declaration of Human Rights onwards, the UN has addressed the issue of poverty through a series of international declarations and covenants, and urged nations around the world to work together to find solutions. In 1974, governments attending the World Food Conference agreed that "every man, woman and child has the inalienable right to be free from hunger and malnutrition in order to develop their physical and mental faculties."

In 1996, a similar conference, the "World Food Summit" organized by the Food and Agriculture Organization of the United Nations, produced what is known as "The Rome Declaration on World Food Security," in which many heads of state affirmed "the fundamental right of everyone to be free from hunger":

Here is what they said:

We pledge our political will and our common and national commitment to achieving food security for all

and to an ongoing effort to eradicate hunger in all countries, with an immediate view to reducing the number of undernourished people to half their present level no later than 2015.....

We reaffirm that a peaceful, stable and enabling political, social and economic environment is the essential foundation which will enable States to give adequate priority to food security and poverty eradication.

Democracy, promotion and protection of all human rights and fundamental freedoms, including the right to development, and the full and equal participation of men and women are essential for achieving sustainable food security for all.⁴

This is a clear and straightforward declaration of what we would all consider to be fundamental human rights, and it is followed by a concrete plan of action that begins:

⁴ World Food Summit: archived web-site. <http://www.fao.org/wfs/index_en.htm> Retrieved 14 September 2008.

We will ensure an enabling political, social, and economic environment designed to create the best conditions for the eradication of poverty and for durable peace, based on full and equal participation of women and men, which is most conducive to achieving sustainable food security for all....

Given these ringing declarations, what has happened? Well, as we saw from the Human Development report I cited earlier, the situation a dozen years after the Rome conference is bleak, and while there is reason to believe that there has been improvement, no-one is under any illusions about the prevalence of poverty and hunger in large parts of the world today.

Why, given such widespread agreement about the nature of the problem and possible solutions, are we making so little headway? Why, given all the resources, all the material wealth

and technological know-how in the developed nations, can we not simply help people attain what all agree is theirs by *right*?

Part of the problem lies in our understanding of what is meant by “human rights,” for contrary to the confident assumption underlying such documents as the Universal Declaration of Human Rights, not all nations necessarily agree upon a common definition. We talk about rights as though such a concept existed like a law in physics—outside ourselves, something eternal and immutable over which no-one has any power. This is the premise behind the Universal Declaration of Human Rights, which celebrates its 60th anniversary this year. It was adopted by the United Nations in response to the horrors of the Second World War; the intention was to set forth principles that would form the basis of peace, liberty, and freedom from fear and want among all the peoples of the world.

The preamble of the Declaration gives us the foundation on which the articles are erected: it opens with the words, **“Whereas 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....”**⁵

Universally applicable as such statements may seem, the fact remains that international human rights law, as articulated in key international instruments like the Universal Declaration, is rooted in philosophy and political evolution grounded largely in Western culture and history. Words like “freedom” and “justice” may not carry the same meaning for an educated European, say, as they would for someone working in rural Asia or Africa.

When we speak for example of “the individual’s right to privacy,” a matter of concern to Vancouverites just now because of security preparations for the up-coming Olympics, would someone living in

⁵ Taken from the website of the Office of the High Commissioner for Human Rights, <<http://www.unhchr.ch/udhr/lang/eng.htm>> Retrieved 14 September 2008.

China or Indonesia understand exactly what we mean? It's more likely that they would look at the world from the perspective of collective rights and responsibilities. Westerners, by contrast, are encouraged to perceive themselves as individuals, and taught to fight for the rights of the individual. As to privacy: well, those of you who have done some traveling will know what a variable concept *that* is in different parts of the world.

This is not to say that there is an unbridgeable gap between cultures here—that, in the words of Kipling's ballad, "*East is East, and West is West, and never the twain shall meet*"—there are similarities as well as differences in outlook and values. But there *are* problems of definition. Add to this the fact that, even in a highly individualistic society like ours, rights are not absolute; depending upon circumstances, they may be trumped by other rights. Your right to freedom of expression, for instance, must give way to my right to be protected from hate speech. Human rights are not in themselves a legal concept; however, what gives

the notion of “rights” its meaning, is the framework of law by which the idea of human rights is structured, articulated, and protected, and by means of which such rights are implemented and related one to another.

What are the implications of all this for any attempt to implement the principles promulgated by the United Nations and other world bodies? Of the 192 nations that currently form the UN, 162 have ratified the International Covenant on Economic, Social, and Cultural Rights, which affirms the right of citizens of a country to an adequate standard of living, free primary school education, freedom from hunger, equal opportunity, and a host of other rights which we would take for granted. Yet we know very well that some of the signatories to this agreement have not lived up their obligations, have not met its terms, and in some cases have committed abuses against their own citizens. In such cases, the UN committee involved should be able to identify the offender and

the offence, and require that the terms of the covenant be complied with.

The problem is that such international covenants have no practical means of enforcement. The bodies that draw them up and seek to apply them exist essentially at the discretion of the states that created them; they are limited in power and in their permitted scope of inquiry, and they are powerless to intervene in the affairs of states that reject them. There are a few legal mechanisms that may be invoked if one state wishes to punish another. But for the most part, there have been few occasions on which international sanctions have successfully forced a change of heart or policy.

By far the most common form of implementation of human rights standards by states remains traditional bilateral diplomacy. This can extend from oral condemnations through ambassadorial démarches to formal contacts with opposition and human rights organizations. In extreme cases, linkages may be made between

state policies relating to aid and trade; you will recall for example the case of South Africa, where extensive trade sanctions played a role in the downfall of apartheid. However, such linkages appear to have been lessening, rather than increasing, over the last few years. Recent Canadian governments have in most cases explicitly rejected the linkage of human rights with aid and trade initiatives.

Perhaps, when we hear that people have been deprived of their rights, we should seek to restore them with the help of a fleet of planes or battleships. This would be quick, perhaps; but I have only to say the word “Iraq” to convey the idea that in all probability such “solutions” are not solutions at all—they are simply the prelude to further difficulties.

So how do we bring about the establishment of human rights in nations unable or unwilling to comply with international covenants they may have signed? How can we go about helping the millions of people who are dying of poverty and malnutrition,

and who may have the misfortune of living in a country like Zimbabwe, where the economy has utterly crumbled, the political system has all but collapsed, and human rights have been put on hold by a President who seems to have lost touch with all the ideals that took him into the political arena thirty years ago?

Zimbabwe offers us a useful example of the helplessness of the world to act in the face of an abuse of “rights”. When other countries have criticized the harshness of the Mugabe regime and pointed to the human rights abuses suffered by Zimbabwean citizens, Mugabe’s response has been to appeal to his followers to stave off interference by Western imperialism disguised as humanitarianism. The human rights invoked by developed nations are denounced as just another Trojan horse, introduced by the West as a means of restoring old colonial values. Meanwhile, people are suffering: according to the UN’s *Human Development Report 2007-08*, Zimbabwe ranks 91st among 108 developing countries in what is called the “Human Poverty Index”; and in perhaps the most

chilling statistic, Zimbabweans are listed as having the lowest probability in the world of surviving beyond the age of 40 – yes, 40! The operations of NGOs have for the most part been suspended, and their workers threatened or beaten on the grounds that they were spies. At 2.2 million per cent, inflation is higher in Zimbabwe than anywhere else in the world; until a recent revaluation of the currency, a loaf of bread cost 100 million dollars.

These are the realities facing Zimbabweans. How has the world responded? Largely by expressions of concern—and little more. When Mr. Mugabe went to a conference of African prime ministers earlier this year, there were no repercussions, and precious little public criticism of his policies, by his fellow-politicians. Yet many African countries are signatories to one or more of the many declarations of support for the fight against poverty and the protection of human rights around the world.

The reason is perhaps obvious: signing a declaration of principles is one thing; implementing those principles is quite another. As soon as one begins to stress implementation rather than simply the articulation of norms, states—no matter what their cultural or ideological roots – feel threatened. This is particularly true in the area of human rights where the mechanisms for implementation remain largely political rather than legal. To appeal to other countries to bring pressure to bear on Zimbabwe is inviting scrutiny of their own situation, and not many countries would necessarily pass muster in a close inspection of this kind.

In other words, an appeal for action grounded in “rights” may not be the most effective way of rousing support for the victims of poverty and hunger.

Instead of broad appeals to universal principles, we may have to look at much simpler, more localized approaches to poverty reduction: the approach favoured, for example, by the Grameen

Bank in Bangladesh, the bank created by Nobel-prizewinner Mohammed Yunus, who visited UBC last year. The Bank makes small loans to poor people in developing countries so that they may break the cycle of poverty and invest in their own future and the future of their community. In 2007, the bank could boast over seven million users, and claimed a recovery rate of 98%. The bank now operates in over 40 countries, and claims to have lifted millions of people out of the depths of poverty. And it has inspired other banks to follow suit, banks that have discovered that the micro-finance approach can benefit both borrowers and investors.

There is no question that micro-credit can make a very positive difference in the lives of many people; however, there is considerable debate about whether it can make the kinds of lasting inroads into poverty that its proponents promise; and it is also evident that it does little to alter the structural and political

inequities that bedevil many of the world's poorer countries.⁶

Still, it offers a real alternative to the social paralysis engendered by grinding and unremitting poverty.

Like Mohammed Yunus, the United Nations has understood the need to move beyond rhetoric about rights and principles to pragmatic approaches based in concrete action. It addressed the problem in its Millennium Declaration of 2000, out of which emerged the eight “Millennium Development Goals,” goals intended to meet the needs of the world's poor. The principles enunciated there are familiar—end poverty and hunger, establish universal education and gender equality, and so on; what is different is that the emphasis is on practicality, on setting achievable, *time-bound* goals. The driving force was then-Secretary-General Kofi Annan's report to the General Assembly in 2005 urging all members of the United Nations to embrace the

⁶ See Ian Fraser, “Microfinance comes of age,” *Scottish Banker Magazine*, 3 August 2007; <<http://www.social-capital.net/articles/view.php?viewid=151>> Retrieved 14 September 2008.

MDGs, aim to achieve them by 2015, and begin the process immediately by taking a series of concrete steps outlined in the report.

Eradicating extreme poverty and hunger is the first of the Millennium Development goals, and this is presented as a series of specific targets, each divided further into sub-headings. Thus Target 2 is to **“Achieve full and productive employment and decent work for all, including women and young people”**; this is then marked out as four concrete points to be monitored:

--Growth-rate of GDP per person employed

--Employment-to-population ratio

--Proportion of employed people living below \$1 (PPP) per day

--Proportion of own-account and contributing family workers in total employment.⁷

⁷ <<http://www.un.org/millenniumgoals/poverty.shtml>> Retrieved 14 September 2008.

Both in organization and language, the targets are laid out in business-like fashion—there is none of the rhetorical generality that often characterizes such pronouncements; and to remind us that these goals are to be achieved by 2015, the MDG web-site includes a count-down clock (when I was preparing these remarks, there were 6 years, 142 days, 2 hours, 41 minutes, 20 seconds and counting to the target date!).

In his 2005 Report Secretary-General Annan did not appeal to the notion of “rights” except in the sense of human rights in general. Simply to insist that people have the right to be free of hunger is not, as we have seen, a means of guaranteeing that this right will be made real in real lives. Instead, he looked to the broader concept of international obligation, by which all states would agree to act collectively to stop genocide, ethnic cleansing, and crimes against humanity. In the statement accompanying the Report, he focussed upon the principle of the “Responsibility to Protect”; that is, each state has the responsibility of protecting its own citizens

from such evils, but if the state fails to meet its obligations in this regard, then “the responsibility shifts to the international community.” In the last resort, he concluded, “the United Nations Security Council may take enforcement action according to the Charter.”

This idea was actively promoted by the Canadian government, and has now been adopted as a tenet of foreign policy action by states as diverse as Norway and Korea. But the responsibility to protect has not yet become a binding norm of international law, and the current Canadian government seems to have lost interest in promoting the concept.

Perhaps, if we return for a moment to the situation of the people of Zimbabwe and similar states, there is a case to be made for collective action. Clearly the state is failing to protect its own citizens from abuse, and allowing huge numbers of people to suffer *in extremis*. All demands that human rights be recognized have

had no effect. This is perhaps the kind of situation that Annan envisaged when he adopted the language of the “Responsibility to Protect.” However, a problem here is that members of the United Nations are also committed to the principle of a state’s sovereignty, of non-intervention in another state’s internal affairs; violation of that principle creates resistance and political tensions that are just as likely to exacerbate a problem as to solve it. My own view is that we have reached a moment of opportunity in international affairs where, if we keep working hard at normative development, it may just be that sovereignty will cede to the responsibility to protect, at least in the case of massive threats to human life and personal security.

It may be that over time a body of international law will come into force that is based on universally-accepted human rights norms, norms that are accepted by member states and implemented by common agreement within a framework that has real power to exact consequences for non-compliance. But at present

international legal mechanisms have little force in the attempts to establish and implement human rights. Within some domestic systems of law, international human rights standards find solid support in national legislation and practice, which in turn can lead to relatively effective implementation. But this implementation is haphazard and completely inconsistent between different states; and it remains largely outside the reach of any compulsory international scrutiny.

Many states are parties to the Optional Protocol to the International Covenant on Civil and Political rights, which does put some teeth into that covenant by allowing a Human Rights Committee to investigate and judge complaints of human rights violations by individuals from countries who are signatories to the protocol. But in the end, the only real consequence even here is the censure of an offender by the court of public opinion—there is no enforceable legal consequence. Organisations like Amnesty International and Human Rights Watch do much to bring human rights violations to

the light of public scrutiny, but again there is little that they can do beyond creating public pressure on offending governments.

If I may return one last time to the Universal Declaration of Human Rights, Article One of that document maintains that “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” Indeed, it is in everyone’s interests that we live in a spirit of brotherhood and peace. But as the Dalai Lama reminded us in his Nobel lecture of 1989, “Peace, in the sense of the absence of war, is of little value to someone who is dying of hunger or cold. . . . Peace can only last where human rights are respected, where the people are fed, and where individuals and nations are free.”⁸

If there is to be a solution to the problem of world poverty, it may lie in a combination of all the forces at play: international

⁸ Nobel lecture, December 11, 1989. <http://nobelprize.org/nobel_prizes/peace/laureates/1989/lama-lecture.html> Retrieved 14 September 2008.

covenants raising awareness and influencing public opinion; cooperation among many states to exert pressure on those states that abuse human rights; support for improving the governance and legal systems of many states around our globe; a world-wide effort to meet the goals and targets established by the MDG; and promoting a richer interplay of international law and internal legislation—that is, a willingness by the state to shape or change its laws in accordance with international agreements about civil and political rights.

Only when human rights are fully integrated into a nation's political structure can we be sure that they will be fully protected; only when rights are embedded in the principles by which states govern themselves can they be invoked to drive governments into finding solutions to chronic poverty, malnutrition, and disease.

This may be difficult to accomplish in developing nations with weak legal institutions and troubled economies; but here a combination of social action from within, judicious application of

international aid, and the pressure of legal mechanisms applied by the international community might work together to enable a state to meet its obligations to its own citizens.

The eradication of poverty is a goal to which all states should aspire, because it is the right thing to do — and it is in all our interests. If we succeed, we shall have gone a long way towards establishing the kind of brotherhood among nations that the framers of the UN Charter imagined for a traumatized post-war world. For that reason, even as we recognize the limitations of a rights-based doctrine, we must explore every practical way of helping the poor of the world to realize what *is* their undoubted right: their right to escape poverty.

Thank you.