

As the Pontifical Academy of Social Sciences gathers for its thirteenth Plenary Session, I am pleased to greet you and your distinguished confreres and to convey my prayerful good wishes for your deliberations...The Church's conviction of the inseparability of justice and charity is ultimately born of her experience of the revelation of God's infinite justice and mercy in Jesus Christ, and it finds expression in her insistence that man himself and his irreducible dignity must be at the centre of political and social life...Charity, in a word, not only enables justice to become more inventive and to meet new challenges; it also inspires and purifies humanity's efforts to achieve authentic justice and thus the building of a society worthy of man...I would like briefly to direct your attention to three specific challenges facing our world, challenges which I believe can only be met through a firm commitment to that greater justice which is inspired by charity. The first concerns the environment and sustainable development...This brings us to a second challenge which involves our conception of the human person and consequently our relationships with one another...A third challenge relates to the values of the spirit. Pressed by economic worries, we tend to forget that, unlike material goods, those spiritual goods which are properly human expand and multiply when communicated: unlike divisible goods, spiritual goods such as knowledge and education are indivisible, and the more one shares them, the more they are possessed...To meet these challenges, only love for one's neighbour can inspire within us justice at the service of life and the promotion of human dignity. Only love within the family, founded on a man and a woman, who are created in the image of God, can assure that inter-generational solidarity which transmits love and justice to future generations. Only charity can encourage us to place the human person once more at the centre of life in society and at the centre of a globalized world governed by justice. With these considerations, dear Members of the Academy, I encourage you as you carry forward your important work. Upon you and your loved ones I cordially invoke God's blessings of wisdom, joy and peace.

(From the Letter of His Holiness Benedict XVI to Professor Mary Ann Glendon, President of the Pontifical Academy of Social Sciences, on the occasion of the 13th Plenary Session, the Vatican, 28 April 2007)



P.A.S.S.

Acta

13

**Charity and Justice in the Relations
Among Peoples and Nations**

THE PONTIFICAL
ACADEMY OF
SOCIAL SCIENCES

Acta

13



VATICAN CITY
2007

MMVII

Charity and Justice in the Relations Among Peoples and Nations

Edited by
MARY ANN GLENDON
JUAN JOSÉ LLACH
MARCELO SÁNCHEZ SORONDO



*The Proceedings of the 13th Plenary Session
of the Pontifical Academy of Social Sciences*

27 April-1 May 2007

CHARITY AND JUSTICE
IN THE RELATIONS AMONG
PEOPLES AND NATIONS

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THE PONTIFICAL ACADEMY OF SOCIAL SCIENCES

— Acta 13 —

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Plenary Session

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VATICAN CITY 2007

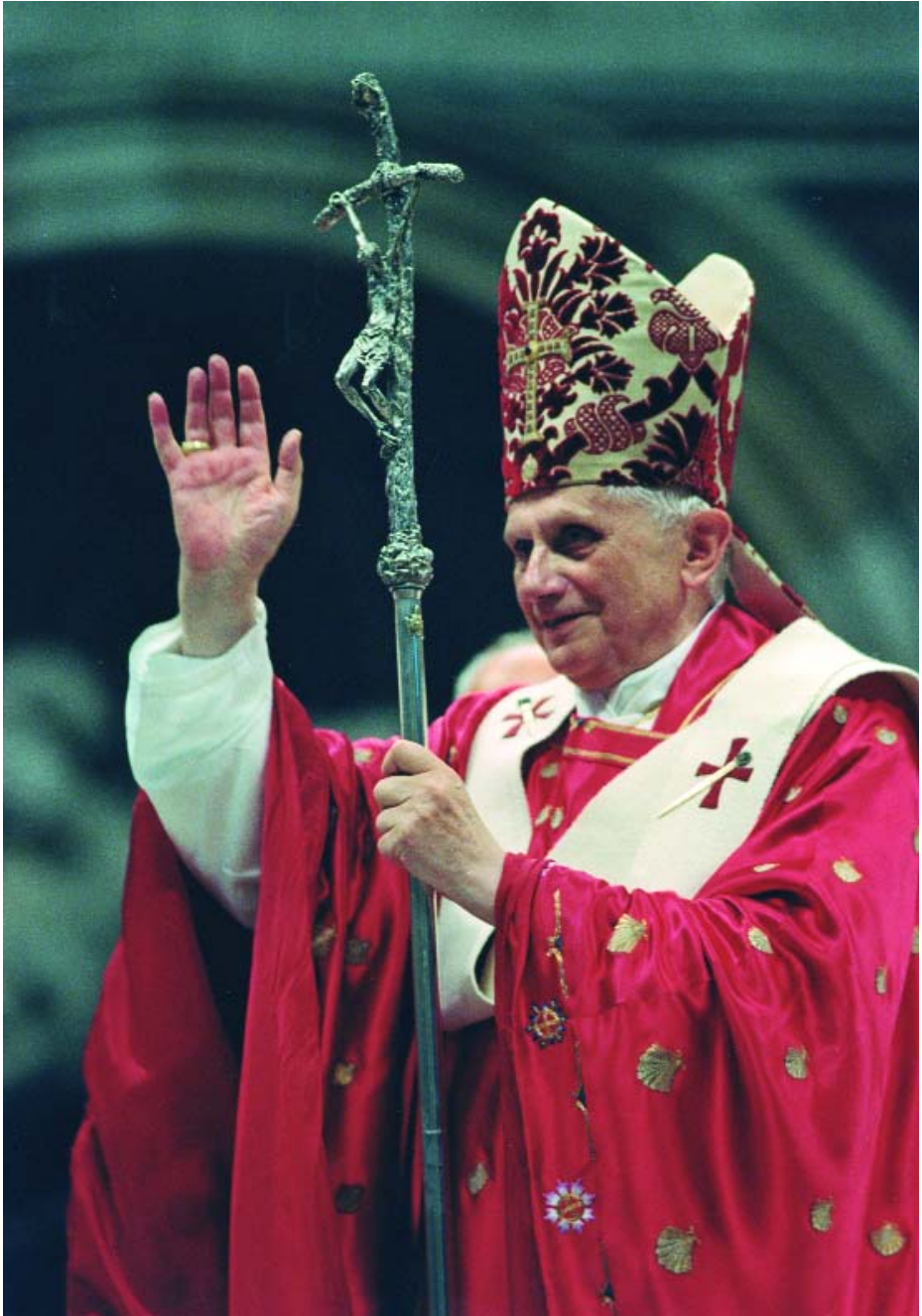
The opinions expressed with absolute freedom during the presentation of the papers of this plenary session, although published by the Academy, represent only the points of view of the participants and not those of the Academy.

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THE PONTIFICAL ACADEMY OF SOCIAL SCIENCES
VATICAN CITY



His Holiness Pope Benedict XVI



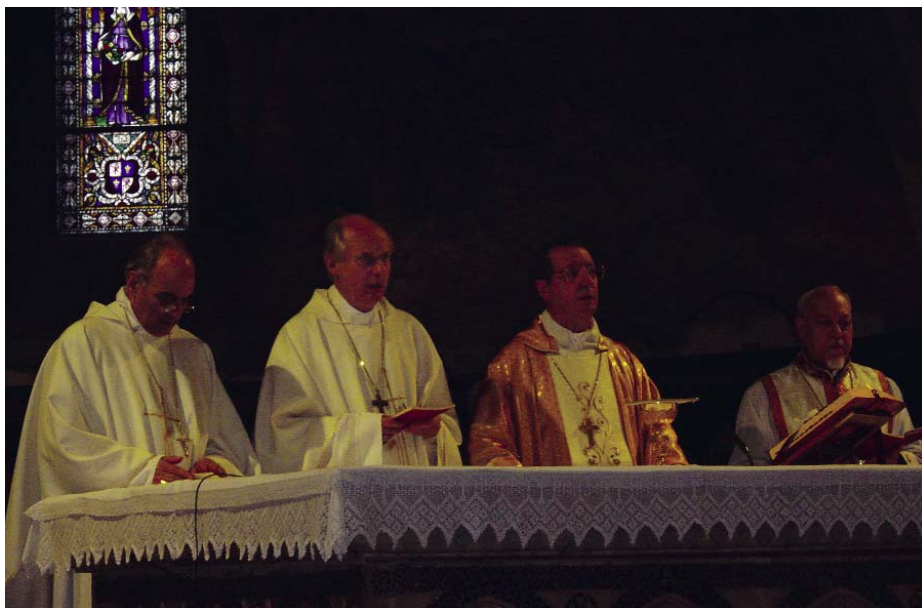
President Mary Ann Glendon begins the proceedings



Dr. Henry Kissinger presents his paper



His Eminence Cardinal Tarcisio Bertone, Secretary of State, presents his paper



H.E. Msgr. G. Lajolo presides over the concelebration of the Holy Mass with Bishop E. Kapellari, His Beatitude A. Naguib, and the Bishop Chancellor



The Participants of the Plenary Session

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TO PROFESSOR MARY ANN GLENDON, PRESIDENT OF
THE PONTIFICAL ACADEMY OF SOCIAL SCIENCES ON
THE OCCASION OF THE 13th PLENARY SESSION

To Her Excellency Professor Mary Ann Glendon
President of the Pontifical Academy of Social Sciences

As the Pontifical Academy of Social Sciences gathers for its thirteenth Plenary Session, I am pleased to greet you and your distinguished confreres and to convey my prayerful good wishes for your deliberations. The Academy's meeting this year is devoted to an examination of the theme: 'Charity and Justice in the Relations among Peoples and Nations'. The Church cannot fail to be interested in this subject, inasmuch as the pursuit of justice and the promotion of the civilization of love are essential aspects of her mission of proclaiming the Gospel of Jesus Christ. Certainly the building of a just society is the primary responsibility of the political order, both in individual States and in the international community. As such, it demands, at every level, a disciplined exercise of practical reason and a training of the will in order to discern and achieve the specific requirements of justice in full respect for the common good and the inalienable dignity of each individual. In my Encyclical *Deus Caritas Est*, I wished to reaffirm, at the beginning of my Pontificate, the Church's desire to contribute to this necessary purification of reason, to help form consciences and to stimulate a greater response to the genuine requirements of justice. At the same time, I wished to emphasize that, even in the most just society, there will always be a place for charity: 'there is no ordering of the State so just that it can eliminate the need for a service of love' (No. 28).

The Church's conviction of the inseparability of justice and charity is ultimately born of her experience of the revelation of God's infinite justice and mercy in Jesus Christ, and it finds expression in her insistence that man himself and his irreducible dignity must be at the centre of political and social life. Her teaching, which is addressed not only to believers but to

all people of good will, thus appeals to right reason and a sound understanding of human nature in proposing principles capable of guiding individuals and communities in the pursuit of a social order marked by justice, freedom, fraternal solidarity and peace. At the heart of that teaching, as you well know, is the principle of the universal destination of all the goods of creation. According to this fundamental principle, everything that the earth produces and all that man transforms and manufactures, all his knowledge and technology, is meant to serve the material and spiritual development and fulfilment of the human family and all its members.

From this integrally human perspective we can understand more fully the essential role which charity plays in the pursuit of justice. My predecessor, Pope John Paul II, was convinced that justice alone is insufficient to establish truly humane and fraternal relations within society. 'In every sphere of interpersonal relationships', he maintained, 'justice must, so to speak, be "corrected" to a considerable extent by that love which, as Saint Paul proclaims, "is patient and kind" or, in other words, possesses the characteristics of that merciful love which is so much of the essence of the Gospel and Christianity' (*Dives in Misericordia*, 14). Charity, in a word, not only enables justice to become more inventive and to meet new challenges; it also inspires and purifies humanity's efforts to achieve authentic justice and thus the building of a society worthy of man.

At a time when 'concern for our neighbour transcends the confines of national communities and has increasingly broadened its horizon to the whole world' (*Deus Caritas Est*, 30), the intrinsic relationship between charity and justice needs to be more clearly understood and emphasized. In expressing my confidence that your discussions in these days will prove fruitful in this regard, I would like briefly to direct your attention to three specific challenges facing our world, challenges which I believe can only be met through a firm commitment to that greater justice which is inspired by charity.

The first concerns the environment and sustainable development. The international community recognizes that the world's resources are limited and that it is the duty of all peoples to implement policies to protect the environment in order to prevent the destruction of that natural capital whose fruits are necessary for the well-being of humanity. To meet this challenge, what is required is an interdisciplinary approach such as you have employed. Also needed is a capacity to assess and forecast, to monitor the dynamics of environmental change and sustainable growth, and to draw up and apply solutions at an international level. Particular attention must be

paid to the fact that the poorest countries are likely to pay the heaviest price for ecological deterioration. In my *Message for the 2007 World Day of Peace*, I pointed out that ‘the destruction of the environment, its improper or selfish use, and the violent hoarding of the earth’s resources...are the consequences of an inhumane concept of development. Indeed, if development were limited to the technical-economic aspect, obscuring the moral-religious dimension, it would not be an integral human development, but a one-sided distortion which would end up by unleashing man’s destructive capacities’ (No. 9). In meeting the challenges of environmental protection and sustainable development, we are called to promote and ‘safeguard the moral conditions for an authentic “human ecology”’ (*Centesimus Annus*, 38). This in turn calls for a responsible relationship not only with creation but also with our neighbours, near and far, in space and time, and with the Creator.

This brings us to a second challenge which involves our conception of the human person and consequently our relationships with one another. If human beings are not seen as persons, male and female, created in God’s image (cf. *Gen* 1:26) and endowed with an inviolable dignity, it will be very difficult to achieve full justice in the world. Despite the recognition of the rights of the person in international declarations and legal instruments, much progress needs to be made in bringing this recognition to bear upon such global problems as the growing gap between rich and poor countries; the unequal distribution and allocation of natural resources and of the wealth produced by human activity; the tragedy of hunger, thirst and poverty on a planet where there is an abundance of food, water and prosperity; the human suffering of refugees and displaced people; the continuing hostilities in many parts of the world; the lack of sufficient legal protection for the unborn; the exploitation of children; the international traffic in human beings, arms and drugs; and numerous other grave injustices.

A third challenge relates to the values of the spirit. Pressed by economic worries, we tend to forget that, unlike material goods, those spiritual goods which are properly human expand and multiply when communicated: unlike divisible goods, spiritual goods such as knowledge and education are indivisible, and the more one shares them, the more they are possessed. Globalization has increased the interdependence of peoples, with their different traditions, religions and systems of education. This means that the peoples of the world, for all their differences, are constantly learning about one another and coming into much greater contact. All the more important, then, is the need for a dialogue which can help people to understand their own traditions vis-à-vis those of others, to develop greater self-awareness in

the face of challenges to their identity, and thus to promote understanding and the acknowledgement of true human values within an intercultural perspective. To meet these challenges, a just equality of opportunity, especially in the field of education and the transmission of knowledge, is urgently needed. Regrettably, education, especially at the primary level, remains dramatically insufficient in many parts of the world.

To meet these challenges, only love for one's neighbour can inspire within us justice at the service of life and the promotion of human dignity. Only love within the family, founded on a man and a woman, who are created in the image of God, can assure that inter-generational solidarity which transmits love and justice to future generations. Only charity can encourage us to place the human person once more at the centre of life in society and at the centre of a globalized world governed by justice.

With these considerations, dear Members of the Academy, I encourage you as you carry forward your important work. Upon you and your loved ones I cordially invoke God's blessings of wisdom, joy and peace.

From the Vatican, 28 April 2007

REPORT OF THE PRESIDENT 2007

Globalization in its many aspects was the central focus of the Academy's work in 2007. The XIIIth Plenary Session on 'Charity and Justice in the Relations Among Peoples and Nations', held from April 27 through May 1, 2007, marked an important phase in the Academy's Globalization Project as it moved from a long fact-finding and evaluating phase toward a normative phase aimed at producing a Final Report that will be useful to the Holy See as it contends with the challenges posed by globalization for the application of the principles of Catholic Social Teaching.

Over the years, the Academy's Globalization Committee has organized several meetings and workshops aimed at achieving a better understanding of the processes that are transforming the world's economic, cultural, political, and natural ecology, and at casting the issues in a humanly deeper and richer fashion. The transformations wrought by globalization, however, have occurred with such speed that many issues look very different today from the way they looked when the Globalization Project got underway. The Globalization Committee decided, therefore, to begin work on a Report that would take stock of what we learned in previous globalization meetings, analyze the major changes that have taken place since our earlier studies were completed, and examine the entire field through the lens provided by Pope Benedict XVI's first encyclical, *Deus Caritas Est*.

Accordingly, the XIIIth Plenary Session, coordinated by Academician Juan Llach, who now serves with Academician Louis Sabourin as co-director of the Project, invited a number of experts in economics, politics, law and sociology to provide us with their perspectives on such questions as: What can be done to assure that a globalized world will be a humane world? What can be done to address the inevitable dislocations and losses that are the accompaniments of globalization? How can we protect endangered social and natural environments? How can the poorest peoples be drawn into 'the circle of productivity and exchange' without destroying the delicate social structures that give point and purpose to their lives? What is the appropriate sphere for international institutions and how can they be made more transparent and accountable to those whose lives they affect?

How can probabilities be shifted so as to promote relations among peoples and nations that are grounded in principles of charity, justice, and respect for human freedom and dignity?

The 2007 Plenary also gave the Academy the chance to respond to a request by the Holy See's former Minister for Relations with States, Archbishop Giovanni Lajolo, to explore the implications of the concept of subsidiarity in the context of the challenges for Catholic social doctrine posed by globalization. (The relation between subsidiarity and solidarity will be the subject of the 2008 Plenary Session, as discussed below.)

Among the invited experts were Professor Philip Allott of Cambridge University who spoke about the new challenges posed by globalization for international law; Professor Luis Ernesto Derbez Bautista, former foreign minister of Mexico, who discussed the vulnerability of poorer countries to sudden swings in world capital markets; Dr. Jacques Diouf, Director General of the Food and Agriculture Organization, who presented a vivid analysis of the problem of access to safe water; Dr. José Miguel Insulza, Secretary General of the Organization of American States, who addressed us on the strengths and weaknesses of international institutions; Dr. Henry Kissinger, former Secretary of State of the United States, who spoke of the rising geopolitical importance of Asia, and about how globalization is weakening the power of nation states, precisely as their own citizens expect them to do more to mitigate the effects of globalization; and Professor Giorgio Vittadini who spoke about the role of charities and civil society.

The Academy was also honored by the attendance and participation of several curial Cardinals, officials of the Holy See, and other religious leaders. Cardinal Tarcisio Bertone, Holy See Secretary of State, presented a substantial address on the crisis of multilateralism, and the Holy See's Nuncio to the United Nations, Archbishop Celestino Migliore, moderated and participated in a discussion of the effectiveness of the UN's Millennium Goals. A highlight of the Plenary Session was a panel discussion on peace and inter-religious relations among Cardinal Walter Kasper; His Beatitude Antonios Naguib, Patriarch of Alexandria; Cardinal Pierre Sfeir Nasrallah, Patriarch of the Maronites; and Chief Rabbi David Rosen, President of the International Jewish Committee.

In the course of the meeting, we received a cordial message from Pope Benedict XVI in which he expressed his encouragement for the Academicians 'as you carry forward your important work', and drew our attention to three challenges: the environment and sustainable development, respect for the rights and dignity of persons, and the danger of los-

ing spiritual values. The Holy Father also took the occasion to offer a few words of advice to social scientists about putting principles into practice. 'The building of a just society', he wrote, 'is the primary responsibility of the political order', and the questions therefore require both 'practical reason and a training of the will in order to discern and achieve the specific requirements of justice'. To this work of practical reason, he pointed out, the Church offers a 'purification of reason', permitting the light of the Gospel to illuminate the social order.

The next phase of the Globalization Committee's work will involve the preparation of a Report that will harvest the results of previous meetings, combine them with the insights gained in the 2007 Plenary Session, and present the conclusions that can be drawn from its globalization studies.

For the extraordinary effort that went into the planning of the 2007 Plenary Session, special thanks are due to Professor Juan Llach who served as coordinator; to our Chancellor, Bishop Marcelo Sánchez Sorondo; and to the Globalization Project's longtime director, now co-director, Professor Louis Sabourin. Our gratitude goes as well to the Academy's talented staff for their professionalism and courtesy, and in particular to Aldo Cicinelli, Alessandra Petrillo, and Simonetta Ulisse for the dedication that they unfailingly display as they support our work, not only during the annual meetings but all year round.

* * *

In response to urging from many Academicians and from members of the Foundation for the Pontifical Academy of Social Sciences, we are constantly making progress in our efforts to disseminate knowledge of the Academy's work. In that connection, the Academy has been greatly aided by Father Raymond J. De Souza, a Canadian journalist who, for the second year, coordinated our relations with the press at the Plenary Session. Father De Souza, who holds degrees in economics, political science, and theology, is Catholic Chaplain at Queens University in Ontario, and is a well-known commentator on religion and public life. We are also grateful to Father Federico Lombardi, S.J., Director of the Holy See Press Office, for facilitating two press conferences at the Sala Stampa.

In the course of this year's Plenary Session, representatives of radio, television and print media conducted over thirty interviews with Academicians and invited experts. The highlights of the conference were reported in several publications in a number of countries, and the entire

conference was extensively covered by the Zenit Internet news service which goes out daily to over 500,000 subscribers worldwide.

I am also pleased to report receipt of a letter from Dr. Leon Kass, former Chairman of the U.S. Bioethics Council, where he states that 'it was the work pioneered by the Pontifical Academy of Social Sciences that led us to recognize the singular importance of this topic', and that 'it was thanks to the writing that we discovered in the Proceedings of the Academy that alerted us to the danger of intergenerational warfare and the urgent need to develop resources and institutions to promote intergenerational solidarity while caring well for those who can no longer care for themselves'. The Academy's work was duly cited and credited in the Council's report on the problems of the aging society.

* * *

As 2007 drew to a close, plans for the XIVth Plenary Session to be held from May 2 to May 6, 2008, were well underway under the direction of Academicians Margaret Archer and Pierpaolo Donati. Under the title, 'Pursuing the Common Good: How Subsidiarity and Solidarity can Work Together', the meeting will examine the increasingly complicated relationship between solidarity and subsidiarity under contemporary circumstances.

* * *

Finally, it is with great sadness that I record here the loss of our dear colleague, the distinguished French historian René Rémond. We learned of the death of Professor Rémond shortly before the XIIIth Plenary Session at which he would have been a commentator. During the Session, he was remembered in a Mass celebrated by his friend and countryman, Cardinal Paul Poupard, and in homages presented by former President Edmond Malinvaud and Professor Sabourin. Shortly thereafter, we were notified of the death of former Academician Istvan Muselay, S.J., Professor Emeritus of Economics at the Collegium Hungaricum of the University of Leuven, Belgium. Both Professor Rémond and Father Muselay were among the first members of the Pontifical Academy of Social Sciences, and the memory of their valuable contributions to its growth will always be cherished.

Mary Ann Glendon



SECRETARIAT OF STATE

No. 62981

From the Vatican, 18 June 2007

Dear Professor Glendon,

His Holiness has asked me to acknowledge the devoted letter of 8 June 2007 in which you expressed your gratitude on behalf of the Most Reverend Chancellor and the members of the Pontifical Academy of Social Sciences, for the Holy Father's words of encouragement on the occasion of the recent Plenary Session of your prestigious institution.

His Holiness is most grateful for the enclosed report on the activities of the Academy during the past year and the initiatives you are planning for the near future. He wishes to assure you of his appreciation for the dedication and competence shown in the examination and evaluation, always in the light of the Church's Magisterium, of a world progressively more global and interconnected. He trusts that this process of reflection and dialogue will lead to greater understanding and goodwill, and enrich the Christian community, paving the way for a more open and generous spirit of cooperation between peoples.

Commending the work of the Academy to the maternal protection of Mary, Mother of the Church, the Holy Father cordially imparts to you and all the members of the Academy, his Apostolic Blessing

With my own personal and prayerful good wishes, I am

Yours sincerely,

Secretary of State

Professor Mary Ann Glendon
President of the Pontifical Academy of Social Sciences
00120 VATICAN CITY STATE

CHARITY AND JUSTICE IN THE RELATIONS AMONG PEOPLES AND NATIONS: GENERAL INTRODUCTION TO THE TOPIC

JUAN J. LLACH

The truth, I have now come to realize, is that God does not have favorites, but that anyone, of any nationality, who fears God and does what is right, is acceptable to him.
(*Acts*, 10:34)

It is the universal common good which demands that control mechanisms should accompany the inherent logic of the market. Globalization, *a priori*, is neither good nor bad. It will be what people make of it. No system is an end in itself, and it is necessary to insist that globalization, like any other system, must be at the service of the human person; it must serve solidarity and the common good.
(His Holiness John Paul II to Pontifical Academy of Social Sciences, 2001)

Peace is both gift and task.
(His Holiness Benedict XVI, World Day of Peace, 2007)

In the recent past, the Academy has devoted various meetings to analyze different aspects of globalization. Two complete sessions, parts of two other ones, two workshops – one of them, on globalization and education, together with the Pontifical Academy of Sciences – and a colloquium. All this work has enabled us to very clearly reaffirm that there is a lack of charity and justice in the world we live in. This may be summarized in a general way as disproportionate allocations or reallocations of any kind of resources, promises not honored and unequal divisions.¹ All of this has been addressed by the renewed appeal to charity and justice made by the Pope, Benedict XVI, in particular in his encyclical *Deus Caritas Est*. These facts and this appeal form an important part of the background to our meeting.

¹ Cf. H.E. Msgr. Marcelo Sánchez Sorondo, 'Global Justice in Potency?', in this volume, pp. 60-75.

The subject of this XIII plenary session is the *relations* between different peoples and nations, the developed and the developing, the emerging and the poor, from the point of view of the virtues of charity and justice. We will ask ourselves whether these relations, in the light of the social Magisterium of the Church, can become more just, fairer, and more peaceful, and what the route should be to achieve such ends. In other words, is a partnership for charity and justice possible in the globalized world? In order to help us to fulfill these goals the purpose of this Introduction is twofold. The first part, that is backward looking, presents a very brief synthesis of the previous work of the Academy on globalization.² The second part looks, instead, to the present and to the future, as it is focused on the identification of the new signs of the times that we should cautiously read in order to assess if they contribute or impede an improved effectiveness of charity and justice in the relations among peoples and nations at the beginning of this new millennium. To fulfill this second task the Academy considered that it was important to organize this XIII plenary session in an unusual way, inviting many people from outside the Academy, with different roles and expertise, to actively participate in our work, and to listen to them in order to have a broad picture of our world before getting our final conclusions on such crucial issues for the future of humankind as they are the ways to improve the effectiveness of charity and justice in the relations of peoples and nations.

² Those interested in a broader synthesis can see the document *Pontifical Academy of Social Sciences on Globalization* presented to the participants in this XIII Plenary Session (2007). The works of the Academy that have been considered in both syntheses are: a) *The Social Dimensions of Globalization* (2000, workshop); b) *Globalization: Ethical and Institutional Concerns* (2001, plenary session); c) *Globalization and Inequalities* (2002, colloquium); d) *The Governance of Globalization* (2003, plenary session); e) the international issues dealt with in the plenary sessions on *Democracy* (1998) and (f) on *Intergenerational Solidarity* (2002). All this documents can be found in the webpage of the Pontifical Academy of Social Sciences: http://www.vatican.va/roman_curia/pontifical_academies/acdscien/index_social_en.htm. The author is the only responsible for the selection of the texts of both syntheses.

1. MAIN CONCLUSIONS OF THE PREVIOUS WORK OF THE ACADEMY ON GLOBALIZATION³

1.1. *Drivers, Traits and Ethical Consequences of Globalization*

One key question. Globalization cannot and should not be arrested, but a central question remains open: what kind of development will the current globalization finally generate: elitist, dependency-inducing, culturally destructive, socially disruptive, personally alienating and environmentally damaging? Or, conversely, participatory, emancipating and liberating for the many, serving as a dynamic catalyst of regenerated cultural vitalities, conducive to social cooperation if not placid harmony, and environmentally sound for the long-term?

Excessive predominance of economic forces. Since 1989 humanity has entered a new phase in which the market economy seems to have conquered virtually the entire world often eluding the traditional regulations of the nation-states and predominating over concern for the common good (HH JP II, PASS, 2001 and 2003).

Marginalization of the needy. Globalization can subject entire peoples and cultures to a new, formidable struggle for survival, as well as to increased insecurities in every field of human activity: everyday life, labor, finances, the economy, politics, culture, health and the environment.

Globalization's actors and democracy. People's growing consciousness about inequalities can give place to extreme reactions such as excessive nationalism, religious fanaticism and even terrorism. Business has become the most powerful institution of the planet, even substituting traditional political institutions, and a large constellation of other development actors refuses to accept this new role. At the same time, there are signals of a positive role of globalization in enhancing democratic development, law-based states, human rights and international law.

Threats to cultural identities and new roles for the religions. Globalization appears to be eroding cultural diversity and vitality and making difficult the effectiveness of the right of every people to define its own development paradigm. In spite of the predictions about its 'death', religion appears

³ In this short synthesis only the quotations belonging to the Popes are explicitly referred to. Acronyms of the encyclicals and other texts from the Popes are the following. PT, *Pacem in Terris* (HH John XXIII); PP, *Populorum Progressio* (HH Paul VI); CA, *Centesimus Annus*, and SRS, *Sollicitudo Rei Socialis* (HH John Paul II); PASS, Papal Addresses to the Pontifical Academy of Social Sciences.

still alive, in demand and used as a source of identities and called to have a public role.

Regionalization and 'glocalization'. Parallel to the development of globalization and the weakening of the national states, there is a growing trend towards the increase of the autonomy of sub-national units as well as the proliferation of multinational regional associations.

International migrations. It appears as if the 'rich' must begin to defend themselves from the 'poor', whose increasing international migration is the result of the combination of the dramatic demographic curve in industrialized countries and the imbalances in social and economic wealth among countries and regions inside countries.

Globalization and corruption. Whereas the law-based state has extended its tentacles over all the spheres of human action, illegal activities have been increasing at the same time in a variety of forms such as corruption, drug trafficking, organized crime and tax evasion.

Globalization and the environment. The livelihoods of at least half a billion people are under direct threat due to environmental degradation. Proper accounting for human and natural capital makes substantial differences in our conception of the development process as it shows, when applied, that the poorest regions of the world, like the Indian sub-continent and sub-Saharan Africa, comprising something like a third of the world's population, have become even poorer over the past decades.⁴

1.2. *The Social Doctrine of the Church*

The contribution of the Social Doctrine of the Church. All along the last century, modern Christian culture has made decisive contributions to democracy and social justice, not least because it has always espoused a healthy distrust towards all those ideologies which proposed 'the new man'.

The two faces of globalization. Ethical implications of globalization can be either positive or negative. Among the last ones, absolutizing the economy is perhaps the most risky.

Globalization, the human person and the priority of ethics. There is a need for guidelines that will place globalization firmly at the service of authentic human development – the development of every person and of the whole person – in full respect of the rights and dignity of all (HH JP II, *PASS*, 2003).

⁴ This statement refers to a long period that only partially includes the recent acceleration of economic growth in countries like India.

Humanity called to be a single, ethically founded family. Globalization also offers exceptional and promising opportunities in the building of humanity as a single family, based on the values of justice, equity and solidarity (HH JP11, *Peace Day*, 2000).

Universal common good and the governance of globalization. Because of the worldwide dimension of the problems confronted it is necessary to constitute a public authority with universal competence and oriented towards a universal common good centered on the human person (HH John XXIII, *Pacem in Terris*). Now is the time 'to work together for a new constitutional organization of the human family', an organization that would be in a position to meet the new demands of a globalized world. This does not mean creating a 'global super-state', but continuing the processes already underway to increase democratic participation and promote political transparency and accountability in the international institutions (HH JP11, *PASS*, 2003).

Respect due to the diversity of cultures and intermediary groups. Globalization must respect the diversity of cultures which, within the universal harmony of peoples, are life's interpretive keys (HH JP11, *PASS*, 2001).

Worldwide nature of the social question, globalization in solidarity, integral human development and the role of freedom. The social question had become worldwide by its very nature and answers to it must be found in a new vision of integral development, which 'fosters each man and the whole man' (HH Paul VI, *PP*). Human beings will strive in their freedom to overstep existing boundaries, particularly state or knowledge ones, and globalization has the potential of increasing any kind of exchanges based on the principle of freedom.

Risks of absolutizing the economy and the roles of the market and the private sector. The economy is only one aspect and one dimension of the whole of human activity. If economic life is absolutized the reason is to be found in the fact that the entire sociocultural system has been weakened, and ends by limiting itself to the production of goods and services alone (HH JP11, *CA*). On the level of individual nations and of international relations, it would appear that free market is the most efficient instrument for utilizing resources and effectively responding to needs. But this is true only for those needs which are 'solvent', and there are many human needs which find no place on the market. It is the strict duty of justice and truth not to allow fundamental human needs to remain unsatisfied and not to allow those burdened by such needs to perish. It is also necessary to help these needy people to acquire expertise, to enter the cycle of exchange and to develop their skills in order to make the best use of their capacities and resources (HH

JPII, CA). For the social teaching of the Church, private property (including the intellectual one) 'is under a "social mortgage", which means that it has an intrinsically social function, based upon and justified precisely by the principle of the universal destination of goods' (HH JPII, SRS).

Developing and developed countries in international trade. Recent experience has shown that countries which isolated from the world markets have suffered stagnation and recession, while the countries which experienced development were those which succeeded in taking part in the general inter-related economic activities at the international level (HH JPII, CA).

Developing countries' indebtedness. The principle that debts must be paid is certainly just. However, it is not right to demand or expect payment when the effect would be the imposition of political choices leading to hunger and despair for entire peoples. In such cases it is necessary to find ways to lighten, defer or even cancel the debt, in line with the fundamental right of peoples to subsistence and progress (HH JPII, CA).

1.3. *The Impact of Globalization on Levels of Living, Poverty and Cultural Identities*

Lights and shadows regarding globalization and old and new poverties. Social and economic progress in most of the developing countries during the last decades is beyond any doubt. But it is also very clear that the benefits of globalization are unevenly distributed and that globalization limits the ability of governments to promote human development and fight poverty because of the fiscal squeeze it has imposed on the states through reductions in expenditures and tax competition. Human poverty has been reduced, but not as fast as it should be required and it is in any measure still high. In the particular case of Africa, near fifty percent of its people live in absolute poverty.

Globalization and the gaps. Up to the end of the last century the majority of poor countries had not grown faster than the rich ones and there were no clear signals of convergence or divergence between the two groups. Excluding a handful of Asian and Southern European success stories, divergence has tended to prevail and the middle class of countries has reduced its size along the 20th century. World distribution of personal income is very unequal, the participation in the immaterial side of civilization is very unequal too and the revolution of information technologies has created an additional gap between developed and developing countries. The gulf between wealth and poverty is intensifying not only between some of the rich and developing countries but also within each of them.

Hypotheses about the gaps. It is not clear whether economic and social inequalities have stagnated or increased *because of* globalization. But as a result of the communications revolution, inequalities and poverty have become increasingly intolerable. A particular problem is found in some of the least developed countries, in which economic transactions occur among members of communitarian institutions, neither markets nor the state, and in which the expansion of markets can destroy these non market institutions, making certain vulnerable groups worse off. Freeing trade without considering safety-nets for those who are vulnerable to the erosion of communitarian practices is defective policy. Other relevant factors that can explain the gaps are protectionism and subsidies to agriculture and other sectors in DCs;⁵ unfairness in some aspects of patents and intellectual property; insufficient institutional development, as manifested in political instability, lack of independent justice, inefficient public expenditure, and also demagoguery and unpunished corruption; and brain drain from LDCs to DCs, in sharp contrast with restrictions in international migrations of less qualified labor from LDCs to DCs.⁶

Globalization and cultural identities. Regarding this very complex phenomenon, it is possible to identify, at the same time, trends promising global uniformity and others protecting and protracting cultural diversity. In the process, it sometimes appears that globalization flattens cultural diversity, ruins civilizations, excludes the ones judged as undesirable, including the poor, and accelerates the disarticulation of social bonds which bind people's allegiances to their national, regional, and local communities. This happens in DCs too, because of the negative effects of globalization on wages and employment levels in many regions. At the same time, globalization is a potentially positive phenomenon in as far as it tends to unify humankind and to pass from a history of conflictive tribes to a history of the whole of humanity. Influences from the global world have different manifestations. Sometimes, they are perceived as desirable, generating a pressure towards syncretism. Alternatively, they can be perceived as nega-

⁵ In this paper, the acronym 'LCD' refers to not completely developed countries, either emerging, less developed or the least developed. On the other hand, 'DC' refers to developed countries.

⁶ These restrictions are also sharply in contrast with the freedom enjoyed by European and Asian countries at the end of the 19th century and the beginning of the 20th century, when millions of emigrants from these continents were welcomed in America and Africa.

tive, in a competitive contradiction with the local hegemonic culture, leading potentially to fundamentalism. Finally, there are cases of 'compatibility', where global influences are welcomed, giving rise to the globalized uniformity thesis. A 'politics of identity' cannot be simplistically construed in terms of traditionalism versus globalization. Syncretism and cultural elaboration means that there is an increasing array of identities, which can be assumed both locally and worldwide, and which increase the complexity of the tasks of every social institution especially those of law, politics, education, and religion.

1.4. *The Governance of Globalization*

General approach: the question of a world government. It is impossible to deny the impression of precariousness within the international order at the economic, juridical and political levels. Wars continue to break out and there is a shortage of effective and just global initiatives. Structures of the international milieu seem to resist any form of democratic control. On the threshold of the twenty-first century, global governance requires a new set of international ethical standards. Civil democracy founded upon public opinion, non-governmental institutions and the acceptance of the standards of international agreements constitute one of the premises. Additionally, appropriate governance solutions should care for limiting the weight of purely economic considerations. One of the main motivations of the *request for a world government* is the need to keep peace through binding international law and sanctions, and it is also connected with the notion of universal common good. It is utopian to think of it as a structured central government, but not if we think of a coordination of the decision process at the international level. World governance requires the participation of all the governmental levels – local, national, international – as well as a first class leadership. In this framework, an alternative concept to globalization can be envisaged, and it is universalization, emerging at the social, more than at the political level, as it can be seen in the proliferation of a lot of non-governmental organizations. It is possible to feel that the embryo of worldwide governance is being sketched out, following a growing consciousness of a common responsibility. This can be seen in the recognition of the right to intervene, the legitimacy conferred to the UN Security Council, the institutionalization of world leaders' summits, the efforts to rationally and jointly manage the planet's resources, together with the preoccupation for a sustainable development and the establishment of

a worldwide judiciary system – as is the one put in place in the International Criminal Court – in which all governments could be summoned. But power politics is still alive, and it seriously threatens all that has been done during the last twenty five years to build a cooperation- and consultation-based international order. Additionally, other reforms are still to be performed to put in place a better governance of globalization, like the reform of the UN and its economic institutions; putting in place new norms to regulate the environment, trade, finances, investments and the activities of trans-national corporations; the elaboration of a worldwide tax or fiscal system and the building of new relationships between the civil society and the public and private sectors.

The nexus between the Rule of (International) Law and Democracy. Throughout much of the 20th century there has been a considerable widening and deepening in the scope of the international legal order. It has been beneficial to mankind and has made the world a better place in which to live for a large number of persons. But, given that the vocabulary of democracy is rooted in notions of demos, nation and state, there is no easy conceptual template from the traditional array of democratic theories one can employ to meet the challenge. What is required is both a rethinking of the very building blocks of democracy to see how these may or may not be employed in an international system. One of the required normative challenges is to arrive at rules and structures that protect and assist the integrity of smaller units to seek their own ends in freedom, i.e., consistent with the idea of subsidiarity. But both, subsidiarity and solidarity, can only be intelligible principles if we can posit the existence of some universal *common good* among the peoples of the world.

Crisis of the national states? Nation-states are neither obsolete entities of the past nor possess a monopoly on global agency. The question is that the economy has become global while politics has not. This has removed the stable linkage between the state, the territory, the population, and wealth. The social control which globalization is eroding cannot be recovered at the level of the nation-states without protectionist repression or neo-mercantilist measures which would provoke a catastrophic crisis. To overcome the situation, a redefinition of the state is needed, understanding it as the result of peoples' sovereignty, in which people are built up beyond individuals, in the local communities and in their values. In this perspective, 'think locally, act globally' means understand the local as the place in which communities operate and act universally in a process that reconnects them with human rights.

An international citizenship and civil society? It does not seem possible to sustain a notion of citizenship when the bonds that were historically assumed as the source of citizenship get thinner and thinner. And it seems premature to speak about an 'international civil society', because in some cases it may serve to mask activities that severely threaten real democracy and other human values. In the building of stronger ties at the international level it seems convenient to avoid both, a 'laissez-faire fundamentalism' leading to self-regulated systems and a 'neo-statist' approach with a strong demand for regulation at the level of national government that would produce undesirable effects. Instead we should pursue a 'trans-national civil society strategy', entrusting its design to the 'intermediate bodies' of civil society, relying on social consensus rather than automatic market or bureaucratic mechanisms and, overall, based on the principle of subsidiarity at the transnational level. Instead, we can now see a sudden and conjoint development of low social and low systemic integration at the global level – always a combination with explosive potential. The high level of global systemic integration envisaged is simply incompatible with the prevalent low level of social integration. The key to global order is more likely to be found by exploring the conditions under which the 'social' and the 'systemic' might once again come to stand in a mutually regulatory relationship, at world level.

Which values at the world level? In his October 1995 speech to the United Nations, Pope John Paul II spoke of a 'legitimate pluralism' in forms of freedom. The approving reference to 'pluralism' counsels against the 'one right answer' temptation. Thus, there is scope for many different versions of the democratic experiment. But to soundly speak about democracy and values the question is: where are values born? Values were traditionally born in stable elements of society, like families, local unions or professions, but all of them are changing rapidly and profoundly. So, where are values born and transmitted now in a rapidly changing society? On the other hand, it is important to understand that something morally essential to democracy is procedural neutrality and that it is the basis of constitutional protection for privacy as well as protection of minorities.

International organizations and human rights. Advancement of democracy and protection of human rights in the developing world have been assisted by international structures and the ideas behind them. The Western world, primarily rooted in Christianity, has contributed significantly to the development of democracy. Even gender equality and the rights of minority communities are actually rooted in Christianity. At the political and legal lev-

els, however, the UN globalization project looks more worrisome. It has developed a materialist and strictly evolutionist concept of the human being, discarding the realistic vision implicit in its 1948 Declaration.

Governance of international institutions. Unfortunately nothing is less democratic or less open to participation than some international institutions in which one single vote has a greater weight than that of the majority. Unless there are serious reforms in governance, the legitimacy of the institutions will be undermined; unless there are serious reforms in the practices, there may well be a backlash.

Universal versus idiosyncratic institutions and the institutional weaknesses of LDCs. Without the required improvements in national governance, the positive globalization-governance interaction will not be possible. The outcomes of an unfair globalization are not limited to the economy or to social life, but they also reach the field of politics. On the macro side, the emergence and the probability of success of nationalistic ideologies and movements are very frequently associated with bad economic or social performance. On the micro side, when people cannot have access to legal ways of life, the probability of illegal behavior is really higher. 'Quality of government' has historically meant: legitimate and deep rooted origin, fiscal correspondence, rule of law, accountability, societal control and law enforcement. Outward orientation, either regional or international, can play a very important role as a quality enhancer for domestic institutions and growth.

Regional integration processes. European and American integration processes have reflected a democratic decision of peoples based upon the big tragedies of the 20th century. The role of external peer pressure was in some cases shown to be powerful to reduce corruption. The question of legitimacy can be resolved at the national level but great problems remain at the international level. *Africa.* Because of a dualistic economy and society, hostility to economic development and to personal initiative, administrative incompetence, a culture of violence, and difficulties in establishing a workable democracy, Africa does not seem ready to cope with the challenges of globalization and, for the foreseeable future, it will need to be treated with special care, particularly regarding trade. The United States of Africa project brings some hopes, as does its major brain child, the New Partnership for Africa's Development (NEPAD), wishfully a constructive way of engaging the forces of globalization and a road-map aimed at African Renaissance, through a partnership between Africa and the developed world. This program is premised on African ownership, African control of the projects and programs, with African leaders accepting that they will play their part in ending

poverty, bringing about more peace, sustainable development, a stronger democracy, a human rights culture and less corruption. *Asia*. Because of a more relaxed view of its cultural identity, regional civil consciousness would perhaps be easier in South-East Asia under the Association of South-East Asian Nations than it would be under the European Union. But the way in which big Asian countries behave frequently seems like power politics. *European Union*. Europe is creating a new political entity, a common culture, based on pre-rational elements, but also quite a few rational elements. Democracy may well prove very difficult to organize at the EU level and it might be more and more ineffective as a linkage mechanism between public preferences and policy outputs at the national level.

Governance of international trade. Trade is the structural and long term solution for the economic growth of developing countries. But important ethical concerns regarding the current international trade system need to be solved. 1) Asymmetric trade liberalization, with the South forced to reduce its tariffs and trade barriers and the North not fully reciprocating. 2) Agriculture subsidies have been provided in a way which actually harms developing countries. 3) Developed countries use non-tariff barriers in unfair ways which exclude the goods of developing countries. 4) In the Uruguay round there were the service sectors (particularly financial) which represented the goods produced by DCs upon which attention was focused. 5) The intellectual property regime does not balance the interests of producers and users, particularly in the case of health, and it has also led to bio-piracy, where longstanding traditional products of developing countries have been patented by firms from the North. 6) While improved labor market mobility would do more for global economic efficiency than improved capitals mobility, attention has focused on the latter to the exclusion of the former. 7) Some trade agreements have attempted to restrict governments' rights to enact legislation and regulations intended to improve the wellbeing of their citizens. 8) The international trading economy is in the anomalous condition of diminishing tariff protection but of increasing use of non tariff trade-distorting measures, less transparent and more difficult to identify.

Governance of international finances. Financial globalization accelerated in the 1980s with the fast liberalization of international capital movements in many countries. After a series of severe financial crises in a number of emerging countries during the past ten years, we witness a widespread questioning of the vision which we had been led to expect from the earlier trend manifest and widely shared benefits. *a) Ethical issues in the globalization of finance and responsibilities and duties of international financial insti-*

tutions (*IFI*). The most developed countries and especially multilateral institutions have a duty to advise LDCs on what are prudent levels of debt, and on how to manage their risks, but they have not done so and they have often provided advice which has exacerbated the risks for LDCs. *b) Countries' insolvency and bankruptcy regimes.* A very delicate question concerns the solution to give to cases in which a country is perceived to be insolvent. The comparison with the legal treatment of insolvency of a firm makes ethical sense and it seems to be fair to institute a formal procedure for the solution of such cases. *c) Highly indebted countries.* In some cases, the degree of culpability of the lenders may be sufficiently great that the moral case for debt forgiveness seems compelling. There is one important reason however, against debt forgiveness, namely, that it encourages bad borrowing ('moral hazard'). Until an international authority is created, it is the moral duty of rich and powerful countries to act in ways designed to help the world's disadvantaged. The HIPC (Highly Indebted Poor Countries) and PRSP (Poverty Reduction Strategy Papers) initiatives and the recent debt and poverty reduction strategies of Bretton Woods institutions, are allowing significant progress in the countries which have already benefited from them. *d) Some of the recent points of progress* are the following. 1) The further development and restructuring of some activities of the IMF and World Bank; 2) the establishment of the Financial Stability Forum in Basel; 3) the supplementing of the ongoing cooperation between the G-10 countries by the new G-20 grouping; 4) the intermediate evolution of many codes and standards for the financial markets and for the supervision of financial systems; 5) the adoption of new anti-crises facilities in the IMF. *e) Policies to confront crises.* In the emerging countries crises have meant much disarray and misery. Their recurrence shows that they have a systemic character, which calls for a reconsideration of practices and policies applied during the last decade. *f) The global reserve system.* An outsider looking at the global financial system would note one peculiarity: the richest country in the world seems to find it impossible to live within its means, borrowing in 2006 some \$850 billion a year (6.5% of its GDP) from abroad – including almost half from emerging countries. Part of the problem lies with the global reserve system, which entails countries putting aside money for emergencies. The 'reserves' are typically held in hard currencies, particularly in dollars, and this implies that poor countries lend to the United States substantial sums every year. The instabilities and inequities associated with the global reserve system can impose high costs on the poor. *g) Financing of the public sector* that is unconnected to controllable productive

projects is especially worthy of consideration. This is because of the onerous conditions often attached to such lending, where 'onerous conditions' means those that are more stringent than normal market conditions and that, accumulated over time, end up constituting an unbearable burden on the borrowing countries. Believing that all governments are committed to the common good of people, that is, the well-being of each and every one of a country's inhabitants, is an expression of naivety that must be punished in cases where the government is controlled by bloody dictators that subject society to their will, denying its natural inalienable rights, governing for the enrichment of themselves and their families and those close to them who help them remain in power.

1.5. *Proposals*

In spite of the fact of being an Academy of theoretical and empirically based sciences, most of them neither applied nor practical, an important number of our colleagues and contributors to our previous work on globalization have suggested relevant proposals whose summary follows.

General approaches. There is an incipient mutual acknowledgment between critics and defenders of globalization on the necessity of coming to negotiate jointly the terms of 'another globalization'. The only true alternative seems to be not to de-globalize, but to build a different globalization, clearly in line with what HH John Paul II insistently claimed. In the meantime, the increasingly widespread discontent with globalization is a real threat not only to the economy, but also to the evidently fragile world peace.

Poverty reduction and alleviation. Some of the proposals suggested are the following. 1) To increase the benefits from trade and capital flows through the combination of institutions responsive to the market but controlled by the state; fair land reform; implementation of labor-intensive technologies and an active industrial policy to introduce the country in new niches in the world market. 2) To overcome the resource squeeze, increasing the fiscal autonomy of the state through a new approach to macroeconomic policy and people-centered budget initiatives. 3) To generate pro-poor growth through restoring full employment; reorienting social spending, especially towards education, universal accesses and social safety nets; promoting micro-enterprises and the informal sector; increasing the productivity of small-scale agriculture; providing the poor with means to save, to have access to credit and to start a small business; promoting micro-finance schemes as an efficient way to empower the poor and increase their

ability to save and invest and, finally, taking measures to help poor people start new businesses. 4) To fulfill targets and programs for poverty reduction, like the Millennium Goals. 5) To reduce human insecurities of any kind. 6) To address the need for greater equity in the international system. 7) On the LDCs' institutional front, to strengthen governing institutions; to update public and private sector management and leadership; civil service reform; better economic, financial and urban management; to support decentralization and local governance, to empower people and civil society organizations – the wellspring of social capital.

Reducing the gaps. 1) *Economic volatility, the international public good and international frameworks and institutions.* To avoid increased volatility in the world economy, we need better multilateral agreements and institutions, designed with more participation of developing countries but avoiding the risk of free riding and moral hazard. 2) *Foreign Aid.* The Tobin tax could be a valuable tool if the adequate formula is found. The alternative, proper globalization should include clear signals of revitalization and modernization of foreign aid to development, reaching the target of 0.7% of GNI (Gross National Income) of DCs; a sincere new commercial policy of DCs; renewed initiatives regarding debt relief for highly indebted and really poor countries; a reconsideration of those policies related to education, science and R&D, including patents, for LDCs, and a reformulation of the approaches of international financial institutions regarding institutional reform in LDCs.

Education. The crucial point in the continuity of development and in diminishing the gaps between poor and rich countries is the access to knowledge. Massive investment in human capital and access to education are urgent needs. This implies the creation of infrastructures in countries with below average GDP, including information technologies, education possibilities, lifelong education and other factors such as access to products of scientific and technological research. Additionally, universities in the 21st century must not close themselves into a strictly professional circle, in order to play a decisive role in the strengthening of democratic life.

Migrations. Although there are no easy answers to the immigration/integration dilemmas the matter is urgent and needs careful attention. It is essential that anti-immigrant propaganda and all elements which feed it should cease. The UNESCO as well as schools, universities and churches must promote multi-cultural exchanges, cultural feasts aimed at multi-culturality and peace in this globalization context. There is a pressing need to reinforce the view of immigrants as a development resource. There is also an ethical obligation on the part of former colonial host countries to pre-

pare themselves appropriately for the post-colonial, 'compensatory phase', without neglecting the importance of remittances, that are double the size of aid and at least as well targeted to the poor. The world economy is paying a price in terms of economic growth because of the necessity to establish higher interest rates than the ones that will be needed with more international migrations and looser labor markets.

Aid and a new world social contract. 1) *Aid at the world level.* It is possible to figure out a new 'Social Contract of Globalization', actively promoted by the UN. Countries with above-average per capita GDP would give regularly in set amounts appropriations for countries which fall below this index and that fulfill necessary conditions for the granting of these resources, like no repression of private initiative and promotion of public goods such as education, health care, and the rule of law. Financial resources should not be passed to state organs of relevant countries but to an institution commissioned by the UN for realizing the 'Social Contract of Globalization'. 2) *Internal social contract.* In a knowledge society, in which intellectual capital plays the main role in wealth creation, it seems necessary to tie company ownership to the person who is the owner of such capital in the form of a wider capital participation of citizens as an alternative source of their income. Experience and research suggest that companies in which the stakeholders participate both in management and in profit and capital are most efficient.

Empowerment. One of the social outcomes of an economic policy should be the self-empowerment of monetarily poor people that, when empowered and socially enlightened, can even propel governance on all levels. The universal destination of the goods of Creation must be translated into fair agrarian reform, the welcoming of immigrants, participative democracy, the self-organization of economic and financial activities at the local level and the cooperation of diverse religions and ethnic groups.

The role of religions and civil society. There is a need for 'civil society' advocacy groups to ensure that trans-national corporations or governments do respect the rights and needs of poorer countries and the poor. Movements such as Jubilee 2000 for Debt Relief and inter-religious networks for providing housing for the poor in Asia are just some examples of what they can do. While religions are generally concerned with the poor, a case has been made to show that fundamentalism and structural ideologies like castes can vitiate the input that religions can bring. It is against this background that the importance of initiating an inter-religious dialogue in action-oriented poverty research seems to be essential.

Global warming. Almost ninety percent of the carbon emissions that pollute our planet come from developed countries but the emissions have a negative impact all around the world. A sincere commitment of DCs and LDCs to the Kyoto Protocol and related measures to protect the environment is required.

International trade. 1) *Barriers to knowledge access.* It is of course necessary to R&D efforts to have a prudential property right protection in the case of intellectual goods and services. But the way in which these rights are enforced in the real world allows the emergence of different kinds of monopoly, with negative consequences not only on economic development but also, as regards health issues, on life expectancy of millions of people, particularly in developing countries. A new international framework for a non-monopolist protection of intellectual property rights is needed. 2) *Trade liberalization and poverty.* Trade liberalization set the adequate conditions for a more rapid growth through better access to knowledge, goods, services, technologies and capital. But trade liberalization in a protectionist world context could be damaging, particularly for the countries that produce agricultural goods. Regarding the bad, although transitory consequences of trade liberalization, governments should adopt compensatory policies, guaranteeing a minimal income to those affected by foreign competition. At the same time, they should develop adequate infrastructures, improve the market for credit and give flexibility to the labor market. The OMC role is crucial for a just and fair deepening of trade liberalization. Additionally, given the fact that the expansion of international trade in market commodities can place a negative pressure on those goods and services that are unpriced, like those that come from nature, when international agencies espouse trade expansion, they should simultaneously urge domestic governments to take note of the recommended expansion's effects on nature. 3) *Agricultural protectionism and subsidies.* Because of agricultural protectionism and subsidies, which amount to the incredible figure of 400 billion USD per year in the OECD countries, millions of farmers and food producers of LDCs cannot have access to developed countries' markets. This is completely against fairness in international trade, since a lot of LDCs are not allowed to play the games in which they are the best. This also has a very negative effect on drug production and trafficking, because when farmers of the poor countries have their markets for legal products closed, they will more probably use their land to crop drugs. 4) *Regional economic associations.* It seems clear that regional economic associations, not closed to international trade, can be a good device for better domesticating the forces of globalization, at least in the transition to the freer trade world that, we hope, will result from the con-

tinuity of Doha's WTO round. 5) *Subsidies in the case of developing countries*. In a free market economy subsidies must be forbidden. But the justice rule involves applying equal treatment to equal conditions and, consequently, different treatment to unequal conditions. It is critical to take this into account in international negotiations of any kind.

International finances. 1) *International financial institutions*. There is now a need for a third wave of regulatory agencies controlling the unregulated but immensely powerful global finance markets. Ethics certainly recommends a new balance in the statutes of the IMF and the WB as well as in other initiatives like the Financial Stability Forum, giving more representation to LDCs. 2) *International financial regulations*. It is essential to develop a clear vision of an appropriate financial architecture in the new circumstances, including: to obtain through international cooperation, appropriate transparency and regulation of international financial loans and capital markets; provision of sufficient international official liquidity in conditions of distress; orderly debt workout procedures at the international level; international measures both for crisis prevention and management; mechanisms to give or allow appropriate liquidity and development finance for low income countries, and to regulate excessive surges of potentially reversible capital flows in recipient countries, without discouraging them excessively. The appropriate way to overcome crises in emerging markets is not to scale down the role of the IMF. According to its critics, it would blindly follow preconceived principles, labeled as ideological by the protesters: full freedom of capital transactions and the balance of public budgets, without enough consideration to prerequisites about the development of the national financial system or the surrounding business trends. These criticisms are worth considering. 3) *National policies and regulations*. Better policies are needed to make more difficult the development of bubbles on the financial markets as well as to improve transparency both in the private and in the public sectors. 4) *Developing countries' crises*. Regarding crises, increased caution is required from national authorities, particularly regarding the management of the exchange rates, macroeconomic regulation and the surveillance of the financial system. 5) *Aid, foreign direct investment and debt relief*. Public and private aid via transfer of capital and the help of individuals or groups is in most cases necessary and the Church should encourage such help. But this is not enough. Aid-receiving countries themselves must also create conditions for attracting private capital from outside (FDI, foreign direct investment), that can play an important role in economic development too. The same has to be said for debt forgiveness.

Even the HIPC-Initiative of the IMF and World Bank can only contribute to more and lasting wealth for the people if the freed resources are used in a really productive way. Debt relief is clearly not a panacea. Further progress should result now from the active implementation of the Monterrey consensus, which has the ambition to substitute a partnership to what has been so far a frequently frustrating relation of assistance between industrial and developing countries. 6) *Global reserve system*. There are reforms that would address the global reserve system's problems, eventually including an annual emission of SDR ('global greenbacks'), which could be used to finance development and other global public goods.

2. GLOBALIZATION, CHARITY AND JUSTICE AT THE EVE OF THE 21ST CENTURY: NEW SIGNS OF THE NEW TIMES

The eve of this century has been astonishingly plentiful of new signs of the times, both positive and negative, as regards the common pursuit of the effectiveness of charity and justice among peoples and nations. Given the fact that the last session that our Academy devoted to globalization took place four years ago, a brief summary of these new signs could help us to make the most of this XIII Plenary Session and to arrive at the final conclusions of our work on globalization.⁷

2.1. *The Encyclical Deus Caritas Est of Pope Benedict XVI*⁸

The Pope's first encyclical has important implications. In particular, it reminds us that the theological and human virtue of charity must preside over all of the social teaching and all of the social works of the Church and

⁷ This part of the paper has greatly benefited from very valuable books and papers published after our last session on globalization, in 2003. Among them are those of Bhagwati (2004), Castells (2003), Davies *et al.* (2006), Friedman (2006), Fukuyama (2004), Her Majesty's Treasury (Stern Report, 2006), Huntington (2005), Niskanen and Thorbecke (2007), Pontifical Academy of Sciences (Water and the Environment, 2005), Rodrik (2003 and 2006), Sachs (2005), Sala i Martin (2006), Stiglitz (2006), UNEP-WMO (Intergovernmental Panel on Climate Change, 2007), UNESCO (2005), United Nations (2006), United Nations Environment Program (2007) and Wolf (2004).

⁸ This section has been taken from the booklet of the XIII Plenary Session of the Pontifical Academy of Social Sciences, written by its Chancellor, H.E. Msgr. Marcelo Sánchez Sorondo.

her members. First of all, this encyclical leads us to the truth that 'God is love'. Thus the Pope declares that 'Jesus united into a single precept this commandment of love for God and the commandment of love for neighbor'. The Pope draws our attention to the fact that this teaching is both timely and significant 'In a world where the name of God is sometimes associated with vengeance or even a duty of hatred and violence'. This is why *Deus Caritas Est* has been correctly described as being in part a social encyclical. It is love (*caritas*) that animates the Church's care for the needy, the work of lay women and men for justice and peace in the secular sphere, and is the leavening force of the Church in society. And without love, as Paul told the Corinthians, our words and works will come to nothing.

Indeed, *Deus Caritas Est* places itself in the long lineage of other social encyclicals (cf. n. 27), not only because it addresses the virtue of charity but also because it attributes primary importance to the virtue of justice. Indeed, it has a highly significant reference to a famous statement on this virtue by one of the great figures of Tradition: 'As Augustine once said, a state which is not governed according to justice would be just a bunch of thieves: "*Remota itaque iustitia quid sunt regna nisi magna latrocinia?*"'. Taking into consideration traditional philosophical-political doctrines and also (in a critical way) the Marxist demand for a fair distribution of goods by public powers, Benedict XVI declares: 'In today's complex situation, not least because of the growth of a globalized economy, the Social Doctrine of the Church has become a set of fundamental guidelines offering approaches that are even beyond the confines of the Church: in the face of ongoing development these guidelines need to be addressed in the context of dialogue with all those seriously concerned for humanity and for the world in which we live' (n. 27).

When discussing the relationship between the Church, a 'Community of Love', and politics, the Pope's approach to justice is particularly relevant to the social sciences and to the role of the Magisterium of the Church. First of all, the Pope offers the strongest vision that has ever been formulated in the contemporary age on the relationship between politics and justice: 'The just ordering of society and the state is a central responsibility of politics'. Indeed, 'Justice is both the aim and the intrinsic criterion of all politics'. For the Pope justice (and politics) is not a mere utilitarian or contractual technique but 'by its very nature has to do with ethics' (n. 28). In contrast to the solely descriptive and value-free understanding of human action proposed by many within the human and social sciences, the Pope upholds the importance of practical reason by renewing the question of the most just political order. However, he perceives the modern danger of detaching rea-

son from faith: 'if reason is to be exercised properly, it must undergo constant purification, since it can never be completely free of the danger of a certain ethical blindness caused by the dazzling effect of power and special interests'. Indeed, we cannot but engage in an assessment of our sense of justice in the light of faith: 'From God's standpoint, faith liberates reason from its blind spots and therefore helps it to be ever more fully itself'. This critical work of faith frees reason from its limits: 'Faith enables reason to do its work more effectively and to see its proper object more clearly'. Not only the historical dimension of the meaning of justice, founded on both the Jewish and Christian traditions and the Roman and Greek inheritance, but also its contemporary meaning, derive from the constant purification that faith brings to reason: 'This is where Catholic social doctrine has its place: it has no intention of giving the Church power over the state. Even less is it an attempt to impose on those who do not share the faith ways of thinking and modes of conduct proper to faith'.

To conclude, here, too, the Pope attributes to the Christian a fundamental task and stresses that the aim of the social doctrine of the Church 'is simply to help purify reason and to contribute, here and now, to the acknowledgement and attainment of what is just' (n. 28a). The Holy Father, in conformity with this teaching on charity and justice, thus calls for the structures of charitable service in the social context of the present day to promote the wellbeing of individuals, of peoples and of humanity: 'Our times call for a new readiness to assist our neighbors in need...Concern for our neighbor transcends the confines of national communities and has increasingly broadened its horizon to the whole world' (n. 30).

2.2. *World Politics and Governance*

2.2.1. *Terrorism, new forms of violence, war and nuclear threats.* As it can be seen in the tragedy of 11 September 2001 and its aftermath, the beginning of the new millennium has been characterized by serious threats to world peace, a noteworthy rise in the social and moral scourge of terrorism, new and old wars between and within countries, increased weaponry production and trade and the revival of nuclear proliferation and threats.⁹ For the first time since the end of the Cold War the possibility of a nuclear con-

⁹ One of the few positive signals on these matters has been the beginning of a complex process of dismantling North Korea's nuclear program and facilities.

flict seems open again. Additionally, international organized crime, particularly drugs trafficking and money laundering, keep growing.

2.2.2. *Multilateralism and world governance weakening.* Whereas unilateral, bilateral and regional actions and organizations proliferate in the international arena, multilateralism seems to be dangerously weakening. This can be seen in a broad variety of issues, from the difficulties of obtaining consensus in a common strategy towards international terrorism to the serious problems of finding ways to fix world financial and trade imbalances and misalignments of exchange rates (see below). In parallel, there is a deterioration of multilateral institutions, such as the UN, the WTO, the IMF or the World Bank and their regional counterparts, whose roles are either blurred or increasingly difficult to perform. As it was established in the first part of this Introduction, the need of sound and solid world governance is one of the soundest conclusions of the previous work of the Academy, and the crisis of multilateralism is a serious obstacle to it.

2.2.3. *Regionalism vitality.* The other side of the coin of the weakening of multilateralism is a vital, noteworthy development of regionalism, i.e., unions of countries, generally of the same continent. According to the WTO there are now 32 major regional agreements and around 300 'minor' ones.¹⁰

2.2.4. *Re-emergence of nationalism, growing intra-national autonomic demands and new challenges to national states.* Developments regarding national states are contrasting. There seems to be, on the one hand, a re-emergence of nationalism, shown in negative reactions against the free movement of goods, capitals and people, even inside regional associations. Particularly sensitive are the reactions against immigrants in different parts of the world – including, for the first time since the fall of the Berlin Wall, the building of other big walls to separate countries in America, Asia and the Middle East.¹¹ Sometimes, re-emergent nationalism comes accompanied by fundamentalism, religious or not. On the other hand, national states, the cradle and still the only major place of democratic life, are suffering unprecedented challenges to their sovereignty coming from the already mentioned regionalisms and from incredibly widespread local autonomic demands under the different headings of devolution, decentral-

¹⁰ There are 5 regional agreements in Africa, Asia, Latin America and the Caribbean; 4 in Oceania; 3 in Europe and the Former Soviet Union; 3 intercontinental ones, mostly between LDCs; 1 in Eastern Europe, the Middle East, North America and former insular colonies.

¹¹ Such is the case of the walls separating Brazil from Paraguay, USA from Mexico, Israel from Palestinian territories and India from Bangladesh.

ization, federalization, or even partition. There are not many countries where the legal or real power of the central government is not questioned by regions, states or provinces, only in some cases associated to ethnic conflicts.¹² Perhaps it is too early to speak of a crisis of national states, but the present situation evokes more and more the one that prevailed when they were born, on the eve of the modern era.

2.2.5. *Growing demands and realities of political participation, even technologically driven.* The aforementioned crises and tensions affecting polities at the world, regional, national and sub-national levels appear also associated to increased and widespread demands of political participation, to which the bottom-up nature of the Internet is contributing.¹³ It seems clear that these demands have a potential to improve democracy.

2.2.6. *Silent building of a new consensus on the roles of the state, markets and the civil society.* In spite of all the criticism towards world order, or disorder, and perhaps more in line with the so called crisis of the ideologies, there are some budding signals of the end of the age of extreme alternatives on the socio-economic front, like market vs. planning and, on the political front, individualism vs. totalitarianism. There seems to emerge, instead, a three dimensional social order based on a renewed role of autonomous organizations of the civil society, together with the markets and the state.¹⁴

2.3. *Economic Growth, Trade and Finances*

2.3.1. *The possibility of a long and widespread wave of economic growth.* The beginning of the 21st century has been accompanied by an acceleration of economic growth almost all over the world, only comparable to the

¹² Just to mention a few examples, we can enumerate the cases of Bolivia (East versus West), Ecuador and Mexico (Chiapas) in Latin America; the ever latent situation of Quebec in Canada; the devolution process in the United Kingdom; the increasing power of the autonomies in Spain, and similar claims in Belgium and Italy; the never-ending partition of former Yugoslavia; the autonomic demands of the Kurds in Iran, Iraq and Turkey, as well as the three-parties separatist tensions in Iraq; the conflicts inside the Caucasian republics, and even inside the Russian Federation; the co-existence of different local powers in Afghanistan; the cases of Myanmar, Nepal and Sri Lanka; diverse decentralization or federalist demands in China, India, Indonesia, Papua, The Philippines and Thailand; the tragic situations of Somalia and Sudan, Central African Republic and Chad, as well as other innumerable ethnic conflicts in Africa.

¹³ As Manuel Castells (2003) and Tom Friedman (2006) have analyzed.

¹⁴ As analyzed by Fukuyama (2004 and previous works) and Huntington (2005 and 2006).

'golden age' of the late fifties, sixties and early seventies of the last century.¹⁵ There are good chances that this acceleration will last, becoming a long wave of economic growth and, perhaps for the first time in human history, some of its main drivers are coming from emerging and even poor countries. First, the acceleration of economic growth of many Asian countries, that implies the incorporation of almost half of the world population to modern patterns of consumption and a huge supply of low-wage labor, also leads to a strong increase in the demand for and price of commodities, most of them produced in LDCs. Secondly, emerging and even poor countries have an enormous potential of catching-up, incorporating the newest information and communication technologies in production and consumption, resulting in rapid increases in productivity.¹⁶ Thirdly, a new consensus on economic policies is emerging and being applied in many LDCs, centered on getting twin fiscal and external surpluses and accumulating foreign reserves.¹⁷ Fourth, many LDCs are consistently increasing their preoccupation with, and investment in education. This developing countries-driven long wave of economic growth faces, however, serious threats, coming from financial world imbalances, trade restrictions, environment deterioration and social gaps and poverty, all of them mentioned below.

2.3.2. *International finances: world imbalances and increased autonomy of emerging countries.* International finances have also arrived at the new millennium with contrasting news. On the one hand, the already mentioned twin surpluses of many emerging countries imply that they are financially more autonomous than in the past, even up to the point of becoming relevant bankers of the planet, creating problems of idle capacity to their traditional lenders like the IMF, the World Bank and regional banks.¹⁸ The flip side of the coin is the continuous increase in the balance of payments deficits of some developed countries.¹⁹ Taken together, these

¹⁵ World GDP per capita growth rate was 2.9% in the period 1950-73, and it has been exactly the same since 1998 to 2007 (projected). It is also impressive that only 3 out of 181 countries have had negative GDP pc growth rates in the last period. They are Haiti, Seychelles and Zimbabwe.

¹⁶ Cf. Friedman (2006).

¹⁷ One of the tools to get these surpluses is keeping the local currencies as depreciated as possible in order to foster competitiveness. This policy can lead, however, to higher inflation.

¹⁸ In the case of the IMF, emerging big debtors like Argentina, Brazil, Indonesia and Turkey have totally or partially repaid their debts.

¹⁹ The most relevant is the balance of payments deficit of the USA, which amounts \$800 billion or 6.5% of GDP.

imbalances reveal a misalignment of some of the most relevant exchange rates²⁰ and are, at the same time, a potential problem for the stability of the world financial order and a threat to the continuity of the current world economic growth.²¹

2.3.3. *Governance delays, but real progresses in international trade.* International trade is another field in which we can see light and shadows. On the governance front, the delays, even the threat of a paralysis in the Doha round of the World Trade Organization, are not good news, less so since they are mainly explained by resistances of DCs to gradually but firmly reducing agricultural protectionism and subsidies, which are very damaging for many LDCs. But we are witnessing at the same time an impressive growth in the world trade of goods and services.²² Furthermore, it is a growth with a pro-poor bias because of the induced increase in the prices of commodities. For the time being, the traditional deterioration of the terms of trade against poor countries has receded, and more so if we consider the increased purchasing power of commodities in terms of information and communications technologies' hardware and software, whose prices go down every year. Finally, it seems that criticisms from DCs to the exchange rates overvaluation in Asian countries are not irrelevant because it can eventually lead to aggravate financial imbalances and to protectionist measures in the countries most affected by trade deficits.

2.3.4. *Unresolved questions regarding patents.* Even when logical from the point of view of promoting scientific and technological research, it is becoming more and more evident that the legal monopoly of knowledge given by patents creates conditions of difficult access to basic knowledge for LDCs, even in critical health issues. These conditions are not only more rigid than they were for DCs at the beginning of their industrialization. They are also more serious because governments, firms or universities of DCs are now in a better position to pay higher salaries to the most qualified scientists, technicians and professionals from LDCs. This is like a donation

²⁰ Particularly relevant is the undervaluation of the main Asian currencies against the US dollar.

²¹ Quite a few people think that financial developments like the explosive growth of private equity and derivatives markets could be excessive as compared to the 'real' economy.

²² World physical trade annual growth in the period 2000-2005 (5.6%) has not yet reached the level of the period 1950-1971 (8.2). However, growth rates in dollar terms are higher now (14.5% vs. 8.6%).

of LDCs to DCs, and an appreciable loss to LDCs in the process of creating competitive advantages based on human capital.²³

2.4. *Poverty and the Social and Economic Gaps*

2.4.1. *Pervasive poverty.* In spite of the acceleration of economic growth poverty is still very pervasive in most countries. It is far from clear, however, whether globalization is to blame for it, or whether it is a natural, undesirable consequence of the initial stages of economic growth per se as it happened, for instance, at the beginning of industrial revolution. A very sad manifestation of urban poverty is the growing socio-geographic segregation of the rich from the poor through the building of walls and closed neighborhoods in many cities. Notwithstanding its pervasiveness, both the incidence and the amount of people living in *extreme income poverty* have been reduced in the last quarter of a century, co-existing with the intensification of globalization. This reduction, however, is mainly explained by the rapid growth of Asia, in such sharp contrast with that of Africa so that the latter continent is nowadays home to 75% of the income poor of the world.²⁴ Some Latin American countries have also had increases in both dimensions of poverty at the beginning of this century.

2.4.2. *Millennium Goals.* The eve of the century also witnessed the launch of these goals. They are incomplete, but at the same time feasible, promising and based on a broad international consensus. However, there are now well-grounded doubts about the possibility of really achieving them within the dates originally envisaged,²⁵ and the consensus on the Millennium Goals is thus beginning to crumble. As a result, there is a need for further reflection on the mechanisms by which these goals can be effectively achieved, together with the formulation of new proposals.²⁶

²³ Stiglitz (2006, Ch. 4) and Boldrin and Levine (2006).

²⁴ Sala i Martin (2006). Of course, all the measures of incidence and absolute numbers of people living in extreme poverty are very sensitive to both data and methodologies. Estimates using national accounts normally render up to half the poverty level rendered using household surveys.

²⁵ Again, different estimates of poverty lead to very different assessments about the possibilities of fulfilling the Millennium Goals. Sala i Martin (2006) reckons that 60% of the goal of getting income poverty in 2015 at half the level of 1990 (10%) was already fulfilled in the year 2000, when poverty level was 7%.

²⁶ Sachs (2005) convincingly argues about the feasibility of achieving the Millennium Goals with affordable amounts of aid.

2.4.3. *Insufficient and inefficient aid.* The aid that has been given to LDCs has fallen far short of the compromise of DCs to allocate 0.7% of their GNI (Gross National Income). In 2005, the average was as low as 0.33%.²⁷ In contrast, 'The Millennium Goals can be financed within the bounds of the official development assistance that the donor countries have already promised' (Sachs, 2005, p. 299).²⁸ In addition, the aid that has been given has often been inefficiently distributed and utilized both by international organizations and by local governments and agencies, even including cases of corruption. We urgently need to think of new ways of achieving the original goal of foreign aid from DCs to LDCs, to substantially increase its effectiveness and, at the same time, to convince to world's leaders that national security of DCs will be much more difficult to obtain in a world with so much poverty and so few effective and widespread mechanisms of international solidarity.

2.4.4. *Mixed signals regarding convergence and the gaps.* In spite of the sustained rapid growth of many developing countries, signals of economic and social convergence between them and the developed countries are still confined to only a few, most of them in Asia and Southern Europe. This is not only the case at the economic level but it is also true in the very relevant field of education.²⁹

2.4.5. *Very uneven income distribution.* Globalization developments up to now appear associated with an increase in income inequality within most of the countries, even the most successful ones. *World* income distribution, instead, shows some positive signals mainly explained, as in the case of poverty, by the economic growth of Asia.³⁰ When *wealth* is used instead of income to measure poverty differentials the unevenness of world distribution is astonishing. The richest 2% of adults own more than half the global wealth, and the Gini coefficient of this distribution is as high as 89%,

²⁷ According to the latest data supplied by the OECD, in 2005 only 5 out of 22 members of the DAC (Development Assistance Committee, OECD) fulfilled the ODA (Official Development Assistance) goal of 0.7%. They were Denmark (0.81), Luxembourg (0.82), the Netherlands (0.82), Norway (0.94) and Sweden (0.94).

²⁸ More than that, around 0.50% of GNI would be enough (idem).

²⁹ As it was analyzed in the seminar held by the Joint Working Group of the Pontifical Academies of Sciences and Social Sciences on *Globalization and Education* in November, 2005 (http://www.vatican.va/roman_curia/pontifical_academies/acdscien/2006/PAS-es25_PASS-es6.pdf). See also Juan J. Llach, *The Challenge of International Educational Gaps in the Context of Globalizations*, presented to the same working group.

³⁰ Sala i Martin (2006).

i.e., a similar situation as in a group of 10 people in which one of them gets \$1000 and the other nine get \$1 each one.³¹ There is no information to analyze the evolution of this last gap over the time.

2.5. *The Environment*

2.5.1. *New evidence and increased awareness of environmental deterioration.* Recent scientific reports,³² as well as their widespread reception in the media, testify an increased, worldwide awareness of the deterioration of our environment. These reports not only refer to the very well known side of the question, i.e., the warming-up, but also include renewed preoccupations on potable water provision and the deterioration of urban and rural environments, particularly those in which the poor live. Unfortunately, these good pieces of news have not been accompanied by the completion of the signatures and mandates of the Kyoto Protocol.

2.6. *Challenges to Local Communities and Cultural Identities*

2.6.1. *Challenges from increased migrations and international trade and finances.* Many of the transformations carried along by globalization have beneficial effects for millions, even billions of people all around the world. It is also true, however, that some of these same transformations have disruptive effects on local communities and on cultural identities, as can be clearly seen in the case of increased international trade and migrations. Most of the time trade has positive effects in aggregate numbers, but it also has negative impacts on specific industries that are the sole, traditional source of employment and economic activity of many towns, cities or regions. This phenomenon is rather common in old manufacturing regions of different countries as well as in very poor rural zones of

³¹ Davies *et al.* (2006). They estimate that average wealth per capita ranges, among big countries, from \$181,000 in Japan and \$144,000 in the USA to \$1,400 in Indonesia or \$1,100 in India.

³² Some important recent reports are Her Majesty's Treasury (Stern Report, 2006); Pontifical Academy of Sciences (Water and the Environment, 2005); UNEP-WMO (Intergovernmental Panel on Climate Change, 2007); United Nations (2006), United Nations Environment Program (2007). See also Partha Dasgupta (2002), 'Sustainable Development: Past Hopes and Present Realizations among the World's Poor', Pontifical Academy of Social Sciences, Eighth Plenary Session, Vatican City.

LDCs.³³ Increased external or internal migrations to attractive cities or regions, on the other hand, frequently have negative impacts on the employment level or in the ways of living of established populations. Both trade and migrations also pose new challenges for the cultural identities of the communities involved and of the migrants themselves. Good policies of local development can help deal with both challenges, but they are not as common as they must be and are not easy to perform either.

2.6.2. *Civilizations clash or civilizations change?* Such is the scope and the intensity of the changes that humankind is experiencing on the eve of this second millennium that a deep question spontaneously arises. Are we witnessing a civilization-wide transformation, one that challenges many of the Western values and institutions we have been used to living with and that have also been the traditional subjects of our thoughts and speeches? My own, preliminary answer is affirmative. The emergence of Asia, with its own values, cultures and institutions; the serious threat confronted by the family as a key institution of humankind; the completely new roles of women, youngsters and the growing number of elders; the sort of demographic suicide of many Western countries in which bringing up children is more and more rare; the no less serious challenges confronted by the national state; the threats coming from an environment that send us more and more signals that the current style of development looks almost impossible to sustain and, overall, to carry over to all peoples and nations. In spite of being overwhelming, this list of signs is perhaps still incomplete but at the same time enough to send us the message that a civilization-wide change is going on. Many of the problems we confront and the uneasiness we feel are not just consequences of globalization, but the expression of deeper trends of change in human history.

2.7. *Final Reflections*

Confronted with such unprecedented challenges, discussions normally held on policies to mend some of the sources of injustice and lack of charity proliferating all around the world sound almost pathetic. Yes, they can help here and there to solve specific questions, some of them relevant to

³³ See the recent *Forum for Food Sovereignty*, Niélény, Mali, (www.neleny2007.org) as an interesting case of the reaction of poor farmers against the effects of commercial, capitalist agriculture on their traditional ways of producing and living.

improving the life of many people. But giving proper answers to the challenges seems to be something completely different. The process of domestication of a civilization-wide change in order to improve the effectiveness of charity and justice might only be dealt with sounder, cultural answers. They must be centred on concrete gestures of cultural change, as unprecedented as the change we confront. Developed countries could rebuild their damaged moral authority through renewed projects that range from decisively promoting peace in the Middle East to sincerely supporting the UNESCO project of returning or restoring the cultural properties of LDCs³⁴ or to the so many times promised but rarely fulfilled promises of a given aid level. Developing and even poor countries should, on their own, implement sincere internal and external peace processes – including the very crucial ones of the Middle East-transparency and anti-corruption programs and a true priority of the poor in their government programs. All countries should renew credible commitments with a socially protected free trade and with the Kyoto Protocol. Finally, it seems clear that such a complex cultural and political context, the role of religions, and of course of the Catholic Church, is every day more crucial to convince global powers, international organizations and governments of poor countries of the need for a completely new vision to confront the unprecedented changes we are living. Of course, it will be difficult to get a consensus on this new vision without a parallel consensus on the nature of human beings.

HH Benedict XVI has shown a clear perception of these renewed responsibilities in his last December's letter to Chancellor Merkel, current president of the European Union and of the G7. He congratulated the Chancellor for keeping the question of global poverty in the agenda (particularly regarding Africa), a question that deserves 'the highest attention and priority for the sake of poor and rich countries alike. Governments of poorer countries have a responsibility with regard to good governance...but the active involvement of international partners is indispensable...This is not an 'extra' or a concession: it is a grave and unconditional moral responsibility founded on the unity of the human race and on the common dignity and shared destiny of rich and poor alike'. The Pope also asked for 'trade conditions favorable to poor countries, including broad and unconditional "access to markets should be made available and guaranteed"' and for the

³⁴ See UNESCO (no date), *The Return of the Restitution of Cultural Property* (www.unesco.org).

'cancellation of the external debt of HIPC and of the LDCs and measures to ensure that they do not fall once again in similar situations'. He also wrote that developed countries must recognize and implement fully their commitments with regard to external aid and must make substantial investment in R&D of medicines to treat AIDS, tuberculosis, malaria and other tropical diseases, making available medical and drugs technologies without imposing legal or economic conditions. He also appealed for the substantial reduction of both legal and illegal arms trade, illegal trade of precious raw materials, capital flights from LDCs and money-laundering. He also manifested his conviction that eradicating extreme poverty by the year 2015 is one of the most important tasks in today's world and that such an objective is indissolubly linked to world peace and security.

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PROGRAMME

FRIDAY 27 APRIL

Remarks of the President

Mary Ann Glendon, President of the Academy

General Introduction to the Topic

Juan J. Llach, Coordinator of the Meeting

Session I

H.E. Msgr. Paul Josef Cordes and Father Joseph A. Di Noia, O.P.: *Charity and Justice in the Relations Among Peoples and Nations: the Encyclical Deus Caritas Est of Pope Benedict XVI*

Comments: H.E. Msgr. Roland Minnerath, Prof. Herbert Schambeck

Session II

Prof. Philip Allott: *International Society and the Idea of Justice*

Comments: Prof. Hans Zacher, H.E. Msgr. Marcelo Sánchez Sorondo

Session III

Prof. Giorgio Vittadini: *International Justice and the Role of Charities and Civil Society, with Special Reference to the Role of the Catholic Church*

Comments: Prof. Margaret Archer, Prof. Mina M. Ramirez

SATURDAY 28 APRIL

Session IV

*Solidarity and Justice in Pursuit of the Millennium Goals:
Is Global Partnership Possible?*

H.E. Prof. Luis Ernesto Derbez Bautista: *Fairness in International Investments and Financing*

Comments: Prof. Hans Tietmeyer, Prof. José T. Raga, Mr. François Perigot

Session V

ROUND TABLE: Dr. Jean-Pierre Landau, Fmr. President Prof. Edmond Malinvaud, Prof. Joseph Stiglitz: *International Justice and Aid. Do We Need Some Scheme of Redistribution of Income at the World Level Along the Lines of What Most Countries Have at the National Level?*

Session VI

Dr. Henry Kissinger: *Current International Trends and World Peace*

Comments: Dr. José Miguel Insulza, Fmr. President Prof. Belisario Betancur

Session VII

Dr. José Miguel Insulza: *International Justice, International Law and World Peace*

Comments: Prof. Vittorio Possenti, Prof. Krzysztof Skubiszewski

SUNDAY 29 APRIL

Pilgrimage to the tomb of St. Francis in the Basilica of Assisi

MONDAY 30 APRIL

Session VIII

ROUND TABLE: H.Em. Card. Walter Kasper, Rabbi Dr. David Rosen, H.Em. Card. Pierre Sfeir Nasrallah, H.B. Msgr. Antonios Naguib: *Inter-religious Dialogue and World Peace*

Session IX

H.Em. Card. Tarcisio Bertone: *International Justice and International Governance in the Context of the Crisis of Multilateralism*
Comment: President Prof. Mary Ann Glendon

Session X

Dr. Jacques Diouf: *International Justice, Water and Respect for Creation*
Comments: Prof. Partha S. Dasgupta, Prof. Hsin-chi Kuan

TUESDAY 1 MAY

Session XI

Prof. Marcelo Suárez-Orozco: *International Migrations and the Access of Immigrants and Their Families to a Decent Standard of Living and to the Public Goods*
Comments: Prof. Pierpaolo Donati, Prof. Rocco Buttiglione, Prof. Maurizio Ambrosini

Session XII

ROUND TABLE: Prof. Ombretta Fumagalli Carulli, Prof. Wilfrido V. Villacorta, Prof. Louis Sabourin, H.E. Amb. Pierre Morel, Prof. Antonio M. Battro, Prof. Paulus Zulu: *International Justice and Poverty. Are the Millennium Goals Enough to Free the Poorest from Poverty? The Millennium Goals and the Role of the Family*

CONCLUSIONS AND GENERAL DISCUSSION: Prof. Juan J. Llach: *What Can the Social Sciences Contribute to Charity and Justice in the Relations Among Peoples and Nations?*

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SCIENTIFIC PAPERS

SESSION I

„DEUS CARITAS EST“ UND DIE LIEBESTÄTIGKEIT DER KIRCHE

PAUL JOSEF CORDES

Benedikt XVI. begann im Jahr seiner Wahl zum Papst die offizielle Lehrtätigkeit mit der Enzyklika *Deus caritas est* (25.12.05). Der Text fand weltweit ein unerwartet positives Echo. Zeitungen und elektronische Medien gaben ihm breiten Raum und viele zustimmende Kommentare. Sogar die *New York Times* – nicht eben ein Steigbügelhalter der katholischen Kirche – hieß sie gut und widmete ihr einen *Frontpage*-Artikel. Naturgemäß gibt gerade die erste Unterweisung des Nachfolgers Petri eine Grundorientierung an für seinen Dienst, ist gleichsam seine Regierungserklärung. So hat Benedikts Enzyklika etwa den Rang, wie er für Papst Paul VI. in *Ecclesiam suam* (1964) oder für Johannes Paul II. in *Redemptor hominis* (1979) gesehen wird.

Der Papst stellt einen, wenn nicht den zentralen Satz der neutestamentlichen Offenbarung in die Mitte seiner Botschaft „Gott ist die Liebe“. Er greift gleichzeitig die große Sensibilität der Zeitgenossen für die Not der Menschen auf.

In der sog. Ersten Welt ist die Sorge um den bedürftigen Mitmenschen gleichsam ein Element der Alltagskultur. In den USA etwa wurden für 2004 die freiwilligen Spenden für wohltätige Zwecke auf 248,52 Milliarden \$ geschätzt (Angaben des „Living Institute“). Allenthalben tritt man mit philanthropischen Großtaten in die Öffentlichkeit – etwa Bill Gates oder die „Buffet Foundation“ – auch weil die Wohltaten an der Menschheit beliebt machen. Benefiz-Veranstaltungen und Galadiner verhelfen Wirtschaftsleuten und Künstlern zu einem guten Namen.

Die Nächstenliebe hat eine lange Geschichte

Seit der Gründung der Kirche nahmen sich ihre Glieder der Notleidenden an. Es war der Gottessohn selbst, der die Liebe zum Hauptgebot für

das Verhalten der Seinen erklärte und sie bezeugte. Die junge Kirche sieht ihn als den barmherzigen Samariter des Gleichnisses, der sich überall und aller Formen der Verwundung und Ausbeutung annimmt. In der Apostelgeschichte heißt es von ihm: „Er zog umher, tat Gutes und heilte alle, die in der Gewalt des Teufels waren“ (10,38). Das ist Jesu unverwechselbare Personenbeschreibung. Die junge Christengemeinde machte sich Jesu Auftrag zu eigen. Vielerorts berichtet das Neue Testament über die konkreten Formen geistiger und materieller Zuwendung. Nachneutestamentliche Schriften lassen erkennen, wie diese Praxis fortgeführt wurde.

Durch die Jahrhunderte hin haben Männer und Frauen dieses Erbe des Herrn bewahrt und gelebt. Wir nennen sie die Heiligen. Sie wurden nicht mit einer Gloriole geboren. Ihre Faszination rührt aus der Tatsache, dass sich ihr Leben in bewundernswerter, selbstloser Liebe zum Nächsten verzehrte. Zu denen, die zur Ehre der Altäre erhoben wurden, kommen manche Gründerinnen und Gründer der Frauen- und Männerorden, die sich von Gottes Liebe zu erstaunlichem Eifer hinreißen ließen und Gleichgesinnte um sich sammelten.

In der geschichtlichen Entwicklung der jüngeren kirchlichen Sorge für die Armen erscheint nun etwas Neues: Im 19. Jahrhundert hatten – nicht zuletzt wegen der Industrialisierung – Not und Elend ein solches Ausmaß angenommen, dass sie nur durch die Forderung gerechterer Gesellschaftsstrukturen relativierbar erschienen. Der Papst gesteht in seiner Enzyklika ein, dass die Kirche als Institution die soziale Frage erst allmählich aufgriff (vgl. Nr. 26 ff.). 1891 veröffentlichte dann Papst Leo XIII. die Enzyklika *Rerum novarum* als Basis-Dokument der kirchlichen Soziallehre. Die nachfolgenden Päpste vervollständigten sie durch ihre Lehrschreiben bis hin zu Papst Johannes Paul II., der uns die Enzykliken *Laborem exercens* (1981), *Sollicitudo rei socialis* (1987) und *Centesimus annus* (1991) hinterlassen hat.

An alle drei genannten Weisungen erinnert der Papst und versichert neu den Auftrag der Politik für das Gemeinwohl. Auf diese Weise hebt er hervor, dass nicht nur der Kirche die Nächstenliebe aufgetragen ist. Christen drängen auch auf Gerechtigkeit, indem sie an den Staat appellieren, eine gerechte Ordnung in der Gesellschaft aufzubauen. Darum stellt Benedikt die belangvolle Frage: „Was ist Gerechtigkeit?“, und entwickelt Gedanken über das Zueinander von Vernunft und Glaube, die ihm – wie etwa sein Hamburger Gespräch mit dem Philosophen Jürgen Habermas im Januar 2004 zeigt – offenbar sehr teuer sind.

Damit Vernunft bei der Bestimmung des rechten Tuns zutreffend urteile, müsse sie immer wieder gereinigt werden; das Obsiegen von Interessen

könnte sie betören. Politisches Urteil brauche also die Religion; Gerechtigkeit und Vernunft bedürften zu ihrer Läuterung des Glaubens. Dieser weise nicht nur weit über den Bereich der Vernunft hinaus. Er sei zugleich „eine reinigende Kraft für die Vernunft selbst“. Er befreie sie durch die Einbeziehung des Gedankens an Gott von ihren Verblendungen. Glaube „hilft ihr deshalb, besser sie selbst zu sein. Er ermöglicht der Vernunft, ihr eigenes Werk besser zu tun und das ihr eigene besser zu sehen“ (Nr. 28).

Das Stichwort „Glaube“ provoziert im Kontext humanitären Helfens so viele Fragen, dass es hier nicht angemessen behandelt werden kann. Dennoch ist der Christ beim Nachdenken über Liebe und Gerechtigkeit wenigstens zu einer begrenzten Thematisierung der Religion genötigt. Begonnen sei mit einem Aspekt, der eher der Theologie der Caritas zuzuordnen ist.

Kann Nächstenliebe der Religion entsagen?

In der langen Geschichte menschlichen Helfens vollzog sich seit der Neuzeit eine folgenreiche Weichenstellung: Der Ausdruck „Solidarität“ ersetzte für viele den der „Nächstenliebe“.

Klares Profil gab dem Begriff *solidarité* erstmals Pierre Lerou († 1871), der ihn von den französischen Philosophen Auguste Comte († 1857) übernahm. In seinem großen Werk „*De l'Humanité – Über die Menschheit*“ entwickelt er in seinem IV. Buch die „gegenseitige Solidarität der Menschen“. Sie muss die christliche Liebe substituieren, damit die Menschheit das Christentum hinter sich lassen kann: „Das Christentum ist die größte Religion der Vergangenheit; aber es gibt etwas Größeres als das Christentum: die Menschheit“. Die Überwindung der christlichen Liebe sei nötig, da diese selbst gescheitert sei – in der Praxis, wie es evident sei; aber noch klarer in der Theorie, wenn man das Durcheinander und die Gegnerschaft der drei verschiedenen Gegenstände beachte, die nach christlichem Gebot zu lieben sind: Gott – der Nächste – das Ich. „Drei Begriffe so durch Addition und Bündelung zusammenzuziehen, bedeutet nicht, sie zu begründen oder sie zu vereinigen. So hat sich die christliche Theologie geirrt“. Die Geschichte des Christentums sei die Geschichte von Bemühen und Scheitern beim Versuch, „diese drei Dinge zu harmonisieren“.

Es ist nun nach Lerou die neue Philosophie, die die Widersprüche des Christentums hinter sich lässt und die wahre Formel der Nächstenliebe oder die der gegenseitigen Solidarität bildet. Gott entfällt für die liebende Hinwendung zum Nächsten. Dreigliedrigkeit verdeutlicht sich zur Bipolarität. Solidarität kann also schließlich in die Tat umgesetzt werden: „Mit

dem Prinzip der gegenseitigen Solidarität ist die gegenwärtige Gesellschaft befähigt, Nächstenliebe zu organisieren; denn Nächstenliebe ist im Grunde Selbstsucht. So hat die Gesellschaft von heute endlich ein religiöses Prinzip. Die Kirche kann aufhören zu bestehen“.

Aus solchen Wurzeln wächst dann die nicht-christliche Bedeutungsgeschichte der Solidarität. Als politischer Begriff verbreitet sich etwa in Deutschland Solidarität im Anschluss an Ferdinand Lassalle († 1864) und Friedrich Engels († 1895) mit dessen Erfahrung der „Pariser Kommune“. Solidarität meint als sozialistische Vokabel dann die Verpflichtung aller gegenüber allen. Solidarität bekommt in der Arbeiter- und Gewerkschaftsbewegung höchste Popularität. Sie gilt als „der höchste Kultur- und Moralbegriff; ihn voll zu verwirklichen, das ist die Aufgabe des Sozialismus“ (Wilhelm Liebknecht, † 1900). Dabei behält der Begriff seine kämpferische und anti-christliche Stosskraft. Kurt Eisner († 1919) etwa formuliert: „Nein, nichts mehr von Liebe, Mitleid und Barmherzigkeit. Das kalte, stahlharte Wort Solidarität aber ist in dem Ofen des wissenschaftlichen Denkens geglüht“.

Der Begriff Solidarität wurde im vergangenen Jahrhundert durch Personen und Ereignisse für die Kirche salonfähig gemacht, gleichsam getauft – begonnen beim französischen Dichter Charles Péguy über den Theologen Hans Urs von Balthasar sowie die polnische Solidarnosc; und wir wundern uns nicht mehr, wenn er in den Sozialenzykliken Johannes Pauls II. oder im „Katechismus der katholischen Kirche“ einen festen Platz hat. Er hat fraglos der Gesellschaft ein gerütteltes Maß an Philanthropie eingebracht. Er fordert die Christen heraus, ihre Rede von der Liebe realiter in die gute Tat am Menschen umzusetzen – wie sie der genannte Charles Péguy nicht ohne Sarkasmus gegen die Frommen einklagt, wenn er schreibt: „Weil sie nicht des Menschen sind, glauben sie Gottes zu sein. Weil sie niemand lieben, glauben sie Gott zu lieben“ (Nota coniuncta, Wien 1956, 167).

Andererseits ist freilich auch der Mutterboden der Solidarität im Auge zu behalten. Der Begriff sowie sein geistiges Umfeld, die in die Kirche getragen wurden, bleiben mit den Konnotationen des Ursprungs behaftet. Darum verbietet es sich trotz aller Schützenhilfe, die er kirchlicher Verkündigung leisten mag, ihn naiv zu umarmen oder die christliche Rede von der Liebe gar durch die der Solidarität zu ersetzen. Hinwendung zum bedürftigen Nächsten und die Sorge um ihn schlösse dann alle transzendenten Faktoren des Helfens aus. Der Mensch würde verkürzt auf ein „intelligentes Tier“ – um einen Ausdruck von Max Scheler aufzunehmen. Leider scheinen gelegentlich auch kirchliche Hilfswerke und nationale Caritas-Organisationen diesem Irrtum anzuhängen.

Religion und Gerechtigkeit bedingen sich

Auch der Begriff Gerechtigkeit steht in fundamentaler Beziehung zur Religion. Der Heilige Vater spricht diese Interdependenz an. Er weist der Religion die Aufgabe zu, die „ethische Erblindung durch das Obsiegen des Interesses und der Macht“ (28a) zu verhindern. Ich möchte dieser Aussage hinsichtlich der Soziallehre noch ein wenig nachgehen – einmal wegen der Erfahrungen, die wir in *Cor unum* machen. Und nicht zuletzt, weil die Kirche in diesem Fall gleichsam unter Schmerzen daran erinnert wird, daß vor allem den Armen das Evangelium gilt.

Die kirchliche Soziallehre kommt nicht zum Tragen, ohne Einfluß zu nehmen auf Recht und Gesetz. Sie avisiert das staatliche Feld und die Ordnung der Gesellschaft; damit sich ihre Ziele verwirklichen, inspiriert sie politische Macht.

Die Enzyklika vermerkt, daß Macht ambivalent ist; dass sie durch die Kraft der Religion gereinigt werden muss. Sie kann nicht als solche schon wie ein „bonum“ gelten. Romano Guardini bezeichnet sie nach den Erfahrungen zweier Weltkriege „als Möglichkeit zum Guten und Positiven wie Gefahr zum Bösen und Zerstörenden“ (Die Macht, Würzburg 1952, 20). Max Weber warnte schon 1918 vor der Möglichkeit, dass Politik und Macht pervertiert werden: „Auch die alten Christen wussten sehr genau, dass die Welt von Dämonen regiert wird, und dass, wer mit Politik, das heißt: mit Macht und Gewaltsamkeit als Mittel, sich einlässt, mit diabolischen Mächten einen Pakt schließt“ (Gesammelte politische Schriften, 3. Aufl. 1971, 347).

So mag die Macht auch einem wohlmeinenden Humanisten, der aber die Religion verachtet, bei der Durchsetzung der Gerechtigkeit eine Falle stellen. Er braucht sich nur für eine der vielen Formen des Marxismus zu begeistern. Dann ist ihm – wie Sie wissen – die menschliche Geschichte nur eine Geschichte von Klassenkämpfen; die Regierenden des Staates sind das Werkzeug der jeweils Herrschenden zur Unterdrückung der gegnerischen Klasse. Religion ist auszuschalten, denn sie dient als Opium des Volkes nur dem Niederhalten des Widerstands. „Die Liebeswerke“, so referiert die Enzyklika diese Ideologie, gälten dann als „die Art und Weise, wie die Besitzenden sich an der Herstellung der Gerechtigkeit vorbeidrücken, ihr Gewissen beruhigten, ihre eigene Stellung festhielten, und die Armen um ihr Recht betrügen würden“ (26) – Fortschreitende Verelendung hingegen erreicht die Zusammenballung von Macht, zur gewaltsamen Revolution und zur Diktatur des Proletariats.

Natürlich wird man nach seinem totalen Scheitern heute nur wenige lupenreine Repräsentanten des Marxismus finden. Aber sein subtiler Sti-

mulus ist noch wirksam – selbst innerhalb der Kirche: Katholische Hilfsagenturen gedulden sich dann nicht mit schrittweiser Überwindung der Not, sondern sympathisieren mit ihrer raschen Bewältigung durch den politischen Handstreich. Nicht von ungefähr interveniert Papst Benedikt eindeutig: „...dass es nicht Auftrag der Kirche ist“, die Soziallehre politisch durchzusetzen. Auch wenn sie im Ringen um Gerechtigkeit nicht abseits bleiben könne und dürfe, „so kann und darf sie (dennoch) ...den politischen Kampf nicht an sich reißen“ (28a). Solche päpstliche Weisungen haben ihren „Sitz im Leben“. Denn auch die Befreiungstheologen des letzten Jahrhunderts sind nicht ohne Enkel – wie es das kürzliche Monitum der Glaubenskongregation für Pater Jon Sobrino S.J. vom 26.11.2006 oder der *Libertatis nuntius (Instructio de quibusdam rationibus „Theologiae Liberationis“)* vom 6. August 1984 wieder erkennen ließen. Auch unser Rat sieht sich gelegentlich gezwungen, in dieser Frage Position zu beziehen.

Etwa gegenüber CIDSE (Coopération internationale pour le développement et la solidarité)

Vielleicht kennen Sie nicht einmal den Namen. Es handelt sich um den Zusammenschluß von 15 katholischen Entwicklungs-Organisationen, die Lobbying und Bewusstseinsbildung – wie die Erziehung zur „Spiritualität des Konflikts“ – auf ihre Fahnen geschrieben hat. Sie wird finanziert von nationalen Fastenopfer-Kollekten.

Bei globalen politischen Konferenzen tritt sie als kirchliche *Pressure Group* auf. Sie wurde vorstellig auf dem sog. „Weltsozialforum“ in Nairobi (2007). Sie plant auch – zusammen mit der Caritas Internationalis – *A joint campaign of international catholic development organisations for the G8 summit 2007* in Heiligendamm (Deutschland).

So geboten es nun erscheint, kirchliche Liebe und Gerechtigkeit durch Religion und Glaube vor Verfälschung zu schützen, so falsch wäre es andererseits, ihre Herausforderung durch säkularistischen Humanismus und religionsfeindlichen Marxismus einfach zu verwünschen. Bedrohliche Prüfungen der Kirche können gelegentlich die „krummen Zeilen“ sein, auf denen Gott „gerade“ schreibt. Jedenfalls wertet die Geschichtsbetrachtung „Erinnerung und Identität“ (Augsburg 2005) Papst Johannes Pauls II., eines furchtlosen Propheten, eine leidvolle Phase jüngster Christenverfolgung überraschend positiv. Er schreibt zum Kommunismus: „Der Gedanke, der sich aufdrängte, war, dass dieses Übel in irgendeiner Weise wohl nötig sein müsse für die Welt und die Menschen... Im Endeffekt kommt man auf die-

se Weise dazu, unter dem Antrieb durch das Böse einem noch größeren Guten zum Sein zu verhelfen“ (30). Über Religion und Glaube hinaus sind es offenbar auch schmerzhaftes Lehren der Vergangenheit, mit denen der Herr der Geschichte unser Verständnis von Liebe und Gerechtigkeit läutert.

Liebe ist die Wurzel auch der Gerechtigkeit

Die christliche Soziallehre versucht ihre Ziele durch das Aufrichten der Gerechtigkeit zu verwirklichen. Sie kann demnach nicht alles Bestehende einfach umarmen, sondern ist gegebenenfalls auch zur Trennung vom andern genötigt, zur Geschiedenheit vom Partner; ihr Mittel muß die Abgrenzung sein. Wenn die Liebe sagt, was dir gehört, soll auch mir gehören, so sagt die Gerechtigkeit: Dir das Deine und mir das Meine. Dennoch kann die Gerechtigkeit nicht Bildung und Aufstellung von Gegnerschaft fördern. Denn es ist die Liebe, aus der auch die Gerechtigkeit erwächst. So sagt St. Augustin über die Liebe: „*Ex hoc praecepto nascuntur officia societatis humanae* – aus dem Gebot der Liebe erwachsen alle gesellschaftlichen Pflichten“ (De more eccles cath. 26, 49): Liebe muß noch Elend lindern, wenn die Gerechtigkeit schon ausgeschöpft ist. Und Papst Benedikt schreibt in seiner Enzyklika: „Es gibt keine gerechte Staatsordnung, die den Dienst der Liebe überflüssig machen könnte. Wer die Liebe abschaffen will, ist dabei, den Menschen abzuschaffen“ (Nr. 28b).

Die Enzyklika, die uns heute morgen beschäftigt, ist das erste päpstliche Lehrschreiben überhaupt zum Thema Liebe. Schon Papst Johannes Paul II. wollte gegen Ende seines Lebens zur Liebestätigkeit der Kirche Stellung nehmen. Er hatte mich mit einem Entwurf beauftragt. Da seine Krankheit ihn hinderte, sich mit dem erarbeiteten Text auch nur zu befassen, kam es nicht zu einer Veröffentlichung. Kardinal Ratzinger kannte meine Vorarbeiten und entschloß sich nach seiner Wahl zum Papst, seine erste Enzyklika über die Gottes – und Nächstenliebe zu schreiben. Er gab ihr aber ein völlig eigenes Gesicht und begann mit dem Paukenschlag, dass alle Liebe aus Gott stammt: „Deus caritas est“. Dadurch hebt er schon im Aufbau des Schreibens die Grundaussage der Offenbarung hervor, dass nämlich selbstlose Liebe zwischen Menschen erst aus dem Geist gelingt, den Gott für uns bereit hält. Er weist machtvoll die früher gegenüber den Begriffen „Solidarität“ und „Marxismus“ angemahnte Verkürzung zurück; ohne Religion und ohne Gott weder Nächstenliebe noch Gerechtigkeit! Die Zentralaussage der ersten Enzyklika dieses Papstes ist die theozentrische Verankerung allen Wohlwollens zwischen Menschen.

Ich brauche und kann den Inhalt der Enzyklika hier nicht referieren. Es fehlte mir ohnehin die Gabe ihrer faszinierenden Sprache. Glücklicherweise hat Papst Benedikt aber selbst eine eigene Zusammenfassung seiner Grundgedanken vorgetragen. Er tat es bei ihrer Veröffentlichung in Rom gegenüber etwa 250 Verantwortliche für die kirchlichen Hilfswerke. Ich möchte wenigstens den Anfang seiner Ansprache noch vorlesen – gleichsam als Appetit-Happen für eine eigene Lektüre, die Ihnen allen das Internet ermöglichen kann.

„Die kosmische Reise, in die Dante in seiner *Göttlichen Komödie* den Leser miteinbeziehen will, endet vor dem ewigen Licht, das Gott selbst ist, vor jenem Licht, das zugleich *‘die Liebe ist, die auch die Sonne bewegt und die anderen Sterne’* (Par. XXXIII, V. 145). Licht und Liebe sind ein und dasselbe. Sie sind die uranfängliche schöpferische Macht, die das Universum bewegt. Auch wenn diese Worte aus Dantes Paradies das Denken des Aristoteles durchscheinen lassen, der im Eros jene Macht sah, die die Welt bewegt, so nimmt dennoch Dantes Blick etwas völlig Neues wahr, was für den griechischen Philosophen noch unvorstellbar war. Nicht nur, daß sich ihm das ewige Licht in drei Kreisen offenbart, an die er sich mit jenen uns bekannten eindringlichen Versen wendet: *‘Du ewig Licht ruhst in dir selbst allein, verstehst, erkennst dich, bist erkannt, verstanden in dir und lächelst dir in Liebe zu’* (Par. XXXIII, V. 124-126). Tatsächlich noch überwältigender als diese Offenbarung Gottes als trinitarischer Kreis der Erkenntnis und der Liebe ist die Wahrnehmung eines menschlichen Antlitzes – das Antlitz Jesu Christi –, das sich Dante in dem zentralen Kreis des Lichtes zeigt. Gott, unendliches Licht, dessen unermeßliches Geheimnis der griechische Philosoph erahnt hatte, dieser Gott hat ein menschliches Antlitz und – so dürfen wir hinzufügen – ein menschliches Herz. In dieser Vision Dantes zeigt sich zum einen die Kontinuität zwischen dem christlichen Glauben an Gott und der von der Vernunft und von der Welt der Religionen entwickelten Suche; gleichzeitig jedoch kommt auch die Neuheit zum Vorschein, die jede menschliche Suche übertrifft – die Neuheit, die allein Gott uns offenbaren konnte: die Neuheit einer Liebe, die Gott dazu veranlaßt hat, ein menschliches Antlitz, ja Fleisch und Blut, das ganze menschliche Sein anzunehmen. Der göttliche Eros ist nicht nur eine uranfängliche kosmische Kraft. Er ist Liebe, die den Menschen geschaffen hat und sich zu ihm hinunterbeugt, wie sich der barmherzige Samariter zu dem verwundeten und beraubten Mann hinuntergebeugt hat, der am Wegrand der Straße von Jerusalem nach Jericho lag (...).

Ich wollte versuchen, für unsere Zeit und für unser Dasein etwas von dem zum Ausdruck zu bringen, was Dante in seiner Vision so wagemutig

zusammengefaßt hat. Er erzählt von der *‘Sehkraft’*, die sich *‘mehrte’*, während er schaute und die ihn innerlich verwandelte (V. 112-114). Genau darum geht es: Daß der Glaube zu einem schauenden Begreifen wird, das uns verwandelt. Ich wollte die zentrale Stellung des Glaubens an Gott – an jenen Gott, der ein menschliches Antlitz und ein menschliches Herz angenommen hat – hervorheben. Der Glaube ist keine Theorie, die man sich zu eigen machen oder auch zurückstellen kann. Er ist etwas sehr Konkretes: Er ist das Kriterium, das über unseren Lebensstil entscheidet (...)“ (23.1.2006).

CHARITY AND JUSTICE IN THE RELATIONS AMONG
PEOPLE AND NATIONS: THE ENCYCLICAL DEUS
CARITAS EST OF POPE BENEDICT XVI

J. AUGUSTINE DI NOIA

It is an honor and a pleasure for me to address this distinguished Pontifical Academy at the start of your thirteenth plenary session, and to bring you the greetings of the Cardinal Prefect of the Congregation for the Doctrine of the Faith, William J. Levada, who, with Archbishop Paul Josef Cordes and Cardinal Renato Martino, first presented Pope Benedict XVI's encyclical *Deus Caritas Est* to the world at a press conference on 25 January 2006, but who is unable to join you today. It is a particular pleasure to share the podium with Archbishop Cordes who, as president of the Pontifical Council *Cor Unum*, plays a crucial and active role in securing the charity and justice in the relations among people and nations that is your topic in this session of the Pontifical Academy of Social Sciences.

The focus of your discussion is the Holy Father's short but tightly argued first encyclical, *Deus Caritas Est*. In its two parts, the encyclical makes two hugely important points. I should like first to state what I think these two points affirm, and then to suggest something of their significance within a social scientific perspective informed by the Catholic faith.

Eros and Agape: The Sanctification of Desire

As everyone who has read the encyclical will know, in his discussion of *eros* and *agape*, Pope Benedict insists on the unity of these two forms of love, as well as the continuity between them. He is particularly concerned to refute the widespread notion that the Christian faith separates these two loves, and even suppresses the one – *eros* – in favor of the other – *agape*. On the contrary, asserts the encyclical, *eros* is ever reaching out towards its fulfillment in *agape*. The powerful dynamism of desire is

itself a sign that human persons are made for and directed toward a love that never ends.

In order to clarify this immensely significant first point, allow me to turn for help to one of Pope Benedict's favorite authors, St. Augustine.

In his writings, and especially in his *Confessions*, St. Augustine frequently invites his readers to consider the things that they have desired and the things that they desire now – to consider, in effect, the experience of desire. When we have thought about things that we have desired very badly, and have worked very hard to possess, St. Augustine asks us to acknowledge that, in the end, we have often lost interest and become bored with these very things, and that we then move on to seeking other things. For St. Augustine, this is most definitely not a cause for lament. On the contrary. In pondering the experience of desire, we learn something very important about ourselves: no good thing that we have wanted and even possessed can finally quench desire itself, because we are made for the uncreated Good which is God himself.

This means that the good things of this world – and all the more so, the good of other persons – far from being obstacles in our quest for ultimate happiness, point us to the Good itself which is their source and in which they share. If we do not love the good things of this world, how shall we be able to love their Maker? The triune God, who made us for himself and who wants to share the communion of trinitarian love with us, uses the good things of this world to lead us to him who is, we could say, Goodness itself. The challenge – and, sometimes, the tragedy – of human existence is to desire and love the created good as if it were divine, to invest an absolute value in what cannot finally satisfy the human heart. That is what sin is. But rightly ordered desire and love of the good things of this world and the good of other persons is already a participation in the Good which is God himself.

These lessons from St. Augustine help us to grasp the point the Holy Father is making in the first part of *Deus Caritas Est* – that *eros* is meant to lead us to *agape*, to the love of God and to the love of one another in God. Pope Benedict resists absolutely the misreading, sometimes perverse, that claims to see in Christian faith the suppression of the ordinary fulfillments of human earthly life, particularly human intimacy and love, in favor of a good beyond life. On the contrary, for Christian faith the whole range of human desire – or, to use more technical language, the inclination to the good embedded in the very structure of human existence – finds its complete fulfillment in the love of the triune God, and nothing less. Although Pope Benedict does not use this expression in the encyclical, we might call this unity of and continuity between *eros* and *agape* 'the sanctification of desire'.

The Service of Charity: The Integral Human Good

The second principal point argued in *Deus Caritas Est*, according to the reading I am suggesting today, is actually implicit in the first and is advanced in the second part of the encyclical. This second point is captured brilliantly in a passage from paragraph 19 of the encyclical: 'The entire activity of the Church is an expression of a love that seeks the integral good of man: it seeks his evangelization through Word and Sacrament...; and it seeks to promote man in the various arenas of life and human activity. Love is therefore the service that the Church carries out in order to attend constantly to man's sufferings and his needs, including material needs'. This 'the service of charity' is directed to the integral human good, a description of which is the substance, as we have seen, of the encyclical's first major point.

For, while it is true that no created good can satisfy the desires of the human heart, God nonetheless intends us to enjoy these created goods precisely as his gift to us, affording a participation in his own Goodness. These created goods are not rendered irrelevant or dispensable by the fact that they are not themselves ultimate or absolute. The ultimate good does not cancel out or exclude limited or subordinate goods: they retain their integrity and finality in their very ordering to the ultimate good. Man does not live on bread alone, indeed, but he needs bread in order to live. Integral human fulfillment encompasses a range of created goods even as it necessarily entails a directedness, an inner tendency, toward the enjoyment of the uncreated Good who is God himself, the Father, Son and Holy Spirit who enjoy a communion of life into which we, created persons who are not God, are invited to share as their friends – and nothing less.

This integral human good is the object of the Church's service of charity: the ultimate good *and* the intermediate or subordinate goods, the spiritual well-being *and* the material well-being, the goods of this earthly life *and* the good beyond life.

Again, Pope Benedict is concerned to refute the pernicious suggestion that, by affirming the priority and ultimacy of a good beyond earthly life, the Church overlooks the poverty and suffering of this world, or, worse, conspires with the 'principalities and powers' to maintain the unjust structures that are responsible for this human suffering. On the contrary. The service of charity encompasses the whole range of the integral good of human beings. The encyclical explains at length how this service of charity has been exercised in Christian history and how it can be exercised in the present day. In the midst of this service, the Church keeps to the forefront

that vision of the human good and human dignity that God himself has revealed and inscribed in the human heart from the very moment of the creation of the universe. 'The entire activity of the Church is an expression of a love that seeks the integral good of man' (*Deus Caritas Est* §19).

Deus Caritas Est in the Perspective of the Faith and the Social Sciences

What I have identified as the two major points of the encyclical *Deus Caritas Est* pose a range of challenges to the reflection of Catholics whose professional life is devoted to one or other of the social sciences. In this brief paper, I can only hint at some of the more significant of these challenges – not only because of the richness of the encyclical's teaching, but also because of the diversity of the social sciences themselves.

For the most part, the program of this plenary session takes its inspiration from the second part of *Deus Caritas Est* in which the Holy Father has a great deal to say about the Catholic understanding of the service of charity and about the practical implications of this understanding for contemporary politics, society and culture. These issues are the bread and butter of social scientists like those who make up this distinguished academy.

To contribute to a robustly Christian engagement with these issues, social scientific inquiries informed by faith must take into account the truth about human nature which is in part already legible in the creation of men and women in God's image and is fully revealed in the contours of the face of Christ – what the encyclical terms 'the integral human good'.

The contribution of the social sciences to Christian reflection on these issues thus needs to be framed within the context of the Church's generous tradition – expressed with great clarity in Pope John Paul II's encyclical *Fides et Ratio* – according to which the truth discovered in the sciences is in principle coherent with the truth contained in revelation. The fundamental reason for this lies not in our ability to manipulate bodies of knowledge, but in the nature of truth itself which is one, and thus more radically, in the nature of God himself who is the author of the created order just as much as of the economy of salvation. The Catholic principle is that what is discovered to be true by human reason cannot contradict what is known to be true by faith. This principle forms the background for the important things that Pope Benedict XVI has to say about faith and reason in his discussion of politics in paragraph 28 of *Deus Caritas Est*.

The Holy Father's observations here have a direct bearing on the contribution of the social sciences to Christian reflection on the service of chari-

ty, understood as an instance of the interface of faith and reason. As an encounter with the living God, faith opens up 'new horizons extending beyond the sphere of reason'. 'But', continues Pope Benedict, faith 'is also a purifying force for reason itself. From God's standpoint, faith liberates reason from its blind spots and therefore helps it to do its work more effectively and to see its proper object more clearly' (*Deus Caritas Est* §28).

In accord with the traditional Catholic principle, reason retains its integrity and proper finality, but faith contributes to its work by locating the objects of scientific inquiry on, so to speak, the widest possible conceptual map – that provided by our awareness of the divine desire to share the communion of trinitarian life with creaturely persons, or, to use the terms of the encyclical, the integral human good.

With these principles firmly in place, it seems to me of the greatest possible importance for social scientists like yourselves to resist reductionist accounts of human nature and society, and relativistic accounts of moral reasoning and norms – accounts which almost by definition obscure the wider horizons of faith about which Pope Benedict speaks in the encyclical. Such accounts are by no means entailed by research in the social sciences, but often arise from pre-existing philosophical assumptions that come to influence and shape the conclusions of scholarship. This is not the place to trace the complex history of these connections and dependences.

But there is no reason why research that focuses on specific aspects of human behavior and interaction needs to deny the existence of the wider horizon which faith reveals to us. As Pope Benedict tellingly affirms in *Deus Caritas Est*, 'faith liberates reason from its blind spots'. What is not susceptible to observation and generalization within the limits of a particular social scientific discipline or model can nonetheless provide the context for a fuller understanding of the objects of social scientific inquiry.

I mention this point because the Church faces a huge challenge in the present day in her interaction with international agencies and national governments whose social policies have been influenced by reductionist social science. It can be demonstrated that an entirely secular anthropology – in the sense of an alternative account of the meaning of human existence – has, especially since the '90s, come to shape the programs and policies of many international organizations, including the United Nations. In place of an earlier paradigm in which universal human rights and a common human nature played a normative role, the alternative anthropology espouses the socially constructed character of truth and reality, the priority of cultural diversity, the deconstruction of all moral norms, and priority

of personal choice. Although the roots of this secular anthropology are philosophical, the social sciences have been the principal vehicle for its diffusion in modern western societies.

When the Church, in this environment, advances her vision of the integral human good, her interventions are frequently caricatured as retrogressive and intrusive. The alternative anthropology has so powerful a hold on the media, the international aid agencies, many NGOs, and other influential bodies that it is difficult to advance the Christian vision of the integral human good through dialogue, argument and counter-argument. The new anthropology is viewed, in effect, as self-evident and not in need of argument. This situation has created many practical problems that sometimes make it difficult for Catholic aid agencies even to function at the local, national, and even international levels.

Some years ago, when the then Cardinal Ratzinger was its prefect, the Congregation for the Doctrine of the Faith invited about thirty Catholic university faculties across the world to sponsor consultations and symposia on the natural law and universal human values. It is significant that, now as Holy Father, he should state in *Deus Caritas Est* that 'the Church's social teaching argues on the basis on reason and natural law, namely, on the basis of what is in accord with the nature of every human being' (§28). But it must be admitted that this newly emergent secular vision denies the applicability – indeed, the knowability – of any universal account of human nature and destiny.

It is urgent for social scientists whose practice of their disciplines does not in principle exclude some broad account of the integral human good to counter this secular anthropology and the social engineering programs inspired by it. The straightforward, and well-argued account of the Christian vision of the integral human good presented in *Deus Caritas Est* should facilitate the kind of discussion and argument which needs to take place. I cannot think of a better forum for this much-needed debate than the floor of this distinguished academy.

* * *

The encyclical *Deus Caritas Est* bears the date of Christmas 2005, the first Christmas of the pontificate of Pope Benedict XVI. This is significant. The only-begotten Son of God took on human nature in order that human persons might share in the divine life. It is this communion of life with creaturely persons that the triune God desires. 'I wish in my first

Encyclical to speak of the love which God lavishes upon us and which we in turn must share with others' (*Deus Caritas Est*, §1). St. Augustine somewhere remarks that it is very difficult for human beings to believe in this love. But we can see that no account of the human condition can be complete that neglects, excludes or denies that the integral human good is found only in the love of God revealed to us on the first Christmas in the Incarnate Word made flesh.

JUSTICE AND CHARITY IN THE SOCIAL TEACHING OF THE CHURCH

ROLAND MINNERATH

I. *What is Justice?*

Justice is at the core of human society. In the Bible as well as in Greek philosophy, there are two levels of justice: human justice as it works, and what is considered as a higher or ideal justice. The former is subject to failures and must always be improved. The latter is a heavenly or rational paradigm.

In the papal encyclicals, the main source of Catholic social teaching, justice is considered both in the light of the biblical revelation and under the criteria of social philosophy. The social doctrine of the Church wants to be a non-confessional statement of those principles and values that inform human society and the relationship of the human being with society and its institutions. The social doctrine is a rational discourse based on what is common to all human persons. Its inspiration is based on the biblical vision of creation and of man in creation. The expression of it is rational and coined in terms of 'natural law'.

Since the 13th century the Church has found in the categories of Aristotelian philosophy – because of its realism and distinction between *potentia* and *actus* – a language which should be shared by all human beings, whatever their creed or culture.

Along with Aristotelian and Thomist philosophy, justice is seen as the highest good which society must endeavor to achieve. Without justice, there is no human society, but chaos and violence. It is assumed that a human society exists in order to pursue a goal. An industrial corporation exists in view of the goods or service it produces. A University exists in order to foster research and teaching. What is the objective of society as a whole? The answer is: the common good, which can be defined as the overall conditions which should be met by society in order to make all its members enjoy as many perfections as possible.

Besides justice, social philosophy singles out, among the conditions required for the realization of the common good: the search for the truth, solidarity, freedom (cf. John XXIII, *Pacem in Terris* 1963: PT 35) and non-violence. These values or virtues must be able to interact. It follows that there can be no justice where there is no interest in the objective rights and duties of each person. There is no justice without interdependence of all the members of society. There is no justice where there is no freedom for all and where violence is used by government or by individuals.

Justice means basically that society is founded, not on the power of the strongest, but on universal values which are inherent in the human being himself. Justice means that society is governed by rules of law and that individuals have rights and duties towards each other and towards the community. The need for justice flows from the dignity of the human person. Justice implies that human beings are social beings and that each one recognizes the need to respect the other, as oneself wishes to be respected. Justice is the implicit covenant of society. It is the social bond through which a group of individuals becomes an ordered society. Society as such needs justice to survive, and so do individuals. Justice supposes an objective order of values and norms, recognized as such.

Classical social philosophy distinguishes between:

- commutative justice, which says respect to inter-individual relationships, on a private level, between persons or legal persons. It encompasses as well labor or commercial relationship. It looks for fairness in all kinds of exchanges.
- distributive justice governs the relationship between the State and the members of society, individuals and legal persons. It is also called in the encyclicals ‘social justice’.
- legal justice is established by the legislative body which makes laws and exercises the judiciary power which judges the conformity of individual or corporate behavior with the existing laws. Legal justice is compulsory and can employ the use of force.

Today there prevails a positivist approach to law. Justice tends to be reduced to the elaboration and application of positive law.

According to the social doctrine of the Church, law takes its roots in the structure of human relationship. It has to do with the truth of this relationship. This structure constitutes the ethical order. It cannot be grasped at once and for ever. It is more a goal to be reached. What the social doctrine of the Church calls ‘natural law’ is the ethical structure common to all human beings. Legal justice, then, should discern what is

good and just. Human law permanently adapts its prescriptions to what is considered to be the right norm, the balance between what is due to the individual and to the community.

In the encyclicals, distributive or social justice is subject to a rich development. The duty of social justice is to highlight to all members of the community the requirements of the common good (Pius XI, *Divini Redemptoris*, 1937: DR 51). Social justice deals with the access to the resources necessary for a humanly dignified life, that means to the material, intellectual, artistic goods of the world. Pius XII says that the aim of the national economy is to provide the conditions for fair access to material goods, employment, schooling and health care for all community members (Pius XII, *Radiomessage* 1941: RM 17). This duty of the State should be exercised not as an all-encompassing welfare State, but according to the principle of subsidiarity, by fostering individual and corporate initiative wherever it is desired. Having in charge the common good, the State must provide equal chances for all citizens. This is his duty towards distributive or social justice.

Behind the notion of social justice stands one of the basic principles of Christian social ethics: the universal destination of all the goods of the earth, together with the right of every person to use these goods. The whole world has been entrusted to the whole of humanity. There is equality among all human beings. Each human being has an inherent right to enjoy all that is necessary for his/her growth as a human person living in community with others. It is a constant teaching of the Church, since the times of the Fathers, that every human being has a right to have a share of those things which are necessary for his/her existence. The needy have a right to the superfluous goods of the wealthy. Society should be structured in such a way as to allow all its members an effective share into what the earth provides and human labor produces.

Social justice also governs employment conditions. In the late 19th century this was a crucial point which the pioneer encyclical *Rerum Novarum* in 1891 of Leo XIII courageously addressed. Human beings are not to be treated like instruments in the production process. Each person is an end in him(her)self. This is a requirement of his/her dignity. The encyclicals reject all systems which do not put the human being and its dignity at the center of their concern. Leo condemned socialist ideology because it subordinated the human person to a collectivist view of society, and rejected uncontrolled liberalism as well, because it subordinates the worker class and its basic needs to increasing the short term profit of capital.

In the developing liberal market economy, Leo was one of the first to remind that the State has the duty to regulate the economic system by assuring the rights of the weaker members of society, and so foster the common good.

In matters of employment, measures of social justice cannot be carried through without proper institutions able to balance the interests of employers and employees and regulate the market. The wish for what we call today the social market economy, supported by the recent encyclical of John Paul II (*Centesimus Annus* 1991: CA 35), is already present in the first social document of modern times, Leo XIII's encyclical (*RN* 29).

II. *Is Justice Alone Able to Achieve Its Own Aims?*

The answer of Aristotle was: no. Society cannot work like an engine. Inter-personal relationship, interaction between citizen and State, good legislation and its application need something more than the pure and blind reference to legal norms. It needs a social link able to bind people together, to make them participate in the common destiny, to help them to feel part of the whole and to share the values of society from the inside.

Aristotle called this *philia*, friendship. There is no society which would not tend to become a community, *koinonia*, through the feeling of togetherness called *philia*. *Philia* is the inner dynamic that brings individuals together. The classical concept of *philia* has been taken over in the social teaching of the Church. It has been reformulated in more modern language.

The encyclical *Centesimus Annus* reminds us that Pius XI used the expression 'social charity', and Paul VI called it 'civilization of love' (CA 10). Now it is generally rendered as the more modern concept of solidarity. The deeper sense of solidarity has been picked up in John Paul II's encyclical (*Sollicitudo Rei Socialis* 1987: SRS), where he says: 'The exercise of solidarity within each society is valid when its members recognize one another as persons' (SRS 39). Whatever the language there is a clear indication that there are conditions which must be fulfilled if justice is to prevail. Justice needs the effective respect of those other fundamental principles of social order which are solidarity, truth, freedom and non-violence. This concept of 'friendship' finds its field of application in commutative but also in distributive and legal justice.

Roman law, based on a quite immanent concept of justice, followed by canon law, has coined the concept of equity. Equity is not something different from justice. It is the perfection of justice. Equity looks for a fairer

application of the norm to each particular case. Is justice able to reach standards higher than equity?

Pope Benedict XVI puts in another way that the Church, in the fight for justice, 'has to play her part through rational argument and to reawaken the spiritual energy without which justice, which always demands sacrifice, cannot prevail and prosper'. Faith 'opens up new horizons extending beyond the sphere of reason. But it is also a purifying force for reason itself'. So reason and justice need a higher standard to broaden their horizon and so better achieve their full dimension (*Deus Caritas Est*, 2005: DC 28).

Here comes the input of charity.

III. *What is Charity?*

The word and the concept do not belong to the vocabulary of social philosophy nor to the legal sphere. Charity is a theological virtue. The word *agapè* appears in the New Testament with the specific meaning of self-giving love, self-sacrifice for the sake of others, as Christ offered his own life in order to share with us his victory over death.

Agapè is synonymous with serving. The Son of Man has come to serve and to give up his life for many (Mc 9,10). *Agapè* means the capacity to love unilaterally, without the expectation of any return. The addressee of *agapè* is not only the fellow countryman or the people of the covenant, but any human being you may happen to meet, as exemplified in the parable of the good Samaritan.

In Christian vocabulary there is a distinction between *philia*, friendship and *agapè*, self-sacrificing love, which clearly appears in the dialogue between Jesus and Peter after the resurrection (Jn 21, 15-17). Jesus wants his disciples to be able to love each other with *agapè*. So *agapè* belongs to the new life which flows from the Risen Lord.

Among the gifts of the Spirit are: faith, charity (*agapè*) and hope (1 Co 13). These are the spiritual gifts which nourish the Christian life along its pilgrimage on earth. Among those, St. Paul says, the major one is charity.

Charity is the expression and consequence of true faith. Charity anticipates the perfection of justice in the world to come. It is the visible manifestation of hope. Within the Christian community relation based on charity should prevail

Christians both individually and as a community should relate to their fellow citizens with charity. Charity shows itself in all kinds of services that individuals or Christian organizations can provide in society.

IV. *Does Charity Interface with Justice?*

The encyclicals clearly state that teaching social justice is part of the Church's mission. This mission takes its roots in the Gospel, and is carried out on the level of universal ethical values. It is an invitation to all to consider the ethical norms that are common to humanity.

Social Justice is a universal value in which all components of a pluralistic society must join. At the same time, the Church repeats that she has no specific model to offer. This is not her duty nor her competence. The Church teaches values and universal principles which may be received and transplanted in different cultural settings. At the very heart of social ethics is the human being himself with his/her needs for a social environment in order to realize his humanity. This universal reality should be the foundation of moral behavior in all the cultures of the world.

When justice is boosted by charity, it remains justice. With the input of charity, which is an overall attitude towards the others and their specific situation and needs, justice becomes more open to all the aspects of a case. Justice might be rendered mechanically, without a due analysis of motivations, or be obscured by ideological prejudices, or other forms of moral blindness. Charity broadens the horizon of justice. It does not ask justice to refrain from acting according to its own rationality. It pushes instantly towards solutions acceptable to all. Charity indeed impacts the field of social justice.

In the encyclicals, charity is often described as the virtue which has to accomplish what strict justice does not require. Justice, for instance, cannot require that you freely give from your superfluous to those in need. This, in fact, is a requirement of charity. This goes in accordance with the general principle stating that all the material, intellectual or spiritual goods that we enjoy are for our own growth in humanity. But they are also mediators of divine Providence, for the lessening of the sufferings of others (*Rerum Novarum* 19,6).

Over the last thirty years, a new concept of justice stimulated by charity has appeared (cf. John Paul II, Apostolic Exhortation *Evangelii Nuntiandi*, 1975: *EN*). It has much to do with the South American context. What is meant is 'the option or preferential love for the poor' (*SRS* 39). There is an increasing awareness of a structural injustice in the economic and social system which produces poverty and exclusion of persons and entire peoples. Special attention to the poor broadens the vision of the requests of justice (*SRS* 39). Elsewhere John Paul II says: 'Love for others, in the first place for

the poor...is made concrete in the promotion of justice... This is a matter of orienting [instruments of social organization] according to an adequate notion of the common good in relation to the whole human family' (CA 58).

V. *Charity as the Heart of Justice*

'Justice alone is not able to produce the conditions of its efficient application. It does not by itself foster a common feeling and a common will. All institutions aiming at developing peace and understanding among human beings draw their strength from the spiritual bonds that unites their members' (Pius XI, *Quadragesimo Anno*, 1931: QA 148). Without that spiritual link, the best organizations do not attain their objectives. A spirit of charity makes out of justice an instrument of equity that takes into account the objective needs of all members of society.

Drawing on this consideration, Pius XI examined the liberal economic system and denounced its central principle, namely the assumption that free market and competition are the only regulators of economic life (QA 95). This view ignores that economic life has a social and ethical dimension. There is a need for another, just and efficient principle governing the economy. This principle is to be found, he says, in 'justice and social charity' (QA 95). A stronger sense of justice should lead to the creation of a legal and social order which should shape the whole economic process. As for 'social charity, it should work as the soul of this order'. Pius XI already called for international cooperation in the world economy.

In the encyclical *Divini Redemptoris* of 1937 directed against atheistic communism, the same pope had to point out that charity by no means can replace justice. Charity always calls for more justice. A worker has a right to a fair salary. There is no question of treating him with charity, but with a broader sense of justice. What charity inspires is the recognition of the social rights of the workers, including the right to join trade unions. It is amazing how clearly the Church defended the social rights before supporting the human rights philosophy at large.

In his beautiful encyclical of 1982 on divine mercy (*Dives in Misericordia: DM*), John Paul II, after having singled out the main shortcomings in matters of social justice in our time, asks: is justice enough to resolve problems, when there is evidence that programs built on the concept of justice, not rarely end up in shameful mismanagement and corruption (DM 3). Why? Because justice is not supported by a deeper feeling which precisely calls for justice. I quote: 'The experience of the past and of our time demon-

strates that justice alone is not enough, that it can lead to its own negation and ruin, when the deep feeling of love is not enabled to shape human life in all its dimensions' (*DM* 12,3).

The encyclical even quotes the saying 'summum ius summa iniuria', which entails the wisdom and experience of humanity. It calls for a source deeper than justice, necessary to make justice prevail.

This deeper source is love, merciful love which motivates initiatives for effective justice. The paradigm for merciful love is Christ himself. It could seem that non Christians are excluded from such an attitude. Not at all. Loving one's neighbor is a gift of the Spirit irrespective of confessional borders. But it is at the heart of Christianity. There is an inner link, argues John Paul II, between justice and mercy. Mercy 'is the deepest source of justice'. If justice deals with guarantying to each one the enjoyment of what he/she is entitled to dispose of, mercy is concerned with the sake of human persons as such (*DM* 14,4).

While justice looks for fair exchanges of objective and external goods, mercy and love allow persons to meet in mutual acceptance, recognizing the dignity of the other, and thus realizing a true sense of equality. Only a spirit of love and mercy is able to make human relations more truly human. As characteristic of mercy is the capacity to give and receive pardon and to reconcile those who are divided.

Mercy and pardon do not excuse the harm or the evil that has been done. It calls for repairing what has been destroyed, for rebuilding broken relationships. Justice therefore is not disregarded. Rather, the aim of promoting forgiveness is to reach a higher level of justice. The fundamental structure of justice is included in the sphere of merciful love.

Merciful love is doubtless another name for charity.

In Christian social teaching, Charity encompasses all duties. So it entails justice. Without charity justice can become blind and partial. Charity instead continuously refuels justice without depriving it from its proper nature, which consists in guarantying to each person what he/she owes. But charity never will be ruled out by justice alone, because, 'in addition to justice man needs, and will always need, love' (*DC* 29).

NÄCHSTENLIEBE UND GERECHTIGKEIT ALS GEBOTE
DES GLAUBENS SOWIE DES RECHTES
GEDANKEN ZUR ENZYKLIKA PAPST BENEDIKT XVI.
„DEUS CARITAS EST“

HERBERT SCHAMBECK

Die Erkenntnis des eigenen Ichs und des Du des Nächsten zählen zu dem existentiellen Erleben des menschlichen Seins. Sie werden bewusst oder unbewusst von der Erfahrung begleitet, dass die *Persönlichkeitsentfaltung des Einzelnen geradezu schicksalhaft von seiner Beziehung zum Nächsten* bestimmt wird.

Martin Buber hat es schon in seinen „Schriften über das dialogische Prinzip“ festgestellt: „Die Grundworte sind nicht Einzelworte, sondern Wortpaare. Das eine Grundwort ist das Wortpaar Ich-Du“.¹

In dieser *Ich- Du-Beziehung* erfährt der Mensch seine Seinsfindung und gleichzeitig den Sinn der Gemeinschaft. Romano Guardini beschrieb es: „Darin bewegt ein Ich sich auf das andere zu. Es blickt von sich weg auf das andere hin. Es trägt sich jenem entgegen, öffnet sich ihm. So kann jenes, wenn es die Bewegung erwidert, im Herkommen dieses sich öffnende Ich mitvollziehen und darin verstehen – und wird eben darin offen für das erste, und macht ihm den verstehenden Mitvollzug möglich. Das ist die Sympadeia, die Liebe in einer ihrer vielen Gestalten und Grade ...“²

I.

Liebe ist verstehende Seinsfindung in dem Miteinander der Menschen, das individual und sozial gesehen viele Dimensionen im privaten und

¹ Martin Buber, Die Schriften über das dialogische Prinzip, Heidelberg 1954, S. 7.

² Romano Guardini, Vom Sinn der Gemeinschaft, Graz – Wien – München 1952, S. 43 f.

öffentlichen Leben hat. In einer organisierten Form erleben wir Dimensionen des Mitmenschlichen überhaupt in Freundschaft, Ehe, Familie, Orten, Regionen, Ländern, Staaten und in der Völkergemeinschaft, Kontinente umgreifend und Kulturen umfassend. Diese Beziehungen, seien sie personalen oder territorialen Ursprungs, zeugen für die Ordnung der Schöpfung. Aristoteles sprach bekanntlich von der Entelechie, von dem Telos, dem Ziel, welches das Sein in sich trägt.³

In dieser Sicht ist vom Einzelmenschen her gesehen die Persönlichkeitsentfaltung eine Form der Seinsfindung, die in der Ich-Du-Beziehung sowie darüber hinaus eine *soziale Ausgewogenheit* verlangt, für welche Nächstenliebe und Gerechtigkeit zu verwirklichende Werte sind, die für eine humane Ordnung auf allen Ebenen des sozialen Lebens von Bedeutung sind. Der Mensch, welcher religiös an die Schöpfung als Gott geschaffene Ordnung glaubt, findet in ihr die Begründung für seine Lebensaufgabe sowie in der *Verbundenheit von Gottes- und Nächstenliebe* seine Wegweisung. Papst Benedikt XVI. hat dies in seiner Enzyklika „Deus caritas est“ klargestellt und erklärt, „dass Liebe nicht bloß Gefühl ist. Gefühle kommen und gehen. Das Gefühl kann eine großartige Initialzündung sein, aber das Ganze der Liebe ist es nicht ... Zur Reife der Liebe gehört es, dass sie alle Kräfte des Menschseins einbezieht, den Menschen sozusagen in seiner Ganzheit integriert“.⁴ Er bezieht sich auf „die Begegnung mit den sichtbaren Erscheinungen der Liebe Gottes“.⁵ In dieser Sicht ist das Gebot der Liebe in gleicher Weise auf die Bereiche des individuellen wie sozialen Lebens bezogen; die *katholische Soziallehre* gibt hierzu als *Sozialgestaltungsempfehlung* eine Wegweisung.⁶

Diese *Wegweisung der Kirche* bemüht sich um eine *humane Ordnung der Menschen*, deren Würde in der Gottesebenbildlichkeit⁷ begründet ist. Nächstenliebe und Gerechtigkeit können Mittel zur Wahrung dieser Würde sein. Die Erfordernisse hiezu sind so verschieden, wie die Lebensbereiche, die es

³ Aristoteles, *Metaphysik* V 1021.

⁴ Papst Benedikt XVI., Enzyklika *Deus caritas est*, 2005, Nr. 17.

⁵ Papst Benedikt XVI., a.a.O.

⁶ Siehe Roland Minnerath, *Pour une éthique sociale universelle, la Proposition catholiques*, Paris 2004.

⁷ Gen 1,26 f., 5,3 und 9,6; Psalm 8, 5-7; dazu auch Herbert Schambeck, *Grundrechte in der Lehre der katholischen Kirche*, in: *Handbuch der Grundrechte in Deutschland und Europa*, hrsg. von Detlef Merten und Hans-Jürgen Papier, Band I, Heidelberg 2004, S. 349 ff., bes. S. 353 ff.

zu erfassen gilt, wie z.B. das Verstehen zwischen befreundeten und verehelichten Menschen, zwischen Arbeitgebern und Arbeitnehmern, zwischen intellektuell und manuell Tätigen, zwischen Ländern und ihrem Staat, zwischen einem Staat und seinen Nachbarn sowie zwischen den Kontinenten in der Völkergemeinschaft. Dabei gilt es Unterschiedlichkeiten auf eine solche Weise zu verkraften, dass sie nicht zu Gegensätzlichkeiten ausarten; so ist z. B. Selbstbewusstsein des Einzelnen erforderlich zur Selbstbehauptung und Leistungsbefähigung, aber kein Egoismus. In gleicher Weise ist das Nationalbewusstsein eines Volkes verständlich, nicht aber dessen ideologisierte Steigerung zu einem Nationalismus. Auf allen Ebenen des Lebens verlangt die Nächstenliebe und die Gerechtigkeit wechselseitiges Verstehen, vor allem auch die Einsicht, dass die Freiheit des Einzelnen dort endet, wo die Freiheit des Nächsten beginnt.⁸

Die Persönlichkeitsentfaltung des Einzelnen soll sich mit wechselseitigem Sozialverständnis in Gesellschaft, Staat und Völkergemeinschaft verbinden. Dabei verlangt, was auch Papst Benedikt XVI., hervorhebt, die katholische Soziallehre die Unterscheidung von Kirche und Staat sowie die Anerkennung der „richtigen Autonomie der irdischen Wirklichkeiten“, was in der Pastoralkonstitution des II. Vatikanismus über die Kirche in der Welt von heute Gaudium et spes Nr. 36⁹ ausgedrückt wurde.

II.

Kirche und Staat sowie Glaube und Politik werden in ihrer *Eigengesetzlichkeit* anerkannt und aufeinander bezogen. Papst Benedikt XVI. hat es betont: die Kirche will sich nicht mit der katholischen Soziallehre „Macht über den Staat verschaffen; sie will auch nicht Einsichten und Verhaltensweisen, die dem Glauben zugehören, denen aufdrängen, die diesen Glau-

⁸ Dies zu tun, ist die Aufgabe des Rechts, welches nach der Kantschen Formel die Freiheit des Einen mit der Freiheit des Anderen unter einem allgemeinen Gesetz vereinbar zu machen hat. Dies gilt auch und insbesondere für die heutige, vom weltanschaulichen Pluralismus geprägte Gesellschaft. Vgl. dazu *Heribert Franz Köck*, *Recht in der pluralistischen Gesellschaft*. Grundkurs über zentrale Fragen von Staat und Recht, Wien 1998, S. 125 ff. und 164 f.

⁹ Beachte *Karl Rahner*, *Herbert Vorgrimler*, *Kleines Konzilskompendium*, 2. Aufl., Freiburg-Basel-Wien 1966, S. 482 ff.; dazu auch *Wolfgang Huber*, *Reinigung der Liebe – Reinigung der Vernunft*, zur päpstlichen Enzyklika „Deus caritas est“, in: *Benedikt XVI.*, *Gott ist die Liebe*. Die Enzyklika „Deus caritas est“, ökumenisch kommentiert, Freiburg. Basel. Wien 2006, S. 103 ff.

ben nicht teilen. Sie will schlicht zur Reinigung der Vernunft beitragen und dazu helfen, dass das, was recht ist, jetzt und hier erkannt und dann durchgeführt werden kann. Die Soziallehre der Kirche argumentiert von der Vernunft und dem Naturrecht her, das heißt, von dem, was allen Menschen wesensgemäß ist“.¹⁰

In seiner Ansprache an die Teilnehmer des von der Lateranuniversität veranstalteten internationalen Kongresses über das Naturrecht am 23. Feber 2007 ist Papst Benedikt XVI. auf diese *Frage des Naturrechts*¹¹ näher eingegangen und stellte fest: „Das Naturrecht ist die Quelle, aus der zusammen mit Grundrechten auch sittliche Gebote entspringen, deren Einhaltung verpflichtend ist. In der derzeitigen Ethik und Rechtsphilosophie sind die Postulate des Rechtspositivismus weit verbreitet. Die Folge davon ist, dass die Gesetzgebung häufig lediglich zu einem Kompromiss zwischen verschiedenen Interessen wird“.¹² Schon vor seiner Wahl hat Joseph Kardinal Ratzinger in seiner Predikt während der Heiligen Messe „Pro eligender Romano Pontifice“ am 18. April 2005 erklärt: „Es entsteht eine Diktatur des Relativismus, die nichts als endgültig anerkennt und als letztes Maß nur das eigene Ich und seine Gelüste gelten lässt. Wir haben jedoch ein anderes Maß, den Sohn Gottes, den wahren Menschen. Es ist das Maß des wahren Humanismus“.¹³ Die Wahrheit dieses Humanismus ist in der Begründung der Würde des Menschen durch seine Gottesebenbildlichkeit gegeben. Der Gesetzgeber des Staates hat die Möglichkeit, diesen präpositiven Bezug in seinem Verfassungsrecht anzuerkennen, schon beginnend mit dem Gottesbezug in der Präambel und der Anerkennung der Menschenwürde im Ver-

¹⁰ *Papst Benedikt XVI.*, a.a.O., Nr. 28.

¹¹ Siehe dazu *Johannes Messner*, *Das Naturrecht*, Handbuch der Gesellschaftsethik, Staatsethik und Wirtschaftsethik, 5. Aufl., Innsbruck 1966, Neudruck Berlin 1984 sowie *Das Neue Naturrecht, die Erneuerung der Naturrechtslehre durch Johannes Messner*, Gedächtnisschrift für Johannes Messner, hrsg. von Alfred Klose, Herbert Schambeck, Rudolf Weiler, Berlin 1985.

¹² *Papst Benedikt XVI.*, *Probleme und Perspektiven des Naturrechts*, *L'Osservatore Romano*, Wochenausgabe in deutscher Sprache, 23. Februar 2007, S. 9; siehe weiters *Die Wiederkehr des Naturrechts und die Neuevangelisierung Europas*, hrsg. von Rudolf Weiler, Wien 2005.

¹³ *L'Osservatore Romano*, Wochenausgabe in deutscher Sprache, 22. April 2005, S. 3; siehe dazu *Herbert Schambeck*, *Die Möglichkeiten der Demokratie und die Diktatur des Relativismus*, ein Beitrag zur Zeitverantwortung in der Lehre Papst Benedikt XVI., *L'Osservatore Romano*, Wochenausgabe in deutscher Sprache, 12. Mai 2006, S. 10 f. und 19. Mai 2006, S. 9 f.

fassungsrecht. Dies ist beispielgebend und für viele Staaten wegweisend durch das Grundgesetz Deutschlands 1949 gefolgt; beachtenswert unter späteren Staatsrechtsordnungen auch die Verfassung Polens 1997, in deren Präambel sowohl diejenigen genannt werden, „die an Gott als die Quelle der Wahrheit, Gerechtigkeit des Guten und des Schönen glauben, als auch diejenigen, die diesen Glauben nicht teilen, sondern diese universellen Werte aus anderen Quellen ableiten“.¹⁴

III.

Diese mögliche *Verbundenheit von Invocatio Dei, Imago Dei und Dignitas humana* wird durch das Christentum in das abendländische Rechtsdenken eingebracht,¹⁵ ermöglicht die Grundrechte als Maßstab für den Rechtsstaat¹⁶ im allgemeinen, die Verfassungsgerichtsbarkeit¹⁷, das Völkerrecht,¹⁸ das öffentliche Recht und die politische Wissenschaft¹⁹ im besonderen.

In dieser Dreiheit Gottesbezug, Gottesebenbildlichkeit und Menschenwürde und überschreitet das Recht im Dienste der Humanität seine Positivität und kommt auf diese Weise durch ihre Positivierung auch all jenen zugute, die zwar nicht gläubig und religiös, wohl aber an einer humanen Ordnung im Staat und der Völkergemeinschaft interessiert sind. Auch für sie gilt das wegweisende Bekenntnis des früheren deutschen Bundespräsidenten Johannes Rau, der evangelischer Christ war, „dass es allen zumutbar ist, wahrzunehmen, dass wir unser Leben nicht uns selber verdanken.

¹⁴ Die Verfassungen Mittel- und Osteuropas, Einführung und Verfassungstexte mit Übersicht und Schaubildern, hrsg. von Herwig Roggemann, Berlin 1999, S. 675.

¹⁵ Siehe *Alfred Verdross*, Ihre Grundlagen und Hauptprobleme in geschichtlicher Schau, 2. Auflage, Wien 1963, S. 257 ff.

¹⁶ Dazu *Johannes Messner*, Die Idee der Menschenwürde im Rechtsstaat der pluralistischen Gesellschaft, in: Menschenwürde und freiheitliche Rechtsordnung, Festschrift für Willi Geiger zum 65. Geburtstag, hrsg. von Gerhard Leibholz, Hans Joachim Faller, Paul Mikat, Hans Reis, Tübingen 1974, S. 221 ff., Neudruck in: *derselbe*, Ethik und Gesellschaft, Aufsätze 1965 – 1974, Köln 1975, S. 13 ff.

¹⁷ Beachte *Karl Korinek*, Grundrechte und Verfassungsgerichtsbarkeit, Wien-New York 2000.

¹⁸ Hiezu *Alfred Verdross*, Die Würde des Menschen und ihr völkerrechtlicher Schutz, Schriftenreihe Niederösterreichische Juristische Gesellschaft, Heft 3, St. Pölten/Wien 1975.

¹⁹ Siehe *Herbert Schambeck*, Die Menschenwürde im öffentlichen Recht und in der politischen Wissenschaft, in: *Conceptualization of the person in social sciences*, edited by Edmond Malinvaud and Mary Ann Glendon, the Pontifical Academy of Social Sciences Acta 11, Vatican City 2006, S. 235 ff.

Das kann man in einer Verfassung mit dem Wort Gott ausdrücken. Ich halte das für richtig“.²⁰

Man kann es auch nicht oft genug betonen, dass die Anerkennung dieser Wirkkräfte des Christentums, besonders deutlich auch die Nächstenliebe und die Gerechtigkeit, allen, also auch nichtgläubigen Menschen, zugute kommen. In seinem Gespräch mit Joseph Kardinal Ratzinger wusste dies Jürgen Habermas schon 2004 hervorzuheben, als er erklärte: „Säkularisierte Bürger dürfen, soweit sie in ihrer Rolle als Staatsbürger auftreten, weder religiösen Weltbildern grundsätzlich ein Wahrheitspotential absprechen, noch den gläubigen Mitbürgern das Recht bestreiten, in religiöser Sprache Beiträge zu öffentlichen Diskussionen zu machen. Eine liberale politische Kultur kann sogar von den saekularisierten Bürgern erwarten, dass sie sich an Anstrengungen beteiligen, relevante Beiträge aus der religiösen in eine öffentlich zugängliche Sprache zu übersetzen“.²¹

Eine Wegweisung zu dieser humanen Ordnung vermag die katholische Soziallehre zu geben. Sie hat sich mit eigener Tradition in Etappen entwickelt. Papst Benedikt XVI. schrieb, sie „ist stetig in der Auseinandersetzung mit den je neuen Situationen und Problemen ... gewachsen“.²²

IV.

Der Weg der katholischen Soziallehre, mehr oder weniger beginnend mit der Sozialzyklika „*Rerum novarum*“ Papst Leo XIII. 1891 über „*Mater et magistra*“ Papst Johannes XXIII. 1961 und „*Laborem exercens*“ Papst Johannes Paul Paul II. 1981, um nur die wichtigsten Dokumente päpstlicher Lehr-

²⁰ *Johannes Rau*, Alles, was unser Leben ausmacht, Exklusivinterview, *Unsere Kirche*, Evangelische Wochenzeitung für Westfalen und Lippe, Nr. 17, 20. – 26.4.2003, S. 11; dazu auch *Herbert Schambeck*, Zur Gottesfrage als Verfassungsfrage in Österreich, in: *Identität und offener Horizont*, Festschrift für Egon Kapellari, hrsg. von Franz Lackner und Wolfgang Mantl, Wien-Graz-Klagenfurt 2006, S. 1107 ff.; sowie *derselbe*, Gott und das Verfassungsrecht, *L'Osservatore Romano*, Wochenausgabe in deutscher Sprache, 16. Januar 2004, S. 12.

²¹ *Jürgen Habermas*, Vropolitische Grundlagen des demokratischen Rechtsstaates?, in: *derselbe*, *Joseph Ratzinger*, Dialektik der Saekularisierung, Über Vernunft und Religion, Freiburg. Basel. Wien 2005, S. 36; siehe auch *derselbe*, *Glauben und Wissen*, Frankfurt am Main 2001.

²² *Papst Benedikt XVI.*, Enzyklika „*Deus caritas est*“, Nr. 27; so auch *Papst Johannes Paul II.*, Enzyklika „*Centesimus annus*“ 1991, Nr. 59 und *Kompendium der Soziallehre der Kirche* 2004, Nr. 73.

äußerungen zur sozialen Frage zu nennen, war im Hinblick auf die 2000 Jahre katholische Kirche zeitlich verhältnismäßig kurz, lang aber die Zeit der Verantwortungen, in der die Lehre Christi mit der Heiligen Schrift die Menschen begleitet hat. Diese katholische Soziallehre ist in Prinzipien grundgelegt – die Freiheit und Würde des Menschen, die Grundsätze der Autorität, Subsidiarität, des Gemeinwohls und der partnerschaftlichen Ordnung seien besonders genannt²³ – sie ist offen im Hinblick auf die jeweils neu entstehenden Aufgaben- und Problemstellungen. Die Globalisierung unserer Tage ist eine solche neue Herausforderung für die Soziallehre der Kirche.²⁴ Für diese für so viele Menschen in der Welt wichtige Notwendigkeit erklärte schon Roland Minnerath: „Zu arbeiten ist am Wunschbild einer Globalisierung, die die Menschen aus den Fesseln der Armut und der Unbildung befreit, ohne dass sie damit sogleich in neue, ebenfalls überall drängende Abhängigkeiten kommen, wie etwa in den – als werte- und normenfrei geltenden – Nihilismus, in das Diktat des Marktes, in die verschwommene Sicht des Einheitsdenkens“.²⁵

So wie es *kein Einheitsdenken für alle Menschen* auf Grund der Unterschiedlichkeit ihrer Fähigkeiten, Einstellungen, Erwartungen, Interessen und Voraussetzungen geben kann, kann es auch keine für alle und überall gleichgültige Regelungen in der Kultur-, Recht-, Sozial- und Wirtschaftspolitik geben, wohl aber *auf eine menschengerechte Ordnung ausgerichtete Grundsätze*, die einer jeweils zeit- und ortsbedingten Ausführung durch Laien in Eigenverantwortung bedürfen. Letztere betonte Papst Benedikt XVI. in seiner Enzyklika, als er feststellte: „Die Kirche kann nicht und darf nicht den politischen Kampf an sich reißen, um die möglichst gerechte Gesellschaft zu verwirklichen. Sie kann und darf nicht sich an die Stelle des Staates setzen. Aber sie kann und darf im Ringen um Gerechtigkeit auch nicht abseits bleiben. Sie muss auf dem Weg der Argumentation in das Ringen der Vernunft eintreten und sie muss die seelischen Kräfte wecken, ohne die Gerechtigkeit, die immer auch Verzicht verlangt, sich nicht durchsetzen und nicht gedeihen kann. Die gerechte Gesellschaft kann nicht das Werk der Kirche sein, sondern muss von der Politik geschaffen werden. Aber das Mühen um die Gerechtigkeit ... geht sie zutiefst an“.²⁶ Dazu erinnert er: „Es gibt keine gerechte Staatsordnung, die

²³ Hiezu näher *Kardinal Joseph Höffner*, Christliche Gesellschaftslehre, 8. Aufl., Kevelaer 1983.

²⁴ Dazu *The Governance of Globalisation*, edited by Edmond Malinvaud und Louis Sabourin, the Pontifical Academy of Social Sciences Acta 9, Vatican City 2004.

²⁵ *Roland Minnerath*, Die Globalisierung: neue Herausforderungen für die Soziallehre der Kirche, in: *Identität und offener Horizont*, S. 775.

²⁶ *Papst Benedikt XVI.*, a.a.O., Nr. 28.

den Dienst der Liebe überflüssig machen könnte ... Immer wird es Leid geben, das Tröstung und Hilfe braucht. Immer wird es Einsamkeit geben“.²⁷

Dimensionen der Menschlichkeit werden auch von Papst Benedikt XVI. mit den Erfordernissen der Ordnung im Staat und durch das Recht in Verbindung gesetzt und damit auch die Verantwortung für die Verwirklichung der Nächstenliebe und der Gerechtigkeit verdeutlicht. Auf diese Weise wird ein Gebot des Glaubens, nämlich die Nächstenliebe, mit dem des Rechtes, nämlich der Gerechtigkeit, in Verbindung gebracht.

V.

Das Recht in normativer Form der Ordnung des Staates besteht in generell abstrakten Rechtssätzen, die im Stufenbau der Rechtsordnung²⁸ auf dem Weg der Verfassungskonkretisierung in individueller Form für den Einzelnen verwirklicht werden sollen. Das Gebot des Glaubens, nämlich die Nächstenliebe macht daher durch das Recht auf dem Weg zum Einzelnen eine Transformation durch. Vom Gesetzgeber generell gedacht muss das Gebot der Nächstenliebe konkret verwirklicht werden. Das religiös begründete Gebot der Nächstenliebe soll im Bereich der öffentlichen Ordnung, der über den Bereich des Staates in den der Völkergemeinschaft reichen kann und muss, verwirklicht werden und auch dem Einzelnen zugute kommen.

Die Gerechtigkeit im formellen Sinn zu verwirklichen verlangt im Bereich positiven Rechts, verfassungs- und gesetzmäßig vorzugehen. Die Politiker in der Gesetzgebung und der Vollziehung haben hiezu die Verantwortung, auf dem Weg demokratischer Staatswillensbildung die Voraussetzungen zu schaffen. Wieweit in der konkreten Rechtsanwendung Nächstenliebe und *Gerechtigkeit auch im materiellen Sinn* verwirklicht werden kann, ist eine Einzelentscheidung. Man denke daher auf weltweiter Ebene an die Entwicklungshilfe und an die wegweisende Enzyklika „*Populorum progressio*“ Papst Paul VI. 1967.²⁹

²⁷ *Papst Benedikt XVI.*, a.a.O.

²⁸ Dazu *Adolf Merkl*, Prolegomena des rechtlichen Stufenbaues, in *Gesellschaft, Staat und Recht*, Festschrift für Hans Kelsen zum 50. Geburtstag, hrsg. von Alfred Verdross, Wien 1931, S. 252 ff., Neudruck in: *derselbe*, *Gesammelte Schriften*, hrsg. von Dorothea Mayer-Maly, Herbert Schambeck, Wolf-Dietrich Grussmann, 1. Band, Berlin 1993, S. 437 ff.

²⁹ Hiezu *Herbert Schambeck*, „*Populorum progressio*“ und das Zweite Vatikanum, in: *Soziale Verantwortung*, Festschrift für Goetz Briefs, hrsg. von Johannes Broermann und Philipp Herder-Dorneich, Berlin 1968, S. 587 ff.

So hat James D. Wolfensohn, der ehemalige Präsident der Weltbank, 2006 bei dem internationalen Kongress von Cor Unum über *die christliche Nächstenliebe* festgestellt: „Von den 6 Milliarden Menschen auf dem Planeten leben 5 Milliarden in Entwicklungsländern und diese 5 Milliarden verfügen nur über 20 Prozent des globalen Einkommens. ... Wenn wir die Prognose noch um weitere 45 Jahre bis in das Jahr 2050 verlängern, stellen wir fest, dass unsere Welt dann nicht 6 Milliarden, sondern 9 Milliarden Menschen haben wird: das sind zusätzliche 3 Milliarden. Die Milliarde Menschen in den Industriestaaten der Welt wird sich in der Zwischenzeit um zirka 100 bis 200 Millionen – vielleicht auch um 50 oder 100 Millionen erhöhen. Aber die restlichen 3 Milliarden stellen uns mit den Problemen von Armut, Gleichheit und sozialer Gerechtigkeit vor einer humanitären Herausforderung. Hier liegt die Herausforderung für die Kirche, die dann 5 bis 8 Milliarden Seelen zählen wird, in den Entwicklungsländern“.³⁰

VI.

Diese Feststellungen, *die Entwicklung der Bevölkerung in der Welt* betreffend, zeigen, wie *mehrdimensional* die *Forderung nach Nächstenliebe und Gerechtigkeit* ist. Konkret verlangen diese für so viele Bereiche, die über den Bereich des Persönlichen und Privaten hinausgehen, Verteilungsgerechtigkeit auch im staatlichen wie internationalen Leben. Auf den verschiedenen Ebenen sind jeweils in spezifischer Form Nächstenliebe und Gerechtigkeit zu vermitteln, denn unterschiedlich sind die Erfordernisse; man denke nur an die Hilfe für den Einzelmenschen, die für eine Bevölkerungsgruppe oder gar für eine Nation. In der Beurteilung nehmen das Individuelle ab und das Kollektive zu. Unterschiedlichkeit an Voraussetzungen und Verwirklichungen sind gegeben; sie verlangen in der Sozialarbeit auch ein *spezifisches Miteinander von Kirche und Staat* sowie, wo nötig, mit internationalen Organisationen. Die Caritas der Staaten und Cor Unum sowie andere Organisationen, für Deutschland seien Adveniat und Miserior genannt, haben auf diesen Gebieten ihre spezifischen Wirkmöglichkeiten.

Paul-Josef Cordes spricht vom „dialogischen Austausch der jeweils spezifischen Beiträge von Kirche und Staat – weder unter Vermischung der

³⁰ James D. Wolfensohn, Die Herausforderungen der Menschheit, in: Deus caritas est, Dokumentation des internationalen Kongresses über die christliche Nächstenliebe, hrsg. vom Päpstlichen Rat „Cor Unum“, Vatikan 2006, S. 22 f.

Kompetenzen noch in einfacher Trennung der Vollzüge. Die Forderung nach Zusammenwirken ist somit unausweichlich. Welt und Heilsgeschichte durchdringen sich fortwährend. Die Kirche wirkt mit dieser Welt. Sie kann sich nicht manichäisch ins ‚Jenseits‘ verflüchtigen³¹. Sie tut es auch nicht, sei hinzugefügt. Die Liebesenzyklika Papst Benedikts XVI., *urbi et orbi*, sei ebenso genannt wie das Wirken von Mutter Teresa, die ich selbst zwei Mal in Kalkutta besuchte und die einmal in Wien mein Gast war. In ihrer Ansprache anlässlich der Entgegennahme des Friedensnobelpreises am 11. Dezember 1979 in Oslo gab sie ein solches Beispiel konkreter Nächstenliebe und Gerechtigkeit, als sie sagte: „Bemühen wir uns ..., dass jedes einzelne Kind, geboren und ungeboren, gewollt ist“. Ihr konkreter Beitrag hiezu, sie nannte ihn im gleichen Atemzug: „Wir bekämpfen Abtreibung durch Adoption. Wir haben tausende Leben gerettet, wir haben Nachrichten gesandt an alle Kliniken, an die Spitäler, Polizeistationen: bitte tötet kein Kind, wir nehmen das Kind ..., und wir haben eine große Nachfrage von Familien, die keine Kinder haben, das ist Gottes Segen auf uns“.³²

Das Beispiel von Mutter Teresa zeigt, wie sehr christliches Apostolat wegweisend für Mitmenschlichkeit sein kann und diese Nächstenliebe sowie Gerechtigkeit verwirklicht, da ja jeder Mensch ein *Recht auf das Leben* hat!³³

VII.

Nicht immer kann aber ein solcher menschlicher Anspruch auf Nächstenliebe und Gerechtigkeit in allen einzelnen Erfordernissen normativ erfasst werden; es gibt auch *Grenzen des Rechts*, es ist auch nicht alles, was rechtswürdig ist, auch rechtsfähig, das heißt befähigt zu einem Inhalt, der in einem positiven Rechtssatz geltend gemacht werden kann; etwa als Mensch Verständnis zu finden und beachtet zu werden. Der Staat, vor allem der soziale Rechtsstaat, kann nämlich ohne den mit ihm mitführenden, mit beschließenden und mit vollziehenden Einzelmenschen gar nicht bestehen. Dazu stellte schon vor langem der frühere Präsident des Deut-

³¹ *Paul-Josef Cordes*, Paradigmenwechsel für Agenturen der Nächstenliebe? Neue Akzente der Enzyklika „*Deus caritas est*“, Die neue Ordnung, 61. Jg., Heft 1, Februar 2007, S. 6 f.

³² *Mutter Teresa*, Durch Liebe zum Frieden, in: *Apostolat und Familie*, Festschrift für Oplio Kardinal Rossi zum 70. Geburtstag, hrsg. von Herbert Schambeck, Berlin 1980, S. XV f.

³³ Beachte *Wolfgang Waldstein*, Das Menschenrecht zum Leben, Beiträge zu Fragen des Schutzes menschlichen Lebens, Berlin 1982.

schen Bundesverwaltungsgerichtshofes Fritz Werner fest, „dass Erbarmen, Liebe, Barmherzigkeit, Demut und manches andere rechtlich nicht zu Fassende unser Leben gestalten, ist eine Vorstellung, die mehr und mehr entschwindet“.³⁴ Egon Kapellari, der zuerst Jurist war und dann Theologe wurde, setzt sich mit dieser Entwicklung auseinander, als er in Gedanken über „Recht und Unrecht in philosophisch-theologischer Sicht“ feststellte: „Vom Dekalog reicht eine direkte geistige, wenn auch geschichtliche oft vergessene und verlassene Spur zur Allgemeinen Deklaration der Menschenrechte und in Verfassungen heutiger demokratischer Staaten, auch dann, wenn diese keinen Gottesbezug in den Verfassungspräambeln aufweisen. Aus der Begegnung mit Jesus Christus ergeben sich ... auch Grundhaltungen, die das rechtliche Gefüge der Gesellschaft ergänzend tragen. Man kann Verzeihen und Versöhnung nicht dekretieren – aber keine humane Gesellschaft gleich welcher Größe könnte ohne diese menschlichen Gesten auskommen. Es gibt, um ein weiteres Beispiel zu nennen, auch keinen Rechtsanspruch darauf, nicht einsam zu sein, aber die Bereitschaft vieler, sich vereinsamten und vergessenen Menschen aus freien Stücken zuzuwenden, sichert nachhaltig den gesellschaftlichen Zusammenhalt und das Miteinander der Generationen. Gelebte, christliche Barmherzigkeit leistet in Europa einen wertvollen Beitrag gegen die mancherorts drohende Erosion humanitärer Fundamente demokratischer Rechtsstaatlichkeit“.³⁵

VIII.

Diese menschliche Form der Ordnung *an Stelle des Neben- zu einem Miteinander der Menschen* in der Gesellschaft, dem Staat und der Völkergemeinschaft verlangt eine sich geradezu bedingende bedingte Gegenseitigkeit auf vielen Gebieten unserer heutigen Verantwortungen, die in der *Verbundenheit von Individualität, Humanität und Solidarität* auszuüben wäre; beispielsweise nichts vom Anderen zu verlangen, was man selbst nicht zu tun willens ist; bereit zum Brot teilen zu sein; auch zu erkennen, dass das *Ende des Kommunismus noch nicht die endgültige Beantwortung der sozia-*

³⁴ Fritz Werner, Wandelt sich die Funktion des Rechts im sozialen Rechtsstaat? in: Die moderne Demokratie und ihr Recht, Festschrift für Gerhard Leibholz, hrsg. von Karl Dietrich Bracher, Christopher Dawson, Willi Geiger, Rudolf Smend, II. Band, Tübingen 1966, S. 162.

³⁵ Egon Kapellari, Recht und Unrecht in philosophisch-theologischer Sicht, Statement beim Symposium „Recht und Unrecht“ der katholischen Medienakademie am 18. November 2006 im Schottenstift, Wien, Manuskript S. 2.

len Frage für immer ist; sie begleitet uns vielmehr weiter und das in neuer Form, so beispielsweise, sich um Ausgewogenheit in Unternehmen von Personalkosten und Kapitalgewinn zu bemühen. Nächstenliebe und Gerechtigkeit verlangen neben den Möglichkeiten der Betriebswirtschaft auch die Erfordernisse der Volkswirtschaft zu beachten! Weiters ist es erforderlich die industrielle Produktion mit den Erfordernissen des Umweltschutzes im Rahmen des Möglichen zu verbinden, damit unter Außerachtlassung des Kyotoabkommens³⁶ keine Klimaveränderung Platz greift, helfendes Verständnis für Flüchtlinge in Not zu haben, aber von diesen zu erwarten, dass sie sich als Gäste benehmen, weiters zur Sicherung des Menschen dem Terrorismus zu begegnen, wobei aber die Grundrechte auch für Häftlinge zu achten sind. Es gilt letztlich, ein Miteinander von Menschen, Nationen, Staaten und Kulturen zu erreichen und zu sichern. Die allgemeine Anerkennung so vieler Werte des privaten und öffentlichen Lebens als möglich kann ein Weg dazu sein. Nächstenliebe und Gerechtigkeit als Gebote des Glaubens und des Rechtes geben mit dazu Gelegenheit, sie zu verwirklichen, verlangt *nicht allein die Diskussion über sie, sondern die Aktion für sie!* Johannes Rau hat es schon 1982 erklärt und mit ihm lassen Sie mich schließen: „Im Nächsten will Gott sichtbar werden: im Gegner und im Feind, im Bekannten und im Fremden, in dem, der mir lästig wird und in dem, nach dem ich mich sehne“.³⁷

³⁶ Protokoll von Kyoto vom 11.12.1997 zum Rahmenübereinkommen der Vereinten Nationen über Klimaänderungen.

³⁷ Johannes Rau, Was meinem Leben Richtung gab, Beitrag von 1982, in: *derselbe*, Wer hofft, kann handeln, Predigten hrsg. von Matthias Schreiber, 2. Aufl., Holzgerlingen 2006, S. 21.

SESSION II

INTERNATIONAL SOCIETY AND THE IDEA OF JUSTICE

PHILIP ALLOTT

Globalisation is the beginning of the self-socialising of all-humanity. As typical social phenomena accumulate at the global level, the perennial question of the nature of the 'good life' arises yet again, in an unprecedented form. Post-European civilisation, dominated by democracy and capitalism, does not offer an adequate model of the good life in an emerging international society whose only form of stability is an equilibrium of evils. The three established forms of universalising thought – religion, philosophy and natural science – must be re-imagined if they are to play their part in the search for international society's highest values, including the ideal of all ideals whose traditional name is 'justice'. Justice is the social expression of a spiritual dimension. All those whose personal life contains a spiritual dimension have an exceptional revolutionary responsibility.

I feel honoured to be here today but I must say that I also feel alien, an outsider, a visitor from another world – a sort of saner version of Nietzsche. I have dedicated my intellectual life to the idea that the old ways of speaking about the human world are exhausted – the serious but sterile mode of the *social sciences*, the well-meaning but hypocritical *social democratic* mode (*americane*, the *liberal* mode) and, I must say, the good-hearted *Catholic social-teaching* mode.

The human world is now too full of chaos, evil and danger – and too full of wonderful unused possibilities of human self-transforming, human self-perfecting. We who think for a living must re-imagine our task. Intellectuals must learn to speak with a new voice.

A. *Globalisation is the beginning of the self-socialising of all-humanity*

We are privileged to be living at one of the great moments of humanity's self-transforming, a high point in the self-evolving of the human

species. The invention of language. The invention of tools. The invention of the family. The invention of the tribe. The invention of inter-tribal conflictual and co-operative co-existence. The invention of law. The invention of art and the arts. The invention of religion and religions. The invention of agriculture. The invention of money. The invention of urbanism. The invention of mathematics. The invention of philosophy and philosophies. The invention of the modern state. The invention of printing. The first scientific revolution. The industrial revolution. The second scientific revolution. The technological revolution. And now what I persist in calling the international revolution. *Homo faber* ceaselessly self-fabricating. The human being – created by God, but constantly self-re-creating.

2. Travel, trade, war and empire-building taught human consciousness about the remarkable *diversity* of the human world. Religions and philosophies and the natural sciences taught human consciousness about humanity's *possible unity*. Humanity discovered the dialectic of the Self and the Other as it discovered the dialectic of the Many and the One.

3. Human society is the privileged scene of the drama of the interaction of the dialectics of the Self and the Other and the Many and the One. The history of each particular human society – Self and One – is a particular story of that dialectical interaction. The drama of human self-socialising has three crucial focuses – the *ideas* that a society invents to form its continuing idea of its unifying identity; the *institutional structures and systems*, including its legal system, which a society invents to carry its substance through time; and the *economy*, that is to say, the social integration of human energy and human creativity.

4. So-called globalisation is the manifestation at the level of *all-humanity* of the three crucial focuses of society-making – the emergence of *ideas* necessary for the unified identity of humanity itself; the emergence of global social *structures and systems*, including a global legal system; and the emergence of a global *economy* integrating all human energy and human creativity everywhere.

5. *Conflictual* co-existence of the tribes began with spears and has not ended with nuclear weapons. *Co-operative* human co-existence began with the family and has not ended with the co-existence of nation-states. The long-awaited *international society* – the *humana universitas* (Dante), the 'universal society' (Suárez), the 'great and natural community' of mankind (Locke), the *civitas maxima* (Wolff), the 'great city of the human race' (Vico), the 'general society of the human race' (Rousseau), a 'perfect civil union of mankind' (Kant), the 'international society of all human beings,

the society of all societies' (Allott) – is the natural next step in the story of human self-transforming, the self-evolving of the human species.

B. As typical social phenomena accumulate at the global level, the perennial question of the nature of the 'good life' arises yet again, in an unprecedented form

6. A delightful historical puzzle about *social philosophy* is the question of which comes first – significant social transformations or significant developments of social philosophy? Does the owl of Minerva also fly at dawn?

7. A striking feature of all human societies is the energy that they devote to the imagining and re-imagining of their ideas of themselves – what in my work I call a society's *theory*. In the words of Émile Durkheim: 'a society, above all, is the idea that it forms of itself' (*The Elementary Forms of Religious Life*).

8. You don't have to be a Marxian *pur et dur* – or even *impur et doux* – to believe that significant *economic* transformations *accompany* significant *philosophical* developments and – avoiding, for the moment, the question of causation – *vice versa*. At least, it seems as if the production, distribution and exchange of ideas is an integral part of a society's economy – 'mental production', in the excellent formula of the *Communist Manifesto* and *The German Ideology* (K. Marx & F. Engels).

9. In a tradition inherited from ancient Greece, we refer to the central focus of such society-imagining activity as the collective search for *ideas* about the *good life*. We have also inherited from the Greek tradition – above all from a single book: Plato's *Republic* – the idea that the question of the idea of the good life in society may be seen as inseparable from questions about ideas that *transcend* society – questions about a supra-societal natural or supernatural order, and about values that are not merely values generated internally in a given society. We have also inherited a possible corollary – that the life of the *polis* is good if it is good both politically *and* morally.

10. A given society may choose to ignore society-transcending ideas. A given society may choose to see society-transcending ideas as social and pragmatic and internal – Chinese Confucianism, as a possible example, or American exceptionalism. A society may also reverse the perspective, seeing ideas about the good life as necessary *deductions* from an *a priori* transcendental order, especially a religious order of ideas and values.

11. Societies have what I call, in my own writing, a *public mind* (like Durkheim's *conscience collective*) which contains *inter alia* a process of collective thinking that we have come to call *politics*, in the broadest sense of

that word – a mechanism for collectively identifying, and constantly re-identifying, the *substance* of a society's collective values, and for collectively determining, and constantly re-determining, the practical day-to-day *application and enforcement* of its collective values – whether those values are seen by the society as ultimately religious or philosophical or pragmatic.

12. Without the risk of exaggeration, we are bound to say that the imagining of the philosophy and politics of the good life in the *public mind* of *all-humanity* poses an unprecedented intellectual and practical challenge – a challenge that may prove too great even for humanity's amazing self-imagining and self-socialising capacity.

C. Post-European civilisation, dominated by democracy and capitalism, does not offer an adequate model of the good life in an emerging international society whose only form of stability is an equilibrium of evils

13. We may be inclined, as a personal *a priori*, to agree with Aristotle's opinion – 'Hence it is evident that the same life is best for each individual, and for states, and for mankind collectively' (*Politics*, VII.3.10). Whether or not we accept Platonic-Aristotelian holism or some sort of historicist determinism, it is obvious that the experience gained by humanity in the management of subordinate societies provides an inspiring source of material as we try to imagine the good life at the level of all-humanity.

14. However, an aspect of the present state of the human world requires us to take account of a quite specific, albeit contingent, way in which humanity has chosen to imagine its self-socialising. For well-known historical reasons, the effects of the self-imagining and self-socialising of a particular region – Europe – have been felt on every other continent and are now influencing the social development of all human societies everywhere.

15. This is not to say that there are not other worldviews – philosophical or religious – that have a claim to be universal or universalisable. It is merely to acknowledge the fact that post-European civilisation – no longer dominated or determined merely by the European mind or by reference to European experience – seems to be, at the present time, an exceptionally exportable commodity.

16. This in itself gives rise to two serious problems. In the first place, democracy and capitalism – those not-so-heavenly twins which are central features of post-European civilisation – are intrinsically *dehumanising*. Democracy-capitalism is an extreme form of *totalitarianism* in which soci-

ety takes over every human being – body and mind – so that human beings become little more than component parts of vast impersonal machines. Private life and the private mind become *residual phenomena*. Society's values and high values are internalised and instrumentalised within naturalistic, self-explaining and self-justifying social processes. Society determines the meaning of what we suppose to be our *freedom*. We *desire* what society desires us to desire (Frankfurt School).

17. The second problem is that when democracy-capitalism is exported and, especially, when it floats in the *philosophical void* of the existing international system, it takes on a *deracinated* form – in which even the values and high values of a given society evaporate in the face of incompatible values in the importing societies, and in the value-free wasteland of the existing international system.

18. Democracy-capitalism has an intrinsic tendency to degenerate into the management of forms of *evil* – greed, corruption, immorality, crime, injustice – the after-life of the Hobbesian jungle. The existing international system, the international *unsociety*, which is even closer to the Hobbesian jungle, is an arena in which human self-wounding and self-destroying flourish, in which the characteristic form of self-ordering is a random and protean balancing of forms of evil, an *equilibrium of evils* – to borrow a phrase from Friedrich Schiller (*On the Aesthetic Education of Man*) – the wasteland people call peace (Tacitus, *Agricola*: quoting the words of a British leader speaking before a battle with the Romans, c. 80AD).

19. The common good of humanity will not be found in the grandiose and pious declarations of governments – rhetoric masquerading as action. The painstaking process of finding the common good, organically and functionally, has already begun in the growing legislative, executive and judicial activity of the emerging international constitutional system, as it struggles with real-world social situations that can only be dealt with internationally.

20. Social progress at the national level required the making of new forms of politics, new forms of law, new forms of social responsibility and public accountability. To construct a new form of international politics, a new form of international law, a new form of international social responsibility and public accountability is an unprecedented intellectual and practical challenge – a challenge that may prove too great even for humanity's remarkable self-ordering and self-perfecting capacity.

D. *The three established forms of universalising thought – religion, philosophy and natural science – must be re-imagined if they are to play their part in the search for international society’s highest values, including the ideal of all ideals whose traditional name is ‘justice’*

21. When biological evolution by natural selection gave way to the unnatural self-evolving of a species that biology had created – the human species –, we found that biology had very kindly bequeathed to us some amazingly powerful capacities of the human brain. The power of *universalising thought* has enabled the human species to create a world of its own, a second habitat, the *human world*, a metaphysical world existing only in the human mind. It is the ‘construction of universality’ by which ‘the individual becomes universal’ (H. Marcuse, *Reason and Revolution* – discussing Hegel).

22. *Religion* is a metaphysics of human existence. *Philosophy* is a metaphysics of the human mind. *Natural science* is a metaphysics of the natural world. However, these amazing self-created human mind-systems are as equivocal as everything else human. They can produce *evil* as readily as they can produce *good*. There is not religion; there are religions. There is not philosophy; there are philosophies. There is not natural science; there are natural sciences. There can be bad religion, bad philosophy, and the abuse of natural science.

23. Philosophy may claim priority over the other two forms of universalising thought, given that they are themselves mental phenomena with which philosophy must, in principle, occupy itself. Needless to say, a *religion* whose primary source of validity is *belief* may not be willing to concede priority to philosophy. And *natural science*, whose provisional truths are ‘true’ so long as they correspond to physical phenomena, may function successfully without seeing any need for assistance from philosophy.

24. However – remarkably – philosophy may *disable itself*, may repudiate its own transcendental potentiality. And this is what happened, within European and post-European civilisation, in the 20th century. Philosophy proved philosophically its own impossibility (Aristotle said that denying philosophy is itself philosophy). A philosophy of *unphilosophy* marginalised the capacity of the human mind to regulate its own activity, leaving the *human mind* in a state of sulphurous anarchy, leaving the *human world* in the uncertain embrace of ideologised philosophies, religions good and bad, and the inherent hegemonic tendency of the natural sciences. The end of philosophy (Heidegger) was the end of a human potentiality.

25. An inevitable victim of the catastrophe was one of philosophy’s greatest achievements – the idea of the *ideal* – the idea that the human mind

can order its activity and judge its activity in conformity with the permanent possibility of *self-perfecting*.

26. The ideal is the goal we aim at but never reach – to speak truly, to create beautifully, to behave goodly – because truth, beauty and goodness are manifestations of the order of all order, the ideal of all ideals which, in a particular Western philosophical tradition, we call ‘justice’. In a Taoist formulation: ‘*Tao* never does, yet through it all things are done’ (*Lao tzu*, ch. 37). The ideal is the place where *will* and *idea* (Schopenhauer) are one.

27. The rediscovering by the *public mind* of *all-humanity* of the full potentiality of the *ideal* self-ordering of the human mind is an unprecedented intellectual and practical challenge – a challenge that may prove too great even for the amazing self-transcending power of human self-contemplating.

E. Justice is the social expression of a spiritual dimension. All those whose personal life contains a spiritual dimension have an exceptional revolutionary responsibility

28. Justice manifests itself in countless subordinate forms – social justice, the justice embodied in positive law, the justice of the application and enforcement of the law... But the ultimate validity of *the law* does not rest on the will of the sovereign, the general will of the people, custom, the *mores maiorum*, Hobbesian obedience, Lockeian consent or, still less, on the violence of the state (Ihering or Weber), but on the paradigm of order present in the human mind. ‘Before laws were made, there were relations of possible justice’ (Montesquieu, in the much disputed first chapter of *The Spirit of the Laws*). The same will be true of the emerging international law of the emerging international society.

29. In the *spiritual* dimension, we live in a *third world* – beyond the natural world and the human world. It is a dimension akin to Kant’s ‘*a priori* forms of intuition’ (space and time), (*Critique of Pure Reason*, Transcendental Aesthetic). In the spiritual dimension we see the world in a different light. And the spiritual dimension has *two axes* – the horizontal axis: each human being’s relationship to all other human beings; and the vertical axis: the relationship between human existence and the mysterious existence of all-that-is, in and beyond the knowable universe.

30. And now, finally, I have to say something harsh about the Roman Church. I hesitate to say it in this forum and in this city. But I can do no other – as one might say, if one were a turbulent German monk: *ich kann*

nicht anders. The Roman Church is the bearer of a *revolutionary inheritance*, the permanent possibility of a fundamental transformation of human existence in both axes of the spiritual dimension. But – to use a crude modern formula – Catholic Christianity is an *under-used asset*.

31. The Church has been an agent of the ideals of *speaking truly* at the highest intellectual levels, and of *creating beautifully* in the highest forms of art and architecture and music and liturgy. But somewhere and somehow the Church lost its way in the face of the modern world – perhaps in the 16th century, or else in the 19th century, or else in the 20th century. It is difficult to say exactly when and how. At some point the Church began to fail in the exercise of its *revolutionary spiritual responsibility* – its mission to transform human beings and human societies into instruments of *behaving goodly*, instruments of human self-perfecting. The Church has seemed to aspire only to be another voice in the internal debate of the public mind, another meeting-place for a self-selected good-seeking few.

32. And yet – daunting and inspiring fact – the Church is an active presence in the minds of more than a billion human beings. Surely the time has come for the Church to take up again its *revolutionary mission*. Surely the Church could learn to sing a new version of its oldest song, could find within itself a new kind of theology – a *transformation theology* – to make a new kind of human being, a new kind of human society – a global *metanoia*. Without a better kind of human being we cannot make a better kind of human world.

33. I cannot say how the Church might re-imagine itself to meet the terrible challenges of the human world of the 21st century. I can only speak as a sort of intellectual refugee, a survivor from the formerly *influential few* (Bentham), the long-suffering *clerisy* (Coleridge, Benda), the despondent *universal class* (Hegel), the anguished *remnant* (Matthew Arnold), the derelict *commonwealth of mind* (Pater) – trying to live in a despiritualised and despiritualising world.

34. Those of us who belong to those beleaguered classes but are still able to recognise the spiritual dimension of human existence, those of us who are still able to look at humanity's unfulfilled potentiality with joy and hope, those of us who are still able to *think beyond*, we surely have a special *revolutionary responsibility* – to make a revolution in humanity's self-imagining – *a revolution in the mind, not in the streets*.

INTEGRATING GLOBAL ENTIRETY BY INTEGRATING DIVERSITY

HANS F. ZACHER

Preliminary Remarks

The Academy owes Professor Allott great thanks for the power and the aesthetics of his report – especially for presenting essential assets of intellectual history and their present-day relevance.

There are two merits the paper should above all be praised for. The one is the distinctness with which Professor Allott shows what is radically new in this situation: ‘the beginning of the self-socialising of all-humanity’.¹ The other is the emphasis the author places on putting ‘justice’ under the responsibility of society: not the responsibility of only the individual, not the responsibility of only the government or the courts – but the responsibility of all of society. Of all the elements constituting civil societies: private and public ones, informal interactions and groups as well as organisations producing individual benefits or collective goods, defined by ideas and aims, by personal characteristics or by spatial conditions, local, regional, national or transnational ones. At the present stage, that responsibility of society essentially means also the responsibility of global society. But this global society itself is weak, is of a tentative nature. It is above all extremely unbalanced: between power and powerlessness, between accountability and arbitrariness, between rationality and feelings, between totalitarian uniformity and liberal openness. Thus, ‘global justice’ at this time is not more than a project, but a necessary one all the same, as the report very clearly shows.

¹ From the Academy, see already *Democracy in Debate: The Contribution of the Pontifical Academy of Social Sciences. Final Document*. In: Hans F. Zacher (Ed.), ‘Democracy in Debate’. Pontifical Academy of Social Sciences, Miscellanea 5, Vatican City 2005, pp. 238 e.s. (pp. 291 ff.). See there for additional references to the Academy’s former work on globalisation.

Commentary

As always, if a report does justice to its task, there is nothing to be criticised or even contradicted. So the only way to avoid simply delivering a blank sheet is to offer some additional observations. Which is what I will seek to do by sketching out five aspects:

- the primacy of equality, and the paradox of human equality and human diversity;
- the connection between the paradox and the concerns addressed by the term ‘social’;
- the classic maxims of social life and their importance for understanding the aforementioned paradox;
- the essential relevance of particulate entities; and
- human equality and how it contrasts with the inequality of particulate entities.

1. THE PRIMACY OF EQUALITY, AND THE PARADOX OF HUMAN EQUALITY AND HUMAN DIVERSITY

Global society’s self-detection as such occurred when humans understood themselves to be essentially equal. That was when they perceived the reality of humankind as a whole – and when they came to accept the norm of their equality. At the same time, the paradox of all human societies became universal: the fact that humans are just as equal as they are different. They have different characteristics. They live under different conditions. They behave differently. Under these circumstances, equality means to treat human beings differently in accordance with their differences.² That is the paradox of human equality and human diversity.

This paradox was always a central challenge for all human societies. Throughout history, false responses to that challenge were widespread – from slavery to serfdom, from castes to apartheid. Global society, however, is based on the idea of undivided human equality. In fact many types of violation are still on their way. But there is already a *volonté general* condemn-

² The Academy started its work with exactly this subject: Edmond Malinvaud/Margaret Archer (Eds.), *The Study of the Tension Between Human Equality and Social Inequalities from the Perspective of the Various Social Sciences*, Pontificiae Academiae Scientiarum Socialium Acta, Vol. 1, Vatican City 1996.

ing those violations – even if it doesn't have the power to hinder them. Without the primacy of the idea of undivided human equality, globalisation would not be what it is.

In social reality, the paradox of human equality and human diversity cannot be resolved. In individual thought, a perfect solution ought to be possible by drawing from all diversities the consequences adequate for integrating equality. In social practice, such an endeavour is impossible. Only approximations may be achieved. There are too many possibilities for discerning diversities, evaluating their relation to the premise of equality and for drawing the adequate consequences. The preconditions for arriving at solutions and achieving their acceptance are extremely complex. All that cannot be discussed here. The same is valid for the preconditions governing peaceful and stable outcomes. To be sure: conflict and dissent and the seeds of instability will always exist and accompany human actions. The success of any society, however, depends on how tensions between the primacy of equality and the endless multiplicity of diversities are turned into integration.

2. THE CONNECTIONS BETWEEN THE PARADOX AND THE TERM 'SOCIAL'

This statement holds true for all three meanings of the term 'social' as it is used here:

- first, in the very general sense considering only whether a multiplicity of individuals may be regarded as a society;
- second, in the narrower sense considering the degree of cohesion;
- third, in the specific political sense we know from terms like social rights, Social Charter, social insurance, social security or Social Democratic, and which has the same origins as the term socialism. This meaning is characterised by the intention to integrate what is essentially equal by means of interventions providing compensation, protection and help in favour of individuals who are weaker, disadvantaged, endangered, suppressed, exploited or simply poor. This sense is – not only, but with a certain emphasis – oriented to the distribution of material goods (from access to mere subsistence, to participation in prosperity).

These three dimensions of meaning are worthy of distinction, but the integration of equality must always regard the whole. The linchpin for the success of society is geared to the whole.

To understand the task of approaching equality by integrating diversities in this way shows how closely the challenge, the concept of welfare

state is associated with the general challenge to approach equality by integrating diversities. Hidden, admitted or offensively proclaimed, the welfare state is an attempt to approach equality of men. History started with binding this attempt to the national level. Even so, the idea of equality of men spread out universally. And history produced a remarkable coincidence. It is during the same period of time that humankind became aware of its entirety and that the project of the welfare state, and thus also the impetus towards equality driving it, was more widespread than any time before.

That which makes humanity essentially equal is not rendered simply by the term of 'equality'. It also involves individuality and freedom. Human individuality a priori denotes diversity. It refers to differences in talent and differences of fate. It also pertains to differences as a consequence of freedom and, vice versa, as freedom that allows for differences. By the same token, 'social' does not simply connote 'equality', but tends rather to be a relative concept in the sense of 'more equality' – which is not easier to implement than 'equality'. Yet it seems more human to strive for 'more equality'. It is this the program for a human global society.

The experience of the welfare state reveals the same. Welfare state does not only mean 'equality'. Welfare state does not only mean minimum living conditions for everyone. Minimum subsistence is one dimension of the welfare state. But not the whole. Welfare state includes also wellbeing, civilisation and culture – prosperity. The possibility of wellbeing. Embedded in the sphere of the individual by a fair chance of participation. All that is in a complex way connected with the essentially human importance of individuality and freedom. To neglect individuality and freedom was the central mistake of 'socialism'. Just as it was another central failure to overestimate and to exaggerate the political rule. Prosperity can only be produced by stimulating individuality and freedom and by opening up the space of deployment, which is described as society: private structures like families, neighbourhoods and mutual assistance or public structures like enterprises and markets, media and pressure groups, voluntary bodies and churches. And it was likewise a failure when the democratic welfare state itself concentrated too much on governmentally controlled social benefits and services. Or, put another way: It was likewise a failure, when the democratic welfare state itself concentrated too much on the compensation for disadvantages. To produce prosperity is not less essential than to compensate for disadvantages. Altogether a double dialectic is necessary: the dialectic between the production of prosperity and the prevention and control of, or compensation for disadvantages; and the dialectic between (private and civil) society and government.

That is the lesson we can draw from the experience of the welfare state. But who could play the role of the government within the global world? What institutions could integrate a global society if there is no global government to function as a catalyst? How could the dialectic between society and government work at a global level?

3. THE CLASSIC MAXIMS OF SOCIAL LIFE AND THEIR IMPORTANCE FOR UNDERSTANDING THE PARADOX OF HUMAN EQUALITY AND HUMAN DIVERSITY

The human equality/diversity paradox gave decisive impetus towards the development of human societies. And, in particular, it has become the driving power behind the emergence of global society. This momentum also poses a new challenge to the classic maxims of social life. These maxims like justice, solidarity, subsidiarity, participation and inclusion have always meant to help to observe, discern, understand, evaluate and arrange the variety of diversity. Now this service has to be rendered under new conditions of totality: the self-detection of humankind, and the acknowledgement of the undivided equality of men. That means that the maxims are addressees of questions they haven't answered before. But on the other hand that must not mean that no answers can be found within the new dimensions of thinking. It only means that the endeavour to find them is new.

Let us start with *justice* – the most dignified of all the principles to speak about. 'Justice' is of an elementary nature in a way that no one may doubt its validity whereas the responsibility for the concrete consequences will always be assumed by the individuals applying it. That is not less true today than it was true in the centuries before. There is for instance, on the one hand, the precept of *unicuique suum tribuere*. It demonstrates the radical individuality of dissolving the paradox and the endlessness of any attempt at fulfilling its promise of justice. On the other hand, we find the no less classic principles of *iustitia distributive*, *iustitia commutativa* and *iustitia legalis*. They show ways of placing differences in the service of essential equality.³ That is a mandate for the global society.

³ A very specific outline of such principles can be found in the German literature on the Catholic social teaching. For the application of 'social' in the 'social-political' meaning of the term, the following principles are recommended: justice of needs (*Bedarfsgerechtigkeit*), justice of achievement (*Leistungsgerechtigkeit*), justice of acquired standing

Solidarity has a similar basic structure. On the one hand, it refers to the elementary human solidarity of everyone with everyone. And again, we see the radical individuality of its fulfilment and the endlessness of coping with the task. On the other hand, there are structural options for understanding solidarity: solidarity between dissimilar beings and solidarity between similar ones; solidarity as the *raison d'être* of an entity; solidarity as the consequence of an entity, etc. And again, one must find ways to achieve compromises.

Subsidiarity contributes the categorical differences between entities as a means of reconciling equality and diversity. Traditionally – especially in the development of the Catholic social teaching – subsidiarity means the priority of the smaller units over the larger ones, of the narrower units over the wider ones; with the reservation that the capacity to take on the responsibility which is at stake, is equal.⁴ It is thereby easy to succumb to the temptation of giving national rules, organisations, etc., priority over international and transnational ones. Yet it is obvious that national institutions no longer suffice when seeking to establish the right order for a global world. That is *the* predicament of the global world. What, however, are the criteria used to detect the priority of international and transnational phenomena, especially those of a universal nature? But the problems are even more complex. The ‘smaller-or-bigger-rule’ proved to be deceptive. There are so many relations where the units compared may in some ways be regarded as ‘smaller’ and ‘bigger’ whereas in some other ways the ‘smaller’ ones are the ‘bigger’ ones. But the more this deception became clear the better the truth behind the subsidiary principle could be detected: i.e. the relevance of the relation between the structural features of social units, their competences and their tasks. Thus, more recently, ‘subsidiarity’ has finally also served as a signpost for finding the right relation between civil society and government or even the individual and a collective within the private sphere. ‘Subsidiarity’ means to assume the responsibility to optimize these relations. Thus ‘subsidiarity’ describes the

(*Besitzstandsgerechtigkeit*), justice of opportunities (*Chancengerechtigkeit*). Walter Kerber/Claus Westermann/Bernhard Spörlein, *Gerechtigkeit*. In: *Christlicher Glaube in moderner Gesellschaft*, Teilband 17, 1981, pp. 5 ff (pp. 44 ff).

⁴ The most spectacular development may be found in the European Law, when the principle of subsidiarity was acknowledged as a rule to protect the individuality of the member states against the superiority of the European Community (Art. 5 par. 2 European Community Treaty) or the European Union (preamble European Union Treaty).

responsibility to organize humankind in its global entirety. But it doesn't offer finished solutions.

A last and very significant example is the principle of *participation*. 'Participation' refers to the action of having or forming part of something that already exists and is (more or less) open to participation: organisations, procedures, goods. What, however, does 'participation' mean in the endless terms of the whole earth and all of humankind? The problem becomes even clearer if we shift our view from 'participation' to *'inclusion'*. Can a boundless earth or a boundless community of humanity constitute a place granting 'inclusion'? 'Global participation' presupposes structures to justify the corresponding relations.

4. THE ESSENTIAL RELEVANCE OF PARTICULATE ENTITIES

As we can see, turning the tensions between the primacy of equality and the endless array of diversities into integration is not directly a universal business. A satisfactory integration of essential human equality by drawing the appropriate consequences from human differences has occurred mostly within a particulate context,⁵ especially within a network of particulate entities like the family, local communities, regions, social interactions and organisations, and finally, the national state – all of which are categorically characterised by a comprehensive common ground of history, ethnicity, culture, civilisation, etc. But, in any case, every approximation to the ideal of integrating essential equality, while taking account of differences and drawing appropriate consequences there from, is dependent on a highly complex set of conditions. This set may include universal preconditions and implications, such as values, currents of opinion, policies, norms, institutions, etc. It is nevertheless impossible to completely replace particulate conditions by universal ones. On the other hand, every compromise has its own history. And every compromise achieved in (more or less) accepting a given arrangement for the integration of essential equality will trigger its own history. In this way, values are strengthened and new realities are created, thus also entailing advantages which the advantaged will want to keep. With every significant step taken in the adjustment of differences, a

⁵ The Comment presented by Bishop Marcelo Sánchez Sorondo contains impressive examples.

more or less new story of path-dependency begins. Consequently, the attraction of the particulate context gains new force.

There is, however, also another point of view on the essential relevance of the particulate context. The circumstances under which people are destined to live or have the chance of living vary within an extremely wide range. There is no possibility for reducing these differences in such a way as to enable all human beings to live under similar circumstances. Only particulate entities can realistically reduce differences in living conditions. It follows that global society can only take a global approach to the positive relationship between human equality and human diversity, in that primarily particulate entities reduce the differences within and among themselves, while global society seeks to reduce the differences between the particulate entities. Global society as such may contribute to that end by organising and articulating itself through international organisations and institutions, and the norms and practices they establish. In the process, non-governmental organisations can assume a role in assisting and complementing such a self-realisation of global society. Nevertheless, the particulate entities will continue to represent the irreplaceable media of reconciliation between equality and differences.

Beyond the private sphere – that is, beyond individuals and the family, beyond neighbourhood or other groups conditioned by personal or spatial proximity – the most important elements of this system are the *national states*. They constitute the most comprehensive units for realising that which is essentially equal by perceiving, evaluating and integrating the differences. They are also likely to offer the most efficient potential in finding ensembles of priorities and posteriorities that will be accepted as doing adequate service to equality and differences, without necessitating a complete reaction to all differences and also without reaching a complete consensus among all persons concerned. The history of the modern liberal welfare state and its various conceptual designs provides an impressive set of examples here.

On the other hand, the importance of national states derives from their international power. International law lies in the hands of sovereign states – that is, the community of sovereign states. Thus, every state potentially has a veto position in developing a regime of international governance. It follows that the dialectic of civil society and government, which is of great significance to the non-totalitarian national state, has no counterpart in the global realm.

Hence, globalisation bears what has been termed the ‘chaos-risk’, which is characterised, on the one hand, by the erosion of the ordering and paci-

fyng role of the national state as a result of transnational movements, actions and organisations, and, on the other hand, by the deficits of international policy and the lacuna of international law. This risk poses a danger to all those who take part in such transnational activities, as the superiority of factual power remains unchecked. This risk also poses a danger to all people and goods impacted by the transnational effects of national politics or even non-governmental national actors.

In this context, however, we must note an important background. The governmental and constitutional system of a national state is decisively determined by the stabilisation of governmental powers, not necessarily, however, by law, not to mention the rule of law. Experience shows that the international community has only very weak and unreliable means to control what values are nationally respected, and to protect internationally accepted values against violation by a certain national government. That is not only valid for national states that are blamed to leave the street of common values; it is also valid for national states ready to intervene with other national states – as a single country or together with a coalition, separately or in the framework of an international organisation. Hence, a degree of caution is – rightly – called for when seeking to intervene between states. More ‘international government’ would therefore mean that ‘bad’ governments could bring institutionalised influence to bear on other national states and the fate of their citizens.

5. HUMAN EQUALITY AND HOW IT CONTRASTS WITH THE INEQUALITY OF PARTICULATE ENTITIES

These observations call attention to the fact that essential particulate entities do not only offer an opportunity for the integration of equality, but also pose a risk. That begins with the family in which an individual is born and grows up, and is accompanied by the external circumstances under which the family lives and develops; by the size of the family and the qualities of its members, and how they develop; and by the way in which they use their chances and respond to the challenges they meet. And it ends with the national state in which one lives, with its natural reality and its standards of civilisation – and with its inhabitants: their capacities, attitudes, values and interests; the conditions of their development; their collective, especially political behaviour; their leaders in politics, public opinion, etc.; and their constitutional order. The latter may range from democracy and

the rule of law to totalitarian dictatorship. And within that range, we find the whole network of particulate entities and other particulate contexts. All these relations are accompanied by various modes of transnational or international openness or closedness. And always there is a complex dialectic between individual and collectively (or generally) given circumstances, and between developments based on free choice (or at least personal influence) and developments determined by others. But what does that mean if essential equality is to be realised by defining, evaluating and integrating differences? We are familiar with measures that are intended to discipline parents but ultimately afflict their children. And we know about international sanctions that hit also powerless people. We know about child benefits consumed by parents and about dictators that corrupt debt relief. From the standpoint of global society, the latter conflicts have priority. As a consequence of state sovereignty, however, it is especially these international or transnational problems that are much more difficult to solve.

The essential relevance of particulate entities nonetheless makes it clear that their prosperity is a fundamental requirement. 'Social' measures taken to compensate, assist and help are necessary, no doubt. But the a priori necessity is to adopt positive policies towards such vital preconditions as health, work, productivity, safety, incorruptibility, competent and law-abiding administrative practice, a well-ordered market economy, etc. – and towards the one thing that is more crucial than all the others: education. Education is the precondition for reading and hearing, for forming personal judgement, for participation. It is the central instrument needed to make use of rights and apply laws, and to control governments and other powers.

6. WHAT ABOUT THE WHOLE COMPARED TO THE PARTICULAR?

We see a big and dangerous gap developing between the global social space and the domains of particulate entities. This space is being filled by global society, which – if not challenged by a common global regime – remains weak and tentative. This space is also selectively occupied by international law and international institutions, but only in a fragmented way. All the more so, transnational movements, activities and organisations are moving into this gap – partly seeking to build up power, partly looking for refuge or offering refuge, and partly trying to cultivate the emptiness, while at the same time mostly eroding the control and responsibility of the particulate entities. After global society's self-detection,

however, no path leads back to the exclusive role of national states or other particulate entities.

Developing common norms, building international cooperation based not only on the principle of universality but also on shared values, and enhancing, intensifying and strengthening the international institutions that implement these shared norms and values – that must be the vision! And it is the responsibility of our time.

Besides normative concepts, structural solutions – institutions and organisations – will be decisive. The United Nations could be the answer to the global challenge – however in a very incomplete way. The UN is dominated by the principles of universal comprehensiveness and equality of all sovereign states. No difference is made between good and bad governance – normally not even between honest and criminal governments. No real difference is made between the values accepted and followed by the member states. As the United Nations practice on human rights shows, its culture is easily distorted by the ‘equality’ of governments abiding by the letter and the spirit of human rights together with governments scorning it. On the other hand, there are international organisations, which are defined by common values, common goods and/or common interests. The world monetary system, the World Trade Organisation or the Organisation for Economic Cooperation and Development are examples. Yet adequate complements would be needed to produce a global regime. It is not the task of this comment to draft a structural master plan for global justice. The above-mentioned remarks may, however, suffice to show that a more comprehensive and at the same time more differentiating and well-balanced system of institutions would be necessary.

GLOBAL JUSTICE IN POTENCY?

MARCELO SÁNCHEZ SORONDO

'Remota itaque iustitia quid sunt regna nisi magna latrocinia?'
(St Augustine, *De Civ. Dei*, IV, 4; PL. 41, 115)

*'Nowhere that the human being makes himself the one lord
of the world and owner of himself can justice exist.
There, it is only the desire for power and private interests that can prevail'*
(Benedict XVI, Homily of 2 October 2005)

I am very conscious of the declaration of the Supreme Pontiff John Paul II, the first Polish Pope in history and thus a man from a country that has suffered great injustice, to the effect that 'Peace is born not only from the elimination of theatres of war. Even if all these latter were eliminated others would inevitably appear, if injustice and oppression continue to govern the world. Peace is born of justice: *Opus iustitiae pax*'.¹ The almost immemorial origin of the idea of justice, its emergence beyond the mythical matrix of Greek tragedy, and the perpetuation of its divine connotations in secular societies, shows that the sense of justice is not limited to the construction of legal systems, which, however it never ceases to generate and nourish.² Writing within a context of realism, St Thomas Aquinas affirmed

¹ John Paul II, Address to the Pontifical Academy of Sciences, 12 November 1983, in *The Pontifical Academy of Sciences, Papal Addresses to the Pontifical Academy of Sciences 1917-2002 and to the Pontifical Academy of Social Sciences 1994-2002*. Benedict XV, Pius XI, Pius XII, John XXIII, Paul VI and John Paul II (Vatican City, 2003), p. 261.

² Saint Thomas Aquinas places great emphasis on the superior architectural importance of justice inasmuch as it orders each man, in himself and in relation to others, to good: 'while a part, as such, belongs to a whole, so that whatever is the good of a part can be directed to the good of the whole. It follows therefore that the good of any virtue, whether such virtue directs man in relation to himself, or in relation to certain other individual persons, is referable to the common good, to which justice directs: so that all

that the attraction towards just relationships with other people has priority over all the other imperatives of conscience and is the beginning of the ethical dimension: 'man has a natural inclination to know the truth about God, and to live in society: and in this respect, whatever pertains to this inclination belongs to the natural law; for instance, to shun ignorance, to avoid offending those among whom one has to live, and other such things regarding the above inclination'.³ St Thomas had read this in Aristotle's *Eudemian Ethics* which speaks directly about a divine instinct, that is to say a 'qualifying immediate tendency' (*orme*).⁴ Thus this inclination constitutes a natural impulse to knowledge of God, on the one hand, and to the primordial requirement to achieve social life by means of justice, on the other. Hence, if justice is the central path to interpersonal relations, this is even

acts of virtue can pertain to justice, in so far as it directs man to the common good. It is in this sense that justice is called a general virtue'; i.e. '*Pars autem id quod est totius est, unde et quodlibet bonum partis est ordinabile in bonum totius. Secundum hoc igitur bonum cuiuslibet virtutis, sive ordinantis aliquem hominem ad seipsum sive ordinantis ipsum ad aliquas alias personas singulares, est referibile ad bonum commune, ad quod ordinat iustitia. Et secundum hoc actus omnium virtutum possunt ad iustitiam pertinere, secundum quod ordinat hominem ad bonum commune. Et quantum ad hoc iustitia dicitur virtus generalis*' (S. Th., II-II, q. 58, a. 5 cor.). The comparison with charity is also very significant. 'for just as charity may be called a general virtue in so far as it directs the acts of all the virtues to the Divine good, so too is legal justice, in so far as it directs the acts of all the virtues to the common good. Accordingly, just as charity which regards the Divine good as its proper object, is a special virtue in respect of its essence, so too legal justice is a special virtue in respect of its essence, in so far as it regards the common good as its proper object. And thus it is in the sovereign principally and by way of a mastercraft, while it is secondarily and administratively in his subjects'; i.e. '*Sicut enim caritas potest dici virtus generalis in quantum ordinat actus omnium virtutum ad bonum divinum, ita etiam iustitia legalis in quantum ordinat actus omnium virtutum ad bonum commune. Sicut ergo caritas, quae respicit bonum divinum ut proprium obiectum, est quaedam specialis virtus secundum suam essentiam; ita etiam iustitia legalis est specialis virtus secundum suam essentiam, secundum quod respicit commune bonum ut proprium obiectum. Et sic est in principe principaliter, et quasi architectonice; in subditis autem secundario et quasi ministrative*' (Ib., a. 6 cor.).

³ '*Inest homini inclinatio ad bonum secundum naturam rationis, quae est sibi propria, sicut homo habet naturalem inclinationem ad hoc quod veritatem cognoscat de Deo, et ad hoc quod in societate vivat. Et secundum hoc, ad legem naturalem pertinent ea quae ad huiusmodi inclinationem spectant, utpote quod homo ignorantiam vitet, quod alios non offendat cum quibus debet conversari, et cetera huiusmodi quae ad hoc spectant*' (S. Th., I-II, q. 94, a. 2 cor.).

⁴ Aristotle, *Eudemian Ethics*, Book of Good Fortune, n. 3; see also C. Fabro, 'Le liber de bona fortuna chez Saint Thomas', *Revue Thomiste*, 1988, p. 356 ff.

more the case in our globalised world. Of course justice means first and foremost giving each person their due, as the old Latin adage says: '*unicuique suum tribuere*'.⁵ 'Each one' is a distributive pronoun because 'the specific act of justice consists in no less than giving to each what is his'.⁶

Perhaps one could say that with *the discovery of America the idea first emerged of a universal community* of all men on the basis of the theoretical recognition of the *ius gentium* (the law of peoples) proposed by de Vittoria which requires that the various peoples of the world mutually respect each other and co-operate in promoting justice and the common good,⁷ even though it does not exclude the 'defence' of certain peoples by others in order to achieve the growth of those peoples that are not fully developed. In reality, in addition to the positive contributions that at times were present, this defence often degenerated into the practice of colonial domination which frequently involved (in the judgement of scholars) the economic exploitation of the colonised territories, provoking in turn the process of decolonisation. In general, the establishment of order amongst the peoples of the world was achieved through bilateral treaties: states which were in a formal sense equally sovereign, pursuing their own national interests, negotiated and arrived at transactions. It often happened that the interests of the most economically powerful states prevailed over the interests of weak states which had to accept such conditions as a lesser evil. Perhaps this was also true of the nineteenth and twentieth centuries with the appearance of mul-

⁵ St Ambrose affirms that: '*iustitia est quae unicuique quod suum est tribuit, alienum non vindicat, utilitatem propriam negligit ut communem aequitatem custodiat*', i.e. 'It is justice that renders to each one what is his, and claims not another's property; it disregards its own profit in order to preserve the common equity' (*De Off.* 1, 24).

⁶ '*Proprius actus iustitiae nihil est aliud quam reddere unicuique quod suum es*' (S. Th., II-II, q. 58, a. 11 cor.).

⁷ In Hegel's view: 'only with the message of Christ, which holds that the individual as such has an infinite value being the subject and purpose of the love of God and is destined for an absolute relationship with God as spirit and to ensure that this spirit dwells within him, that is to say that man is in himself destined for the highest freedom, did the idea that all men are equal come into the world': *Enz.* §.482. This is demonstrated, *inter alia*, by the fact that the Athenians, the people shaped by Plato, Aristotle and Pericles, in their first war speech to the Spartans said 'it has always happened that the strong have dominated the weak; in addition it seems to us that we are worthy of this empire and so it seemed to you as well, until suddenly, while speaking about what is useful, you have unsheathed the language of justice. But in the name of the justice no one has been induced to forgo an advantage if the opportunity was offered to him of obtaining something by force': Thucydides, *The Peloponnesian War*, bk. 1, chap. 76.

tilateral agreements in order to uphold specific socio-economic interests rooted in certain visions of the world that were more utilitarian than co-operative. The principal states at times imposed their rules on lesser states, allowing them little or no space for negotiation.⁸

After the Second World War, with the increase in the awareness of the basic equality of all the peoples of the world, and with the recognition of human rights, *various organisations were created to promote co-operation* between the world's peoples (the principal such organisation was the United Nations which was founded on 27 December 1945) which tried, *inter alia*, to agree on standards of fairness in trade (for example the General Agreement on Tariffs and Trade, better known as GATT, signed in Geneva on 30 October 1947 by twenty-three countries) and sought to establish instruments for mutual aid and thus for the provision of constructive loans (the World Bank, created on 27 December 1945, the International Monetary Fund, created in the wake of the Bretton Woods conference of 1-22 July 1944, and others). At the outset the aim was the reconstruction and the development of the countries involved in the Second World War. Subsequently this was enlarged to the financing of developing countries that were member states.

The enlargement of these international organisations led to a progressive partial shift from national laws to international laws of varying degrees of enforcement, even though the old system of bilateral treaties (between strong and weak countries) has continued to exist in parallel. In general terms, the efforts and the dynamics of the post-war period towards a more co-operative world were praiseworthy but it would be difficult to assert without reservations that the new world order has met the requirements of international justice. The paradox is that whereas at a theoretical level justice, as fairness, is generally accepted as a basic rule, at a practical level injustice is committed or tolerated.

Aware of this disparity, inequality and divergence, and thus in order to eradicate extreme poverty and hunger in the world, rich nations from the 1980s onwards have been committed *to providing forms of aid* which, although sporadic, constitute an initial way of engaging in global distribu-

⁸ Cf. E. Malinvaud, 'La justicia internacional en el desarrollo económico global: lecciones de la experiencia', in L.E. Derbez Bautista (ed.), *Globalización y justicia internacional* (Fondo de Cultura Económica, Mexico, 2007), p. 30 ff. See also H. Zacher (ed.), *Democracy: Elements for Development of the Social Doctrine of the Church* (Vatican City, 2004).

tive justice, which, we hope, will increase and become more adequate. This aid attests to a further change, even though it is still inadequate. When the Millennium Declaration was signed in 2000, international aid budgets were at an all-time low as a share of national income.⁹ One may observe that the prolonged decrease in the flow of official aid has been inverted and official development assistance increased by 12 billion dollars from 2002 to 2004.¹⁰ At the conference for the funding of development held in Monterrey in 2002 both rich countries and poor countries agreed to promote the political reforms and new resources needed to achieve the Millennium Goals. This included the promise of developed countries to allocate 0.7% of their GDP to support for development. Indeed, without an increase in aid, by 2010 the shortfall between aid needed to achieve the Millennium Goals and actual delivery will reach more than 30 billion dollars.¹¹ Overall, in general, commitments as regards aid have not been honoured; indeed, in the year 2006 aid diminished by 5.1%.¹²

We may observe that these *broken promises*, which undermine the trust of the poor peoples of the world in the given word, on which all exchange, contracts and agreements are based, *is a form of international injustice present in the world today*. Indeed, this has led Gordon Brown, the British Prime Minister, to declare that if things remain as they are ‘the fight against poverty is one hundred years away from fulfilling its goals and promises’ and that ‘the richest countries cannot continue to establish goals without fulfilling them systematically and hoping that the poorest countries calmly continue to believe in us’.¹³ From a more integral, theological point of view the recent judgement of Benedict XVI is even more severe: ‘The aid offered by the West to developing countries has been purely technically and materially based, and not only has left God out of the picture, but has driven men away from

⁹ Cf. *Report on Human Development 2005*, p. 75.

¹⁰ *Ibidem*.

¹¹ *Ibid.*, p. 76.

¹² OECD, ‘Development aid from OECD countries fell 5.1% in 2006’, at www.oecd.org. J.J. Llach in his introduction to this meeting summarised this report in the following way: ‘the aid that has been given to LDC has fallen far short of the compromise of DC to allocate 0.7% of their GNI (Gross National Income). In 2005, the average was as low as 0.33%. According to the last data supplied by the OECD, in 2005 only 5 out of 22 members of the DAC (Development Assistance Committee, OECD) fulfilled the goal of ODA (Official Development Assistance) of 0.7%. They were Denmark (0.81%), Luxembourg (0.82%), the Netherlands (0.82%), Norway (0.94%) and Sweden (0.94%)’.

¹³ *Le Figaro économique*, 2.6.2004, p. III.

God. And this aid, proudly claiming to “know better”, is itself what first turned the “third world” into what we mean today by that term. It has thrust aside indigenous religious, ethical, and social structures and filled the resulting vacuum with its technocratic mind-set. The idea was that we could turn stones into bread; instead, our “aid” has only given stones in place of bread. The issue is the primacy of God. The issue is acknowledging that he is a reality, that he is the reality without which nothing else can be good. History cannot be detached from God and then run smoothly on purely material lines. If man’s heart is not good, then nothing else can turn out good, either. And the goodness of the human heart can ultimately come only from the One who is goodness, who is the Good itself.¹⁴

A sense of injustice is not only more keenly felt but more perspicacious than a sense of justice; justice, indeed, is more often what is absent and injustice is more often what prevails. And people have a clearer vision of what is missing in human relations than of the right way to organise them. This is why, even for philosophers, it is injustice that first sets thought in motion. Hence, Plato’s *Dialogues* and Aristotelian ethics, and their equal concern with naming together the just and the unjust.

What emerges from the paper given by Allott is that when we look at individual peoples, above all those of the Western world, there is some justice or at least imperfect justice. If, instead, we adopt an overall vision of the peoples of the world, evident signs of global injustice emerge: ‘Post-European civilisation, dominated by democracy and capitalism, does not offer an adequate model of the good life in an emerging international society whose only form of stability is an equilibrium of evils’.¹⁵

In the current international order – which involves dehumanising democracy and capitalism – to which Allott alludes, we can see *unequal divisions* that we regard as unacceptable, without by this accepting as a model the cutting of the cake into equal parts, a model which perhaps has never stopped troubling the dreams of a just distribution which run the risk of leading the theory of justice up a blind alley. When we think of the problems of hunger and thirst we do not think of equal distribution but of decent provisions and we are scandalised by what Paul VI, as long ago as 1972, condemned as the unacceptable ‘drama of hunger in the world’.¹⁶

¹⁴ Joseph Ratzinger Pope Benedict XVI, *Jesus of Nazareth* (Doubleday, New York, London, Toronto, Sydney, Auckland, 2007), p. 33 f.

¹⁵ P. Allott, ‘International Society and the Idea of Justice’, part C.

¹⁶ *Papal Addresses*, p. 205.

Today we know that 850 million people are malnourished and do not have sufficient access to clean water: in 2004 the WHO and UNICEF estimated that 1.1 billion people did not have access to an improved water supply and that 2.6 billion people were without sanitation.¹⁷ We are also conscious of the fact that such hunger and thirst is not the outcome of lack of food and water resources. When studying the famines of the nineteenth and twentieth centuries, Amartya Sen discovered that no famine was accompanied by an objective lack of food supplies – people died of hunger but food was available.¹⁸ St Thomas's statement, 'In cases of need all things are common property',¹⁹ which summarises Christian tradition and guides it, is well-known. The goods of the earth, including those that are in private hands, have an original and universal destiny which is to serve all men. Therefore, 'It is not theft, properly speaking, to take secretly and use another's property in a case of extreme need: because that which he takes for the support of his life becomes his own property by reason of that need'.²⁰ Christians regularly ask God to give them their daily nutrition: 'Give us this day our daily bread'. Thus they cannot accept that their brethren remain hungry.

We may also observe that sanctions appear to be disproportionate compared to the damage or support that are arbitrarily handed out to some people and not others – in short, we discern *retributions that are not deserved*. Paul VI himself stressed the distortion in the international system of trade which because of protectionist policies often discriminates against the products of poor countries and obstructs the growth of industrial activity and the transfer of technology to such countries.²¹ Considering just agricultural and food protectionism and subsidies, more than 1 billion dollars are spent dai-

¹⁷ WHO and UNICEF, 2006, *Joint Monitoring Programme for Water Supply and Sanitation Database*; available online at www.wssinfo.org.

¹⁸ J. Drèze and A. Sen, *Omnibus* (Oxford, 1999).

¹⁹ 'In necessitate sunt omnia communia' (S. Th., II-II, q. 66, a. 7 *sed contra*).

²⁰ 'Uti re aliena occulte accepta in casu necessitatis extremae non habet rationem furti, proprie loquendo. Quia per talem necessitatem efficitur suum illud quod quis accipit ad sustentandam propriam vitam' (S. Th., II-II, q. 66, a. 7 ad 2). Hegel, on the other hand, criticised St Crispin of Viterbo (1668-1750) who stole leather to make shoes for the poor: 'St Crispin was a pious man but in an ordered State he would have been shut up in a workhouse' (*Vorlesungen über Rechtsphilosophie*, K.-H. Ilting (ed.), Stuttgart-Bad Cannstatt 1973-74, Vol. IV, § 126). Of course, Hegel's 'kingdom of realised freedom' thereby ended up by subordinating everything to the state and to the point of forgetting about the poor and condemning this saint for his attempts to attend to their needs.

²¹ Cf. Paul VI, *Populorum progressio*, § 61; see also John Paul II, *Sollicitudo rei socialis*, § 43.

ly by OECD countries, which is terribly damaging for the poor in many countries.²² Thus in today's international order there exist at the same time as a new and sustained wish for justice three forms of injustice which can be summed up in promises that are not kept, the continuation of unequal distribution, and disproportionate redistribution. We may conclude that we are in the presence of the beginning of justice, or justice in potency.²³ We need new mechanisms to implement justice in a globalised world.

Globalisation today, prior to being an economic or cultural phenomenon, or one connected with the information technology revolution, is a *physical-chemical-biological reality to do with a disturbance of the state of the world's climate* that has operated through air (the atmosphere, the stratosphere) and water (in particular the oceans). This is because of what has been called the 'anthropocene age',²⁴ that is to say an age characterised by global climate change caused by human action, has involved a boomerang effect on the welfare and health of humans (both directly and indirectly through other living species), especially the poorest and the weakest, and thus on politics, the economy, ethics and the various dimensions of man's experience and activity on the earth.²⁵ Naturally, the climate (the air and the oceans) has a direct relationship with natural resources, which in turn have a direct relationship with

²² J.J. Llach, 'Gaps and Poverty in the Long Run', in L. Sabourin (ed.), *Globalisation and Inequalities* (The Pontifical Academy of Social Sciences, Vatican City, 2002), pp. 43 ff.

²³ St Thomas Aquinas, 'Just as moderating the passions is equivalent to the government of reason, so moderating actions directed towards the outside and other people is equivalent to adapting them to those other people, giving to each of these what is due to him. When this adaptation is perfectly achieved, we have the virtue of justice (and all the other virtues which contribute to this adaptation are an integral part of justice). For that matter, when this adaptation is achieved only in part, we have potential justice': '*Sicut moderatio passionum est adequatio ipsarum ad ratione: ita moderatio exteriorum actuum, secumquod quod sunt ad alterum, est quod adaequantur illi ex comparatione ad quem moderantur. Et haec quidem adequatio est quando ei redditur quod et quantum ei debetur; et haec adequatio prprius modus iustitiae est. Unde ubicumque invenitur ista adequatio complete, est iustitia quae est virtus specialis; et omnes virtutes in quibus salvatur, sunt partes subiectivae iustitiae. Ubi autem ista adequatio non secundum totum salvatur, sed secundum aliquid, redictur ad iustitiam ut pars potentialis, aliquid de modu ejus participans*' (St Thomas Aquinas, *In III Sent.*, d. 33, q. 3, a. 4, qc. 1 cor.).

²⁴ Cf. the important work by the member of the Pontifical Academy of Sciences, who was awarded the Nobel Prize for his research in this field, P.J. Crutzen, 'Geology of Mankind – The Anthropocene', *Nature*, 2002, 415, 23.

²⁵ Cf. The Pontifical Academy of Sciences, *Interactions between Global Change and Human Health* (Vatican City, 2006).

man and life. I would briefly like to refer to two which the Holy See has always laid emphasis on in line with the realities of human needs during the suffered pathway of man's history – energy and water. Like the climate, energy and water are seen as the inalienable possessions of every human being because they are a pre-requisite for the realisation of most other human rights, such as the right to life, to food, and to health.

Here Allott is right when he observes that today it is necessary to employ philosophy, science and religion together. What is needed is an interdisciplinary approach as well as a capacity to assess and forecast, both from the point of view of theoretical reason, which has the function of knowing and investigating, and from the point of view of practical reason, which must be guided by justice in achieving a just global redistribution of the goods of the earth. Both the developed world and the developing world, and in particular their natural and physical scientists, economists, social scientists, experts in health care, engineers, political and business leaders, industrialists, entrepreneurs and trade unionists, are especially called, working together, not only to monitor the dynamics of global climate change, and the management of sustainable energy and water, but also to draw up and apply solutions at an international level to its possible consequences, paying particular attention to the fact that the poorest countries are likely to pay the heaviest price for this ecological deterioration.

Remembering Paul VI's observation made to the Pontifical Academy of Sciences that 'the scientist must be animated by the confidence that nature has in store secret possibilities which it is up to intelligence to discover and make use of, in order to reach the development which is in the Creator's plan',²⁶ today there are enormous scientific opportunities, in the form of the discovery of *new pathways*, by which to introduce a just order, and solutions, into man's relationship with the climate, energy and water. In order to understand the global climate and to predict its future development, it is essential to observe the components of the balance of energy within the system made up of the surface and the atmosphere of the earth. As Archimedes postulated, the source of energy for this system is solar radiation, but this has not been sufficiently studied or utilised. Whereas nature is able to use solar energy (photosynthesis), without which, indeed, there would be no life, human intelligence as yet has not even begun to exploit its full potential: worldwide energy use is only 0.05% of the solar radiation

²⁶ The Pontifical Academy of Sciences, *Papal Addresses*, p. xxvi.

reaching the continents and only 0.6% of the incoming visible solar radiation is converted to chemical energy by photosynthesis: 55% on land and 45% in sea water (Crutzen). Rather than investing millions of dollars, for example, in research into tobacco or other superfluous or less central subjects, necessary funds should be dedicated to research into new ways of using the energy of the sun, on which, indeed, our future may depend.²⁷

A similar observation may be made about *water*. The new information provided by satellites shows that when comparing Mars, Venus and the earth, which are all of the same geological age, only the earth has liquid water whose dynamics are controlled by the hydrologic cycle. If we do not conserve the equilibrium of this cycle, the singularity of earth and the life it sustains will be very much at risk and the earth could become like other planets. We must become aware that today the integrity of the ecosystems that sustain water flows – and in the final analysis human life as well – has been compromised. A lack of respect for ecological needs brings about the erosion of the environment which itself provides the resources for survival and growth, thereby generating long-term damage to human development. The environment, like human beings, needs water.²⁸ Meeting such needs is not only an act of justice but also a ‘form of charity’ towards present and future generations which should take place within the framework of ‘ecology’.²⁹

At a general level, economic development of an industrial kind based on *centres of local development* would also allow the stability of local populations and thus avoid migrations towards urban conurbations that contribute in a particular way to global warming. One is dealing here with developing forms of agriculture that centre around small cultivators, thanks above all else to income that will allow them to live in decent conditions and also to invest in the expansion of cultivable land, where this is possible, and to an increase in returns thanks to improved techniques and methods. There is thus no contradiction between industrial agriculture dedicated to exports and local agriculture centred around various products; indeed, a balanced approach to these two forms of agriculture, which will favour biodiversity and the maintenance of ecosystems, is the most ecolog-

²⁷ C. Rubbia, ‘Las vías del descubrimiento’, in L.E. Derbez Bautista (ed.), *Globalización y justicia internacional* (Mexico, 2007), pp. 253-263.

²⁸ Cf. Ignacio Rodríguez-Iturbe and Marcelo Sánchez Sorondo (eds.), *Water and the Environment*, The Pontifical Academy of Sciences (Vatican City, 2007).

²⁹ Paul VI, Address to the Pontifical Academy of Sciences, 19 April 1975, in The Pontifical Academy of Sciences, *Papal Addresses*, p. 209.

ical way of managing rural exodus and the growth in urban centres, which run the risk of not being sustainable, and is imperative. Brazil, for example, aims at a development whose goal is a 'civilisation of plants', a world 'without oil', which favours rural life.

By voluntarily or involuntarily conserving their rain forests, tropical countries have rendered an inestimable service to mankind and the climate, for which, hitherto, they have not been rewarded. These countries should receive incentives *to conserve their forests*. For them, cutting down their forests for timber – even though at the present time they receive about 5% of the final retail price of Western capital cities – is the only way they have to make ends meet. To compensate developing countries for the provision of these environmental services could be a way of increasing aid in a substantial way and at the same time of providing these countries with sound market incentives. From the point of view of the global climate, in absolute terms the best use of these resources would be the conservation of forests, although this does not preclude the possibility of rational forest use. This is an initiative in which all countries should join in order to achieve justice. In a world divided between rich and poor countries, between North and South, between those involved in the protection of the environment and those interested in development, this initiative could really unite us all. The leaders of the Group of Eight should bear this proposal in mind.³⁰

And here we touch on *the question of global economics* which I address with great caution before so many distinguished economists. But if Pius XI asked himself about the need to establish a just wage, today, in a globalised world, there must be, out of necessity, the question of the just economy, of the just use of capital, and of just interest. One cannot think only of the macro-economy and leave aside the micro-economy of peoples and individuals. Here the principle does not apply that the sum is greater than the parts because one is dealing with peoples and human beings. If the macro-economy does not pay attention to people perhaps one can have an abundant amount of money for the few but many will die of hunger, as is narrated in the tale of King Midas who had an insatiable desire for money and asked the gods to ensure that everything he touched turned to gold. He died of hunger as a result because all his food became transformed into this yellow metal.³¹

³⁰ Cf. J. Stiglitz, 'Deforestazione', *La Repubblica*, 15 giugno 2005.

³¹ Aristotle, *Politica*, I, 10, 1258 b ff. It seems to me that a first penetrating approach to the topic can be found in E. Malinvaud, *Que doit-on entendre par de justes finances?*

As Joseph Stiglitz forcefully denounces it, the global financial system is not working well, and it is especially not working well for developing countries. Money is flowing uphill, from the poor to the rich. The richest country in the world seemingly cannot live within its means, borrowing \$2 billion a day from poorer countries. Today there is a global financial system that is capable of keeping crises under control, preventing a crisis in one country from having a domino effect on the rest of the countries in the globalised world. But in actual fact it is the developing countries that pay the price of this control system. Therefore, the reform of the global reserve system, suggested by our Academician Joseph Stiglitz and inspired by Keynes, appears to be all the more necessary, to achieve justice in the other fields that we have addressed as well: fighting hunger and poverty, providing better health for all and promoting ecologically sustainable development.³²

The other central reality on which today, more than ever before, *we should place emphasis is education*. Science – which involves the production, acquisition and transmission of knowledge – and education make up an increasingly interdependent system that shapes life on this planet. For all people today there is a tremendous growth in knowledge which is unparalleled in history and which in justice should be made available through new and suitable procedures of synthesis and transmission. The organisation of scientific advance has certainly come to be a much more difficult task than the management of the world's wealth. A certain fair equality of opportunity, especially in the field of the education and training of peoples, is necessary. Otherwise the peoples of the world might not realise their potential and might not even be able to participate in the debates on the public good or contribute to just environmental, economic and social poli-

Clarifications préliminaires à un consensus sur l'éthique financière, published by the Bank of Italy, Rome, 2003. In my view, the conclusion is particularly important: '*De même qu'il s'imposait à la fin du XIXème siècle et au XXème d'établir et d'implanter une éthique du travail et de l'emploi adaptée à la société moderne, de même il s'impose au début du XXIème siècle de revivifier l'éthique financière. Tant a changé dans le monde de la finance qu'il convient sans doute de tout repenser ab initio*' (p. 99). Similarly enlightening is the analytical proposal of an analogous notion of what is fair and equitable as regards finance, which has as a reference model the Catholic doctrine on fair wages, expounded in 1891 by Leo XIII in *Rerum novarum*, § 34. See also E. Malinvaud, 'La justicia internacional en el desarrollo económico global: lecciones de la experiencia', in L.E. Derbez Bautista (ed.), *Globalización y justicia internacional*, pp. 43 ff.

³² Cf. Joseph Stiglitz, *Making Globalization Work* (WW Norton, 2006), especially chap. 9-10, pp. 245-292.

cies. Given this growing importance of education, which is now more important than ever before in human history, a major cause for concern is the frequent absence of schools in the developing world but also the wide quality gap between schools attended by the poor and schools attended by those who are not poor. Despite the many declarations and statements of objectives enunciated by the United Nations and other agencies, and despite significant efforts in some countries, education remains extraordinarily uneven within the world population, although the resources needed to improve this situation do not seem to be out of reach. A special cause for concern over the last decade has been the divergence and growing inequality (and thus lack of justice), which is concomitant with globalisation and related to policies in education, between developed or emerging countries and stagnating ones, the latter being caught in a poverty trap.

The development of human capital depends on an interdisciplinary approach to education involving multiple parameters such as ethical principles and norms which are, for instance, expressed in the concepts of human rights and the dignity of the person, as well as on the universality of knowledge, wisdom and science, and respect for nature. It is also necessary to offer at some points in the educational process the new image of the universe that the scientific community has proposed of the cosmos, the earth, life and the emergence of humans and their societies. Naturally, stress should be laid on the fact that we are not children of amorphous chaos but children of the first principle, which the wisdom of the ancients called God the Father and which, through Revelation, we know created us by an act of love in order to make us participants in eternal happiness.³³

When we consider that *the family is the basic structure of society* because of its cardinal role in the ordered production and reproduction of the human species and in the education of successive generations, in order to renew society the first social institution that deserves justice is the family, which is frequently neglected in the process of globalisation by current state-based, market-based and mixed approaches, which either treat society as a collection of individuals in competition with one another for scarce resources or treat the family as a public instrument to remedy failures of

³³ Cf. 'Statement on Education', in Marcelo Sánchez Sorondo, Edmond Malinvaud, Pierre Léna (eds.), *Globalization and Education*, Proceedings of the Joint Working Group, The Pontifical Academy of Sciences and The Pontifical Academy of Social Sciences, (Walter de Gruyter, Berlin, New York, 2007), p. 257 ff.

the state and the market.³⁴ The key role of the family as a cell of society, school of communion and participation that has vital and organic bonds with all of society must be restored.³⁵ The family must recover its vocation as a servant of life, trainer of people, educator in the faith and promoter of overall development with a view to achieving the common good. It is impossible here to enter into greater detail on this central subject. However, it is clear that every child requires the justice of growing up within a nucleus composed of a man and a woman and their children, characterised by love, where the parents have moral and social authority.

An ethical lesson can be provided by the peoples of developing countries to those of developed countries: the intergenerational solidarity of the wider natural family, which is marked in these societies, tends to be less present in the developed world where the family has increasingly become the nuclear family or the single-parent family. Notwithstanding the false social ideologies of modernity, the family is (and must be) the first and irreplaceable pathway for the practice of intergenerational solidarity and the promotion of human ecology and the ecology of the environment. Human capital is principally based on the family. Development is imperilled when human capital is not valued.³⁶ The peoples of the world and public, national and international authorities should dedicate themselves in a spirit of justice to enabling the family to contribute to the formation of the human capital of society.

In addition, *the educational role of mothers within families* should be emphasised with great clarity. It has been demonstrated that mothers, through their contribution to the development and formation of the person, and thus of human capital as well, directly contribute to the development of society as a whole and thus deserve to be recognised, encouraged and protected in their role, specifically because of the social and educational dimension of motherhood.

To achieve justice it is clear that this interdisciplinary approach, which requires the contribution of the sciences and the social sciences, at the same time requires the soul of every civilisation, namely religion. Globalisation

³⁴ Cf. Mary Ann Glendon *et al.*, *Intergenerational Solidarity, Welfare and Human Ecology*, The Pontifical Academy of Social Sciences, Extra Series 3 (Vatican City, 2004).

³⁵ John Paul II, *Familiaris consortio*, § 42.

³⁶ Gary S. Becker, 'Capital humano y pobreza', in Cardinal López Trujillo (ed.), *Lexicon. Términos ambiguos y discutidos sobre familia, vida y cuestiones éticas* (Madrid, 2004), p. 87.

has increased the dialogue between the great religious traditions and cultures, which now better understand and recognise one another. This dialogue could provide the bases for the establishment of ethical principles and values of universal scope, based on justice and love. Thus, rather than ignoring or avoiding differences between religions and cultures within controversies in line with the idea of toleration that concluded the wars of religion in the Christian West (in the sense of a *modus vivendi* along the lines of Hobbes: 'if we do not want to kill each other then let us tolerate each other'), *it is necessary to enter into dialogue so as to recognise universal values*, and this is all the more true because the idea of justice, as is observed above, has a religious foundation.³⁷ Here we should remember the observation made by Pope Benedict XVI in his encyclical *Deus caritas est* to the effect that justice is not a mere utilitarian or contractual technique but 'by its very nature has to do with ethics'.³⁸ Indeed, he perceives the modern danger of detaching reason from faith: 'if reason is to be exercised properly, it must undergo constant purification, since it can never be completely free of the danger of a certain ethical blindness caused by the dazzling effect of power and special interests'. He goes on to affirm that the aim of the social doctrine of the Church 'is simply to help purify reason and to contribute, here and now, to the acknowledgement and attainment of what is just'.³⁹

Yet in order to attain justice *there must also be social charity and one of its most important fruits – social forgiveness*. There is also the need for the peoples of all the nations of the earth to be charitable and compassionate towards one another and to imagine the suffering of others when invoking revenge for the wounds that were inflicted in the past. As John Paul II observed, there is a need for a purification of the collective memory, i.e. to remember positive things and to forget negative things that have occurred in the history of the human family. What is asked for here is something that is formally similar to forgiveness, which is based on charity. Of course, if on the one hand charity goes beyond justice, on the other we must prevent it from replacing justice. Charity remains a surplus, an additional resource, and this surplus of charity, compassion and respectful affection is capable of providing globalisation with a more solidarity-inspired soul, full of pro-

³⁷ Cf. L. Sabourin, 'Hacia una nueva política de la globalización' in L.E. Derbez Bautista (ed.), *Globalización y justicia internacional*, pp. 178 ff.

³⁸ *Deus caritas est*, § 28.

³⁹ *Ib.*, § 28 a.

found motivation, audacity and new energy. From this viewpoint, the Catholic Church and the other Christian Churches have an important role to play, insofar as they are the direct recipients of the pressing legacy of the Gospel, which calls for forgiveness and love for one's enemies. Benedict XVI's efforts to practice forgiveness appear all the more an example to be followed in order to give a dense content of charity to the project for new justice in our globalised world. Thus to the challenge of globalisation, the magisterium of Benedict XVI responds by pointing out that the essence of the Church is charity, which is centred on the doctrine and praxis of Christ, 'the sun of justice', who reveals to the human being the depths of his humanity, his being and his acting.

SESSION III

INTERNATIONAL JUSTICE AND THE ROLE OF CHARITIES AND CIVIL SOCIETY, WITH SPECIAL REFERENCE TO THE ROLE OF THE CATHOLIC CHURCH

GIORGIO VITTADINI

1. International Justice and Ideology
2. Mechanicism in Development: Economicism, Demographic Control and Education
3. International Development and Social Justice: What Are the Alternatives?
4. Charities and International Justice: A Non-Mechanical Approach
5. The Condition for Everything: Training of the 'I' and Charity

1. INTERNATIONAL JUSTICE AND IDEOLOGY

The terms *development* and *international justice* have for decades expressed an ideal aspiration united with an enthusiasm, perhaps ingenious yet sincere, shared by Catholics and non-Catholics alike.

In *Populorum Progressio* Pope Paul VI recalled that 'development is the new name of peace'.¹ Since this statement by Paul VI, however, the path has not been straightforward. The debate over international justice is often conducted along ideological lines, starting from extreme and therefore predictably unilateral positions.

In the sixties, a humanistic culture – which had dominated up to that point and saw development as above all a human problem, one that essentially concerned a people's history and culture, including religion – suffered a defeat: first at the hands of the technological and economicist culture of UN organizations and Western governments and then of Leninist and Maoist currents, which attributed the roots of underdevelopment to colonialism and capitalist imperialism.

¹ Paulus P.P. VI, *Populorum Progressio*, Rome, 26 March 1967, n. 14.

Today, the debate over international justice and globalization remains highly relevant, though it has moved beyond the old ideological extremes and economicist terms that used to pervade it. Many observers share a positive judgment of the opportunities brought by globalization. The World Bank has estimated that if the process of globalization had never happened, the number of people in poverty would have increased by between 300 million and 650 million individuals over the previous ten years, rather than 150 million.²

All the same, it is pointless to hope that the market will miraculously solve all problems. Not all problems are being solved: there is the risk of increasing inequality, poverty, violence, material and spiritual degradation, and terrorism, even in countries with rapidly growing GDPs. Then there is the fact that entire regions of the globe – Africa, for example³ – seem to remain largely on the margins of this development. The differences between countries, some of which have grown visibly, suggest that other areas have actually declined in absolute terms.⁴

Globalization has to be governed: this is the idea behind Stiglitz's latest book, *Making Globalization Work*.⁵ Globalization based on the liberalization of markets works if it is accompanied by certain rules, by states intervening to correct distortions that inevitably arise, and by international organizations regulating relations between states.

What are the crucial factors of development that will lead to international justice? A short review of the facts will show how useless it is to think of development in mechanistic terms.

2. MECHANICISM IN DEVELOPMENT: ECONOMICISM, POPULATION CONTROL AND EDUCATION

There is an obvious starting point. We cannot suppose that international justice can be achieved simply by transfers of funds. In the early 1960s, the then president of Ghana, Kwame Nkrumah, started a project to build a

² Cf. World Bank, *Globalization growth and poverty. Building an inclusive world economy*, World Bank and Oxford University Press, Washington and Oxford (GB), 2002.

³ Angus Maddison, in *The World Economy: A Millennial Perspective*, OECD Development Centre, Paris, 2001, notes that per capita GDP in Africa in real terms has not grown overall in the last 30 years.

⁴ Cf. Angus Maddison, *The World Economy...*, cit.

⁵ Joseph Stiglitz, *Making Globalization Work*, WW Norton, 2006.

large hydroelectric dam on the Volta River that was meant to produce enough electricity to be able to build an aluminum foundry. The new foundry was meant to process alumina from a refinery which in turn would process recently discovered bauxite deposits. A report by foreign consultants was enthusiastic. The lake created by damming the Volta would also establish a waterway linking Northern and Southern Ghana. The project would create 'a major new fishing industry on the lake'. Agriculture, with large-scale irrigation drawing water from the lake, would offset the flood loss of 3,500 square miles of land entailed by the project.

Some twenty years later a Ghanaian student at the University of Pittsburgh wrote a thesis comparing the performance of the Volta River project with the grandiose hopes of the president and his advisors. There was no aluminum foundry, no railroad, no bauxite mine. The construction of a fishery on the lake was 'wiped out by the mistakes of defective administration and the lack of any adequate mechanical equipment'. The people living on the lakeside, including 80,000 whose houses had been submerged, suffered from water-borne illnesses such as blindness and malaria.⁶

This example raises the question of the link between aid, investment, and development. The earliest development economists were vague about how long it would take for aid to increase investment and this, in turn, to increase growth, but they expected fairly rapid returns.

Since the 'quality' of the macro-political context had a decisive influence on the effectiveness of projects, it was felt essential in the 1980s to help countries build a suitable political and economic context. The World Bank began to make general loans to countries overburdened by debt. These loans required recipients to adopt certain rules of economic policy to ensure an environment favorable to growth. Good policies and the subsequent financing of development projects were meant to guarantee that countries would escape from the poverty trap into which many of them had fallen. This was called 'adjustment lending'.

Between 1980 and 1994 the World Bank and the IMF granted a series of adjustment loans to Ghana, Mauritius, Thailand and Korea. They produced annual per capita growth rates of between 1.4 and 6.7%.⁷

⁶ William Easterly, *The Elusive Quest for Growth*, MIT Press, Cambridge Mass., 1999, pp. 26-28.

⁷ Between 1980 and 1994, Ghana received 19 adjustment loans. After serious reforms in 1983, Ghana grew by 1.4% per capita from 1984 to 1994, a great improvement over the 1.6% contraction of GDP per capita between 1961 and 1983. The World Bank and the IMF

Yet the adjustment loans were not equally effective in other countries, for example, Argentina, Peru, and other Latin American countries. Why? We can find the answer by looking at how the different countries responded to the loans. The loans happened, but the adjustments often didn't. Indiscriminate loans created weak incentives to make the reforms necessary for growth.

A country with destructive policies and declining revenues receives 'concessional aid' more easily. A country with a fairly high standard of living, thanks to good macroeconomic government, has a right only to loans at market rates of interest (which are higher) and not to loans, like those described above, which are less expensive. By contrast, countries that improve leave the 'club' of countries that enjoy this privilege.⁸ In short, it doesn't pay to be virtuous, and 'aid' is not always synonymous with 'investment' and 'development'.

Another way to grant aid, proposed also by John Paul II, is to cancel the debts of poor countries. But debt relief is not enough in countries that fail to change government policies. The same maladministration of funds that caused an increase in debt will prevent aid delivered through debt relief from reaching the people who really need it.⁹

In general, according to Easterly, the link between aid and investments has to pass two tests to be taken seriously. First, it has to be possible to recover a positive statistical correlation between aid and investment. Second, nearly all the aid has to be converted into investments: an extra 1% of GDP in aid should produce an extra 1% of GDP in investments.

By contrast, a study of the link between investment and aid covering 88 developing countries showed that by the first test only 17 out of 88 countries showed a positive statistical correlation between aid and investments. And only a small part of aid is converted into investments.¹⁰ If we act in this mechanical way, the problem of incentive remains distorted.

gave Mauritius seven adjustment loans between 1980 and 1994. During this period Mauritius enjoyed remarkable per capita growth of 4.3% yearly. In the same period the World Bank and the IMF gave Thailand five adjustment loans (and the country's growth rate was 5.3%). Finally the World Bank and the IMF gave Korea seven adjustment loans, mainly concentrated in the early 1980s. In this period Korea attained annual per capita growth of 6.7%.

⁸ William Easterly, *The Elusive...*, cit., p. 119.

⁹ William Easterly, *The Elusive...*, cit., pp. 123-136.

¹⁰ William Easterly, *The Ghost of Financing Gap: Testing the Growth Model Used in International Financial Institutions*, Journal of Development Economics, 1999, 80, 2. Walter W. Rostow predicted that investments would increase even more than proportionally

Apart from financial instruments, another suggested recipe for achieving international justice and development is population control. In the opinion of many development experts, population control was the elixir that would prevent poor countries from experiencing catastrophic forms of famine. Foreign aid to fund population control ('cash for condoms') became the panacea that would bring prosperity to poor countries. In 1968 Ehrlich published his bestseller, *The Population Bomb*,¹¹ about the problems caused by population growth. The annual rate of global population growth was then peaking, at about 2.1% a year. It was thought that runaway population growth, apart from increasing the number of mouths to be fed, would increase the number of the unemployed and produce more hands than could be absorbed by development, thus boosting unemployment to unimaginable levels. In short, the policy proposed was rigid family planning with the distribution of condoms as its main instrument.

Instead, the general and commonsense conclusion that emerges from studies into the effects of demographic growth on economic development is that there is no evidence indicating that limiting population growth will have any effect on the growth of per capita GDP.¹²

If aid and population control are not enough, will education and human capital suffice to achieve development and obtain international justice?

It is now widely known that investment in human capital, traditionally understood as enhancing people's occupational skills through education and professional training, leads to increased productivity. Some studies have emphasized that an increase in the average educational level of a year in OECD countries can generate, in the long term, a stable development of economic output by 3 to 6%.

It has often been repeated that the backwardness of large areas of Brazil and of other Latin American countries is caused by people being kept in ignorance even more than by social injustices (land ownership, low wages, and so on). On February 1, 1995, Brazil's leading daily, *A Folha de S. Paulo*, published a full page of comparative statistics for Brazil and South Korea, focusing on two years, 1960 and 1995. Brazilians were humbled to learn

because of increased saving by their beneficiaries. See Walter Whitman Rostow, *The Stages of Economic Growth. A Non-Communist Manifesto*, Cambridge University Press, Cambridge UK, 1960.

¹¹ Paul Erlich, *The Population Bomb*, Ballantine Books, New York, 1968.

¹² Ross Levine, David Renelt (1991), *Cross-Country Studies of Growth and Policy*, World Bank WP, p. 608.

that in 1960 illiteracy rates were 48% in Korea and 32% in Brazil, but by 1995 they were 9% and 18%.¹³

These data help to explain why South Korea has enjoyed strong economic growth, while Brazil bears the weight of some 30 to 35% of its inhabitants living below the poverty line. And yet Brazil has advanced social laws and efficient trade unions, while South Korea was destroyed by war (1950-1953) and then almost always ruled by military dictatorship.¹⁴ What is true of Brazil is also true of Africa: in fact, it is even more evident here because the African peoples, through no fault of their own, have much lower rates of literacy and training.

Between 1960 and 1990, as a result of the paean to education in political circles, there was a considerable expansion of compulsory education. Stirred by the emphasis of the World Bank and other donors on the need for basic education, enrollment in elementary school reached 100% in half the countries of the world by 1990. Enrollment in lower middle schools increased from 80% in 1960 to 99% in 1990.¹⁵

There was a similar explosion in university enrollments. In 1960, 29 nations had no university students. In 1990, only three nations (Comoros, Gambia and Guinea-Bissau) had none at all. From 1960 to 1990 the average number of enrollment in universities in countries around the world increased more than sevenfold, from 1 to 7.5%.

How did economic growth respond to the educational explosion?

Certainly not as had been expected. The lack of correlation between growth in compulsory education and growth in GDP has been noted in various studies.¹⁶ Above all, these scholars reject the theory that the impact of education has been homogeneous across all countries.¹⁷ The main studies of

¹³ In Korea 38% of Koreans attended University, in Brazil only 11%. Brazil spent 1.6% of its budget on education, Korea 3.7%, more than twice as much.

¹⁴ See Piero Gheddo, *Educazione, vero motore dello sviluppo*, in *Atlantide*, cit. p. 10.

¹⁵ Apart from this, there were true educational 'miracles', as in Nepal, which passed from 10% enrollment in primary schools in 1960 to 80% in 1990. In 1960 in Niger, only 1 student out of 200 was enrolled in a secondary school. Since 1960 the average number of enrollments in secondary schools worldwide has increased more than fourfold, from 13% in 1960 to 45% in 1990.

¹⁶ On the failure of growth in Africa despite the educational explosion, see in particular, Lant Pritchett L. (2001), *Where Has All the Education Gone?*, World Bank Economic Review, 15 (3), pp. 367-391.

¹⁷ The macro results derived from cross-country regressions show that the coefficients estimated have an average between countries which have highly different social, political,

education are unable to give adequate weighting to differences in the quality of education between different countries.¹⁸ When this is done, however, there is a clear correlation between economic growth and quality of education.¹⁹

To understand why education is ineffective in many cases, we have to ask what people do with the skills they learn. In an economy with strong government intervention, it may happen that most of the effort goes to activities of a bureaucratic and subsidized kind. Yet these activities fail to create real development.

Furthermore, the quality of education will be different in an economy with incentives to invest in the future compared with an economy where such incentives are non-existent. Corruption, low salaries for teaching staff, and inadequate expenditure on textbooks and teaching materials aggravate the problems that destroy efforts to achieve quality in education.

In short, the performance of the educational expansion of the past four decades has been disappointing. Education by itself is not enough to ensure harmonious development, especially in poorer countries. In 1996, UNESCO's Education Committee published *Learning: The Treasure Within*. The president

and institutional characteristics and school systems that differ in terms of content, structure and quality (see Temple J. (1999), *The New Growth Evidence*, Journal of Economic Literature 37 (1), pp. 112-56; Sianesi B. and J. Van Reenen (2000), *The Return to Education: A Review of the Macro-Economic Literature*, Centre for the Economics of Education, London and Lee, Peseran and Smith (1997)).

In this respect, Harberger A. (1987) writes: 'What do Thailand, Dominican Republic, Zimbabwe, Greece and Bolivia have in common to be lumped together in the same regression analysis?' (in Temple, cit., p. 126). Various studies have shown the heterogeneous nature of the impact of education (Durlauf and Johnson, 1995), and this idea is also confirmed in the micro-economic literature, which shows that individual benefits of education vary considerably between different countries and even between the different regions of the same country.

Moreover, Krueger and Lindahl (see Krueger A.B. and M. Lindahl (2001), 'Education for Growth: Why and For Whom?', *Journal of Economic Literature*, 39 (December), pp. 1101-1136), show that by estimating different coefficients for different countries, the average coefficient of education is negative and in general not significant.

¹⁸ See Barro J. and J.W. Lee (2000), 'International Data on Educational Attainment Updates and Implications', *NBER WP*, no. 7911.

¹⁹ To obviate this limitation, use was made of international test results administered to students of different nationalities. As shown by recent cross-country regressions (see Barro R.J. (2000), 'Education and Economic Growth', WP Harvard University; Hanushek, E.A. and Kimko, D.D. (2000), *Schooling, Labor Force Quality, and the Growth of Nations*, American Economic Review, 90, pp. 1184-1208), these results – an indicator of the quality of education – correlate positively with the real per capita GDP growth rate.

of the commission, former president of the European Commission Jacques Delors, wrote in the introduction that the Commission did not see education as a 'miraculous cure'. Rather, it considered it as 'one of the main means available for achieving a more profound and harmonious form of human development, to reduce poverty, exclusion, ignorance, oppression and war'.²⁰

Schooling is a good thing, but it has to provide a return in terms of quality for the sacrifice asked of poor families required to send their children to school. Education must also be seen as part of a broader educational process capable of giving the children involved some hope of progress and of an ability to make something of their lives, as I try to point out below.

3. INTERNATIONAL DEVELOPMENT AND SOCIAL JUSTICE: WHAT ARE THE ALTERNATIVES?

If a mechanical approach to development and international justice are not enough, we now need to examine the participatory approach.

Since poverty and development are multidimensional phenomena, they need to be treated as such. There is a close link between lack of education, income levels, lack of representation (voice), health, and so on. For incentives to be effective, there has to be simultaneous evidence of change in the different dimensions of life and in opportunities. The UN's *Millennium Development Goals* embody this vision and express the increasing concern for the formation of 'good institutions' and good social capital. They also stress the need to generate a climate of trust and safety, as well as efficient procedures to simplify problems and enable people to gain experience of a possible path to development.

What is called for, therefore, is an approach capable of coherently taking into account the different dimensions of the experience of development.

The at least partial failures described above have thus led to a new approach in granting aid, namely, an integrated and participatory approach where the condition of the person and the context of his relationships prove important. This is a step forward, but we need to ask ourselves what conditions are needed so that it will not prove ideological. In international cooperation today, everyone is saying that a participatory approach to development projects and programs increases the effectiveness of results by placing the beneficiaries at the center.

²⁰ Jacques Delors, *Learning: The Treasure Within*, UNESCO Pub., New York, 1966.

Even the World Bank supports the participatory approach. In various publications it has particularly supported the most radical community-driven approach, because this makes it possible 'to increase sustainability, improve efficiency and effectiveness, allow efforts to reduce poverty to be carried out on the appropriate scale, make development processes more inclusive, give greater power to the poor, build social capital, strengthen governance, and integrate markets with the activities of the public sector'.²¹

In fact, the participatory principle responds to correct ideas concerning the primary role of the subjects and the sustainability of projects, factors that will be dealt with below and that show, to quote Stiglitz, that 'development is possible'.²²

Yet the participatory method is not exempt from problems, some of which loom large, and this makes it susceptible to numerous criticisms. Things may not turn out as planned: rich and powerful groups tend to be well connected and they may destroy instead of building a common 'social capital'. Furthermore, these connections are embedded in the existing power structures and may only lead to an increase in the social capital of the most aggressive and influential members of the group. The adoption of a participatory approach may undermine the democratic method of representation; it may foster entitlement-based behaviors.²³

A certain degree of dominance by elites may be inevitable, especially in rural areas where the elites are often local leaders endowed with political and moral authority. These leaders are often the only ones capable of communicating efficiently with people outside the community. They know how to read project documents, keep accounts, write reports and make suggestions.²⁴ On

²¹ Dongier *et al.*, 2001, Dongier Philippe, Van Domelen Julie, Ostrom Elinor, Ryan Andrea, Wakeman Wendy, Bebbington Antony, Alkire Sabina, Esmail Talib, Polski Margatet, *Community Driven Development*. In: World Bank, *Poverty Reduction Strategy Paper Sourcebook* Vol.1, Washington, DC.

²² Joseph Stiglitz, *Development Thinking at the Millennium*, in *Proceedings from the Annual Bank Conference on Development Economics 2000*, Washington: World Bank, 2001, pp. 13-38. (Paper Presented to the Annual World Bank Conference on Development Economics, Paris, June 26, 2000).

²³ Conning and Kevane, 2002, Conning Jonathan, Kevane Michael, 2002; *Community Based Targeting Mechanisms for Social Safety Nets: A Critical Review*, World Development, p. 30 (3).

²⁴ Mansuri Ghazala, Vijayendra Rao, 2004; *Community-Based and-Driven Development: A Critical Review*, *The World Bank Research Observer*.

the other hand, the fact that the rules of the project are defined by elites may discourage participation.²⁵

The application of participatory methods in complex projects often delays their schedules.²⁶ To avoid problems, those who are supposed to carry out the program simplify the activity to something that can be delivered and measured easily, to the detriment of the results. In short, participation may have high costs: it may shift the cost of improvements, maintenance or planning activities on to the poor themselves, it may conceal forms of forced labor carried out under the direction of local leaders,²⁷ or contribute to the ideology of an authoritarian state.

Bureaucracies do not change style when confronted by participatory approaches. They simply internalize the new procedures and increase the costs, while those who really carry out the project get the impression that the usefulness of these procedures is limited. Participatory events often become charged with a political meaning or are carried out collusively in the planning phases, with dubious added informative value.

4. CHARITIES AND INTERNATIONAL JUSTICE: A NON-MECHANICAL APPROACH

The idea of participation is right. What is wrong is that when it is translated into practice, it is done as if the participatory mechanism itself will make the processes more effective. So what is the right way?

At this point we have reached the heart of this contribution, namely, the subject of participatory projects. Who should be the subject of a cooperative project? There is clearly a role for the organizations of the Church and civil society, that is, for charities. What are they doing for development and international justice? Are they a decisive factor in creating a fairer relation-

²⁵ Bardhan Pranab, 2000; *Irrigation and Cooperation: An Empirical Analysis of 48 Irrigation Communities in South India*. Economic Development and Cultural Change, p. 48 (4).

²⁶ Harriss John, 2001; *Depoliticizing Development: The World Bank and Social Capital*. New Delhi: Left Word Books; Mosse David, 2001; *People's Knowledge, Participation and Patronage: Operations and Representations in Rural Development*. In Bill Cooke and Uma Kothari, 2001; *Participation: The New Tyranny*. London: Zed Books.

²⁷ Bowen John, 1986; *On the Political Construction of Tradition: Gotong Royong in Indonesia*. *Journal of Asian Studies*, 45 (3); Ribot Jesse, 1999; *Decentralization, Participation and Accountability in Sahelian Forestry: Legal Instruments of Political-Administrative Control*. Africa, p. 69.

ship between peoples? Or are they only marginal? Two examples will help us find an answer:

The first example is Father Berton, a Xaverian missionary in Sierra Leone, who has returned thousands of child soldiers, involved in the bloody wars that have tragically affected that country, to normal life. Father Berton says, 'The village of Masanka, on the left bank of the Ribbi River, looks very primitive. I had visited the village with a group of laymen who had become experts on Africa. I questioned them about what needed to be done, and they answered, "It's an excellent opportunity for development on a human scale, but we have to respect people, to respect the human values in their lives, and not make them precariously dependent by giving them the illusion of rapid Westernized development that would destroy their moral fiber"''.²⁸

It almost sounds contradictory: 'Let's help them along the path of development, but protect them from development'.

A second example concerns a highly innovative cooperation project, the reconstruction of the favelas of Ribeira Azul²⁹ in the city of Salvador de Bahia in Brazil by AVSI, an Italian NGO financed by the World Bank and the Italian government. At the beginning of the project, participation was laden with ideological aspects and political demands. The group of representatives of the local community had a critical attitude and demanded a reply to their needs from the local institutions. Often, in what I believe is a common experience, they even lacked a clear awareness of their own needs.

Beginning in the third year of the project, participation was carried out through a more direct dialog between AVSI, the state government, and about 80 associations and non-governmental institutions present in the favelas. All the players active in the project can claim to have learned a lot. Maria Lourdes do Nascimento, known as Lourdinha, director of a public association in the Ribeira Azul area, says, 'A lot of us first thought that participation was simply a political demand and that was all; now we have understood that participation is much more. It is not just a demand. It means forming part of a process; it means making a process. It is another big challenge. We can say that the kind of participation that existed before

²⁸ Giuseppe Berton, *La pace rimane un desiderio senza uno sviluppo totale*, in *Atlantide*, 2007/1, p. 93.

²⁹ From 2001 to 2006 this is an area that was the object of an integrated urban and socio-economic reclamation project in the city of Salvador, Bahia (Brazil), including the elimination of 'slums on stilts' (Alagados) affecting 150,000 inhabitants.

was participation in different forms. But the idea is that we really feel part of this process, as if it were our own child'.

People learn from their shared experience. This happens to the institutions involved, which learn to deal with problems like guaranteeing secure ownership of land, sustainability in continuing benefits, retrieval of project costs (without which any project will remain local, not systematic, benefiting a relatively small group of people because of limited resources), and dealing with conditions of elevated informality, where the rules have to be discussed, understood and adjusted by the local population.

This is true of the members of the community, who learn through dialog what is involved in changing their way of life, as well as the value of education, hygiene and being good neighbors.³⁰

Participation only produces benefits if there is a dialogue capable of involving all players. But the basis of this dialogue is people's desire for freedom and their awareness that the motive behind the project is a concern for them and their well-being. This is the challenge: to bring out the positive sides of a participatory approach, without falling into ideological schemes. AVSI has adopted a slogan that sums up this and other current experiences: *Sharing needs in order to share the meaning of life*. The word 'sharing' best expresses the significance of its method. It involves the continuous presence of people – technicians and professionals, locals and outsiders – who by sharing the work of planning and creating a project have a significant opportunity to grow professionally and in human terms. This is the key response to the question posed.

Thus the principal methodological aspects of the most effective NGOs and charities can be summed up as follows:³¹

a) *Awareness of the working subject and of the sustainability of the project*. The starting point is a meeting of people, often by chance, which then embodies a common attempt or project to deal systematically with an immediate need. This factor is the keystone of the success of a development project, since a meeting identifies a real interlocutor, mobilizes people, and clarifies the reasons for commitment.

This approach increases awareness of the problems and resources in the area in the information collection and analysis phase; it enables bet-

³⁰ Giuseppe Folloni and Stefanie Messner, *L'approccio partecipativo nasce dalla persona*, in *Atlantide*, cit., p. 79.

³¹ Arturo Alberti, *Il ruolo della cooperazione*, in *Atlantide*, cit. p. 111.

ter decisions to be made, facilitating the local community's knowledge of the key concepts of the project and identification with its objectives (in the analysis of the alternatives for intervention); it strengthens awareness of the costs to be borne. The community is aware of the issues concerning the benefits generated by the project. This fosters its sustainability through participation in discussions regarding the costs of the project, alternative methods of recovering costs, and methods of management and maintenance.

b) *Appreciation for local human resources*, for the cultural heritage, and for the more or less highly structured forms in which the local community wants to provide for its needs in any given context. NGO and charity workers observe daily that every human community, even the most degraded, has a heritage of values, traditions, knowledge, and attempted responses, which is essential to use as a starting point.

c) *Project flexibility*. NGOs and charities, unlike governments or large international organizations, are in close contact with the population and are able to rapidly identify the changes needed to adapt to changes in working conditions.

d) *Promotion of an enlarged partnership*, by seeking to create the conditions for the growth of local ownership that will guarantee the continuation of the work which began with the contribution of the international aid organizations. The sustainability of a project is closely dependent on an effective partnership with a real taking on of responsibility by the local actors in development. The project has to be understood as a process shared with others, through which they themselves identify the needs, forms of organization, objectives and means for carrying out a common idea, not only in its material forms (schools, hospitals, and the like), but also in its essence and function with respect to the path taken by the community or group of people for whose sake the project was devised.

e) *Accompanying the work after the conclusion of the formal project*. If we care about people's progress and growth, we will not consider the whole project to be finished with the drafting of the final report. We have to expect a period when the administrative responsibility of the NGO or charity has ceased, but the need remains to keep an eye on the development of the work in the first years of autonomy.

What has been said fits in with the findings of the most recent social theory. The issue of Catholic and other charities which work in international cooperation should be analyzed within the broader context of the works of the third (or non-profit) sector in modern society.

Numerous studies in recent years by scholars such as Salamon,³² Anheier,³³ Hirst³⁴ and Wagner³⁵ have shown that a modern society and economy cannot and should not consist simply of a state sector and a private sector, each with its own agencies, while the 'third sector' remains marginal. This is particularly true of international cooperation.

Non-profit bodies are essentially different from both state and private organizations, not only in the way they redistribute their revenues but also in the philosophy, governance, objectives and methods of their members, as well as by their commitment to a socially useful entrepreneurial activity. State organizations tend to maximize equality of treatment; private organizations maximize efficiency and quality; non-profit enterprises and charities, with their ideal purposes, can contribute and surpass the other two in both respects, while also being capable of supporting disadvantaged social groups that governments fail to reach, and maximizing collective well-being in certain markets that cannot be reached by private bodies.

As an example of the sort of policy that could guide the work of NGOs and charities, we can say that

- cooperation in development has to be the fruit of a policy for the development of poor countries, adopted responsibly by Parliament, and not a mere budget entry that can be plundered at the first financial difficulty;
- cooperation in development is an integral part of foreign policy, and in many areas of the world cooperation projects are the main way the state is present and active;
- it is essential to progressively reduce the levels of tied aid (the percentage of aid tied to contracts with businesses), which in 2004 was, in the case of Italy, still about 90%, while the recommendations of the DAC (Development Assistance Committee) of the OECD is that this practice should be abolished;

³² Salamon L.M., Anheier H.K. (1998), *The Nonprofit Sector in the Developing World: A Comparative Analysis*, Johns Hopkins Non-Profit Sector Series, Manchester University Press, Manchester.

³³ Anheier H.K. (2000), *The Third Sector in Europe: Four Theses*, Crisp, *I servizi di pubblica utilità alla persona*, Franco Angeli, Milan, pp. 33-38.

³⁴ Hirst P., Bader V. (2001) (ed.), *Associative Democracy: The Real Third Way*, Prank Cass, London, p. 2.

³⁵ Wagner A. (2000), *The Role of Civil Action in a Global Society: Towards a Politics of Sustainable Globalization*, Crisp, *I servizi di pubblica utilità alla persona*, Franco Angeli, Rome, pp. 17-25.

– it is essential to increase financial resources. For the first time since 1997, the quantity of foreign aid assigned to poor countries by the 22 countries of the OECD's Development Assistance Committee has shrunk instead of rising. The 103.9 billion dollars donated by industrialized countries in 2006 (including the 19.2 billion dollars' worth of canceled debt) is 5.1% less than was donated in 2005 in real terms.

5. THE CONDITION FOR EVERYTHING: EDUCATION OF THE 'I' AND CHARITY

We have now reached the crux of the problem. Who is the subject of these charities? What leads men to commit themselves to this work? There is a prevalent idea that free individual choices and the common good cannot be realized simultaneously. But not everyone thinks like this. Nobel Prize winner for economics, Kenneth J. Arrow, asserts that 'it is the ordering according to values which takes into account all the desires of the individual, including the highly important socializing desires'.³⁶ In discussing the majority principle, he refers to the free association and unification of special institutions and the reconciliation of differing desires by the force of shared ideals. Concord is not achieved on the plane of social, economic or political conflict. It is an ideal concord which follows the principle of the majority in politics and the best use of the competent and deserving in business, in a dynamic of healthy competition.

Likewise, in a different context and following different methods, Father Luigi Giussani spoke of the decisive importance of desire in the way we relate to reality. He says, 'Desire is like the spark that fires the engine. All human actions are born from this phenomenon, from this constituent dynamism in man. Desire ignites man's engine. Starting here, he sets out and seeks bread and water, he seeks work, seeks a woman; he begins to look around for a more comfortable armchair and a more convenient lodging; he takes an interest in why some have and others have not; he is interested in why certain people are treated in a certain way and he is not, precisely by virtue of the enlargement, the expansion, the maturation of those stimuli that he has inside him, which the Bible calls the heart'.³⁷

³⁶ Kenneth J. Arrow, *Social Choice and Individual Values*, John Wiley, New York, 1963, p. 10.

³⁷ Luigi Giussani, *L'io, il potere, le opere*, Marietti, Genova 2000, p. 173.

The heart of man, in all periods and places and among all peoples, lies in the religious sense, the desire for goodness, a complex of needs and fundamental evidences of truth, justice and beauty. Among these evidences and needs, that of charity is fundamental.³⁸ For this reason, as Benedict XVI says in his encyclical *Deus Caritas Est*, 'Love – *caritas* – will always prove necessary, even in the most just society. There is no ordering of the state so just that it can eliminate the need for a service of love. Whoever wants to eliminate love is preparing to eliminate man as such'.³⁹

Likewise, in *Il senso della caritativa*, Father Giussani says that charity in man is above all a need, the need that nature endows us with that leads us to interest ourselves in others, and 'the more deeply we experience this need and this duty, the more we fulfill ourselves'.⁴⁰ In the same way, Julián Carrón, President of the Fraternity of Communion and Liberation, comments, 'This is why it is extremely important to understand the origins of our gesture of charity, because all our voluntarism is not enough to content ourselves and others. Everything is very small, tiny, compared with the capacity of the spirit, even when we are able to solve all problems and difficulties'.⁴¹

However, the dominant mentality tends to reduce man's desires systematically, seeking to govern and flatten them, to the point of creating confusion in the young and cynicism in adults.

We reduce the need of the other to what we imagine or to what we have decided. In this lies the principal role of charities and of the Catholic Church: the education of the person through the encounter with Christ present in history, so that man may live his religious sense to the utmost, truly desiring to live through charity and pursue the true good of others.

Father Giussani says, 'I do not know what they really need, I cannot measure it, I don't have it. It is a measure that I do not possess: it is a measure that is in God. This is why "laws" and "justice" can crush, if we forget or claim to replace the only concrete thing there is: the person, and love for the person'.⁴²

The Church continues to educate toward this human position.

³⁸ Luigi Giussani, *The Religious Sense*, Montreal 1997, pp. 100ff.

³⁹ Benedictus P.P. XVI, encyclical letter *Deus Caritas Est*, 25 December 2005, 28b.

⁴⁰ Luigi Giussani, *Il senso della caritativa*, Società Cooperativa editoriale Nuovo Mondo, 2005, p. 6.

⁴¹ Julián Carrón, La carità sarà sempre necessaria, anche nella società più giusta, Notes of the office-holders of the Tende AVSI 2006/7 and the AVSI Point. Milan, 18 November 2006. In *Tracce*, December 2006.

⁴² Luigi Giussani, *Il senso della caritativa*, cit., p. 9.

This is why the most original voice in support of development in the world is that of the papal Magisterium and the efforts of the movements inspired by it.

It was the papal Magisterium that first warned against the possible reductions we have described so far. Two encyclicals help us identify the most suitable perspective for viewing the problem. In *Populorum Progressio* we read, 'The development We speak of here cannot be restricted to economic growth alone. To be authentic, it must be well rounded; it must foster the development of each man and of the whole man'.⁴³ And *Redemptoris Missio* states, 'But a people's development does not derive primarily from money, material assistance or technological means, but from the formation of consciences and the gradual maturing of ways of thinking and patterns of behavior'.⁴⁴

Speaking about and seeking to embody a reference to the desire for happiness and freedom shared by all; refusing to ignore the fact that limitations and sins exist in all of us, not only in our enemies; perceiving the uniqueness of every person loved individually by God; living the experience of a new humanity stemming from the encounter with Jesus Christ present in history: these have always meant fostering attempts to meet needs in ways that respect man and charities that work for true justice in a context of globalization in the service of the concrete man, tending toward good one step at a time, without utopian evasions. This is why the papal Magisterium and the Church stake so much on the education of the person and on subsidiarity.

How can we combine the action of NGOs with the action of governments and institutions? Benedict XVI's encyclical *Deus Caritas Est* states, 'We do not need a state which regulates and controls everything, but a state which, in accordance with the principle of subsidiarity, generously acknowledges and supports initiatives arising from the different social forces and combines spontaneity with closeness to those in need'.⁴⁵ For this reason Father Gheddo, director of the historical office of PIME, recently pointed out, 'Aid should be given (it has to be given!) not "from state to state", but "from people to people". If aid is "people to people", then the results are different'.⁴⁶

⁴³ Paulus P.P. VI, *Populorum Progressio*, cit., p. 14.

⁴⁴ Ioannes Paulus P.P. II, *Redemptoris Missio*, Rome, 7 December 1980, p. 58.

⁴⁵ Benedictus P.P. XVI, encyclical letter *Deus Caritas Est*, cit.

⁴⁶ Piero Gheddo, *Educazione, vero motore dello sviluppo*, cit., p. 10.

Thus, generating works bound up with the desire for good, with the religious sense, and with charity also enables us not to close our eyes to every act of barbarity, to discern between one state and another in terms of their respect for the dignity of the 'I', and to stress the importance of international agencies as the venues for negotiating peaceful development.

In the world, this way of working and these new facts of life, which grow out of the Christian life, are encountering similar attempts promoted by those who sincerely embody their human desire, their religions, and their ideals in their lives. This is the beginning of a new grass-roots movement for justice.

COMMENTARY UPON GIORGIO VITTADINI'S,
'INTERNATIONAL JUSTICE AND THE ROLE
OF CHARITIES AND CIVIL SOCIETY, WITH SPECIAL
REFERENCE TO THE ROLE OF THE CATHOLIC CHURCH'

MARGARET S. ARCHER

Professor Vittadini's paper is concerned to make two fundamental points and ones that I believe are fundamentally correct. Firstly, he provides a sweeping critique of the quantitative, unifactoral and mechanistic approach taken by the social sciences in general towards development during the second half of the twentieth century. Secondly, and especially in the latter half of his paper, he shifts the debate away from quantitative and towards qualitative considerations about the process of development. Linking these two elements is a conviction that 'development' should never be taken as a synonym for 'economic growth', nor is it measurable by simple indicators of the latter. The facile elision of these two concepts will be only too familiar to most of us whose training in the social sciences took place during this period. 'Development' is one of those concepts which, like 'health', is by definition a good thing. The difficulty is that 'development', again like 'health', is a holistic, qualitative and evaluative term. Problems arise when analysts operationalise it much more crudely and then advocate policies whose effect is simplistically and supposedly to increase the operationalised term – most frequently GNP per capita.

Three distinct examples are given by Vittadini. These are all instances that undoubtedly proved very influential for both public and private attempts to stimulate 'development' – meaning some aspect of economic growth. In each case, the criticisms Vittadini advances are points well made and points well taken. However, I think there is a more generic critique that can be made of all three, as I will come to after reviewing them briefly.

1. The first instance concerns the growth model endorsed by 'international financial institutions' in advocating and dispensing aid to developing coun-

tries. The basic formula, namely that *increased aid* → *promotes investment* → *fostering development*, was found at the end of the twentieth century to be statistically significantly related for less than one quarter of the 88 countries examined. Yet, why, as Vittadini rightly asks, should it ever have been supposed that aid given (particularly 'tied aid') would translate directly and exclusively into (economic) investment? One main reason explaining why it does not is maladministration, which Vittadini considers to be at least partially responsible both for rising debt and for impeding aid from improving matters.

Here, as I see it, is the first point at which the author's critique could have been more sweeping from the methodological point of view. Why, in the open system that is society, should one expect to encounter such a one-to-one empirical relationship, given the potential range of contingencies that can intervene from the exterior and the numerous internal factors that can destroy it from within? As far as the latter are concerned, there can indeed be bad reasons and relations 'perverting' the anticipated correlation (e.g. parasitism and corruption) but also good ones (such as attending to immediate humanitarian concerns).

2. The second example deals with demographic control as the new recipe for development, one that became popular in the 60s when the growth of the world's population exceeded 2% per annum and was concentrated in the 'most underdeveloped' countries. Again, Vittadini properly asks why a simple reduction in numbers, produced by a 'cash for condoms' policy, should be reflected in economic growth – particularly since this change resulted in only a slight reduction in population size, without altering the levels of education, skills, organisation of production, equipment etc. Once more, no significant, let alone robust, correlation emerged between limited population growth and GNP per capita.

3. Finally, Vittadini examines the panacea of education – the notion that by increasing 'human capital', scholarization would be associated with increased productivity. This expectation, based upon the transference of a statistical association found for OECD countries over a long time interval, failed to be confirmed in developing ones. Although there was a notable rise in years of schooling from 1960-90, this had no homogeneous effect upon the economic growth of the poorer countries. Vittadini's critique points to the inadequacy of employing a *quantitative* indicator (such as years of schooling) with total disregard to the *quality* of the education received (because of the level of teacher training, the non-availability of books etc.).

Correct as Vittadini appears to be on all three counts, I think his case can be strengthened by going a little further. As matters stand, his methodological criticisms are restricted to the use (and often abuse) of single correlation coefficients. In turn, that leaves him open to the methodological rejoinder that all of the social sciences have become considerably more sophisticated in multivariate analysis and can now factor in and partial out a vast range of variables, thus enabling more complex and sophisticated models of the causes of economic development to be advanced.

I deliberately inserted the concept of causation immediately above because Vittadini himself allows the analysts he discusses to employ it – instead of calling ‘foul’. This is not simply to underline what everybody knows about the impossibility of assigning the *direction* of causal influence from a correlation coefficient. It is to make a much more robust criticism of the use of correlations (multivariate as much as bivariate) to establish *causal processes*. That they cannot do. Even the most regularly repeated and replicated association remains nothing more than a Humean ‘constant conjunction’. As Critical Realists have argued for thirty years, no such correlation reveals the generative causal mechanism underlying such findings. Indeed, only the empiricist goes looking for correlation coefficients, which if found, at best set the problem of accounting for the association detected. Conversely, a real generative mechanism may exist unexercised because unactivated or its powers be suspended by contingent interventions. (These issues have been discussed at length by Roy Bhaskar in *A Realist Theory of Science*, 1975 and *The Possibility of Naturalism*, 1979). Critical Realists would restate the problem as one of identifying the relevant generative process(es) responsible for fostering ‘development’. Such mechanisms are not generally identifiable at the empirical level (e.g. as the presence or absence of ‘untied aid’), nor are they usually amenable to simple mensuration (e.g. amount of \$ received in aid).

This deeper critique is implicit in Vittadini’s account *both* of the response of super-national agencies to the failures of development policies in the twentieth century and in his own advocacy of ‘charitable’ interventions. The two require examining in turn. They are both important because they signal a new approach to ‘development policy’ in the new millennium.

Beginning (symbolically, at least) with the acceptance by Jacques Delors, in 1996, that education constituted no ‘miracle cure’ for ‘underdevelopment’ and reinforced by the prescience of *Populorum Progressio* (1967), which had insisted that ‘development’ should never be reduced to a synonym for ‘economic growth’, a new approach was endorsed by inter-

national authorities: the UNO Millennial Development Goals stressed attending to the formation of 'good institutions' and the World Bank adopted a 'participatory approach'. Yet, these initiatives remained 'top down' in the sense that their interventions effectively defined 'participation' as working through indigenous elites. In that sense, these initiatives remained empiricist. The elite 'participants' were simply those who empirically had managed to attain elite status – through whatever historical machinations. The defect was the fairly obvious one that such policies merely reinforced the existing power structures and working through them merely enhanced the ability of the 'rich' to benefit, meaning that their 'participation' did nothing foster an increase in communal 'social capital' distributed throughout these societies.

Conversely, Vittadini, speaking from and on behalf of the *Fondazione per la Sussidiarietà*, counterposes a 'bottom up' or 'sharing' notion of 'participation' – one which simultaneously eschews the simplicities of 'economic growth' as a goal and replaces it with the fundamental and qualitative notion of development of the whole person (as distinct from 'human development') through projects to be realised consensually. There is much to admire in such initiatives but there are also problems, some of which Vittadini honestly acknowledges and others that have to be confronted if subsidiarity is to become the springboard to development with a human face.

(a) Vittadini accepts that his own version of 'participation' is also ineluctably entangled in the existing pattern of elites and their command over resource distribution in communities. The conundrum is that elite members are the only people – especially in rural areas – who can face both ways and communicate effectively with external philanthropic agencies and members of their own communities. But, in working through local leaders, 'participation' is severely reduced. His 'solution' is to re-orient project design and management towards a partnership with these communities themselves – a direct partnership between community members and the external charitable agencies.

However, the viability of such a strategy of partnership, one fruitful for the common good, is predicated upon the assumption that 'the rural community' retains a patrimony of common values – a living tradition' (p. 13). Yet, this cannot be taken for granted. Whatever may have been the anthropological case about solidary tradition in the past, many rural communities are now struggling with the intrusion of antithetical values and seeking syncretically to hold on to something of their historic normativity.

For example, the Masai people of Kenya/Tanzania are torn between enabling their children to benefit from schooling and yet for their males to remain warriors-in-form – something made even more difficult by the Kenyan Government's prohibition on the killing of lions, which was the traditional centre-piece of boys' initiation. Equally, girls who have done well at school often take jobs in towns as is now permitted. However, what is negatively sanctioned is to fall in love with an urban young man, to frequent Christian churches or those of other faiths, and to regard their earnings as their own property. For the time being 'things hold together', largely through compromise and concession plus generous amounts of adaptive syncretism. But this 'concessionary consensus' is frail and threatened – and could collapse if, for example, young women rebelled against the enduring practice of female circumcision. In short, common values or normative consensus cannot be treated as a given – factions and fragmentation often make these frail foundations upon which to build.

(b) Laudable as it is to start from the person and his or her own subsidiarity, one should pause to ask how this involvement of individuals will issue in societal change. Vittadini's response is basically reliant upon 'aggregation' ('valorizzando e generando opere e aggregazioni che nascono dalla società come primo fattore di sviluppo' [p. 17]). The author is clearly too sophisticated to be endorsing the old formula of individualism: 'a better society comes from better people'. Nevertheless, although he talks about the need for sustainable projects, once the Charity's intervention is over, he says little about the equally pressing need for local projects to coalesce into new institutions – the building blocks of an effective civil society in the future. Developments at the *meso level* seem imperative; otherwise we, and, more importantly, they the people, are left with a yawning gap between a small, limited and defenceless local project and the *macro level* Leviathans (national or international). These local initiatives cannot even rely upon hiding behind the skirts of the *terzo settore* charity, which itself is incapable of protecting them against such potential adversaries.

(c) The above serves to introduce the last point. Everywhere, the 'third sector' (humane agencies, non-profit organisations, the voluntary sector) exists marginally and insecurely between the Market and the State. It is constantly endangered by 'colonisation' from market forces, whose incorporation can be mistaken for 'recognition' but turns out to be a process of commodification as the original initiative is assigned monetary value and enters the cash nexus. Equally, it is threatened by control and regulation by State bureaucratic agencies – fundamentally destructive of the founda-

tional notion of 'from the people to the people' (p. 14). This is the eternal problem for the 'third sector' everywhere – how to retain a sturdy independence sufficient to repulse such incursions. In the most general terms, I am sure Vittadini is on the right lines when he concludes that the answer lies in 'l'inizio dal basso di un nuovo movimento per la giustizia' (p. 17). However, that only serves to pose a bigger question: what can be done to foster authentic social movements in developing countries – ones that are themselves sturdy enough to resist political incorporation by self-interested forces and to resist economic incorporation by equally self-interested market forces?

CHARITY AND JUSTICE IN THE RELATIONS AMONG NATIONS: THE ROLE OF CIVIL SOCIETY FOCUSED ON THE CHURCH

MINA M. RAMIREZ

There is no doubt that the Church has played a significant role in the work of Charity and Justice in the Relations among Nations. My paper underscores the need for a process of creating a movement of thought derived from the practice of global solidarity among diverse organizations in the Catholic Church as well as in ecumenical and interfaith groups. If the PASS has always been studying the on-going processes and ideas of the active role of Civil Society in resolving the basic social question as a result of economic globalization and commercialization, it is equally imperative for PASS to understand on a much deeper level the on-going movements nationally and internationally of Church entities and interfaith groups which since the 1950s have been striving to practice Charity and Justice in the relations among nations. A study of this nature may bring a new enlightenment of the possible organic stage of growth of programs towards global solidarity implicitly motivated and further deepened by Christian Love and Faith and/or by values of their respective religious persuasions.

This paper contains also my personal testimony of the global solidarity that I have experienced in the five decades of my life first as a Young Christian Worker and later as Professor and President of a Manila-based Social Science Graduate School with a difference in that it integrates the various learning components of its programs – the academic, research and social development of grassroots partner communities towards transformative praxis rooted in a Living Faith.

In the context of economic globalization, the statement that the UNDP reports have repeated time and again and of which we have been made conscious of ever since the industrialization process started is the structural divide plaguing our national and international community.

Simply put it has often been said that there is 'the great gap between the rich and the poor' – a structural divide, that multiplies other aspects of the divide – cultural divide (dominant world culture and the local/'popular' cultures), the economic divide, the social divide, the divide between urban and rural, the gender divide, the intergenerational divide, the digital divide, and the divide between the person and the natural environment. The manifestations of these divides for the great majority of people among countries and in each country, are: monetary poverty, violence, and degradation of the environment. I begin to realize that *Deus Caritas Est* speaks essentially of the verity of the Christian calling for us Christians and Christian churches of manifesting God's Love among people especially in the work of Justice, Peace and we would add, 'Integrity of Creation'. It seems to be a Christian challenge of society to heal what has been fragmented in the wholeness of life and all life-forms.

In our national and international community that is becoming more and more complex, monolithic solutions to issues that are embedded in statements abound: 'Education will solve the problem of poverty'; 'Fight terrorism and peace will reign in our land'; 'We need to focus on the work for and among street children'; 'All peoples must be educated towards a democratic way of living'; 'Religion is the answer to all our ills'; 'Commercialism on a world level brings international competitiveness without which there cannot be progress'; 'Global standards lead to quality of education and business'.

In my country, former President Marcos in 1974 made the remark, 'The export of manpower is the best weapon for economic growth', Today, Filipinos are economic refugees in 190 countries of the world. Indeed, it is the overseas workers that prop up the Philippine economy. But the out-migration from the Philippines, of at least two thousand daily is telling of the state of well-being of families and communities in the country. On the front page of a national Philippine Daily (The Philippine Star, Vol. 21:325, March 20, 2007) two contradictory news items on the front page of the newspaper are entitled 'GMA: Our Economy is a Wonder', and 'SWS: Hunger at Record High'), a finding of a prestigious research outfit, the 'Social Weather Stations (SWS)'. Five days later, The Philippine Star, March 25, 2007, had the following headline on the front page: 'It is P1-Billion War on Hunger: Jolted by Survey, GMA orders funds for feeding programs'. Again, this is another monolithic solution to a basic problem of people. Prescriptions of such nature are meaningless in the face of the gap between the rich and the poor. Despite almost five development decades, the gaps have become monstrously wider as reported by a series of United Nations Human Develop-

ment Reports while the complexity of the world situation remains a stark reality. All these gaps, 'divides', and 'disconnects' breed violence, dehumanization and exploitation, and degradation of the environment. It is in this context that *Deus Caritas Est*, by Pope Benedict XVI was promulgated. The question posed to us is: what has been the role of the Church in Charity and Justice in the Relations Among Nations?

To all the problems of the modern and post modern world, the Church, the known expert in humanity has, since 1891, come up with the social encyclicals (which proclaim the 'Gospel in the Modern World') striving to shape the social conscience of all persons of various strata by instilling respect for the dignity of persons, respect for the person's right to work and employment, to a just wage, the relative right to property, and the right to organize. Summarized in the Compendium of Christian Social Teachings, values of human dignity and integrity of creation, common good, principle of subsidiarity and solidarity become the measure of whether or not families, neighbourhoods, communities, society and the global world indeed live and do justice, peace and integrity of creation.

Many social movements I have known since the early 1950s, such as the International Catholic Young Christian Workers, have educated young workers to live up to their human dignity as well as the dignity of work. Chaplains have helped shape the conscience of the leaders of the young workers. Later some of these leaders have been able to occupy strategic positions as government legislators and national executive positions in their respective countries. As leaders of various institutions, they have excelled in their regard for the common good by instituting policies that take care of the marginalized sectors. I, for one, witnessed global solidarity at the young age of 21. I had to participate in the International YCW Day in 1957, when 30,000 workers were gathered in the grounds of St. Peter's Square singing the Kyrie. We made the Stations of the Cross at the Coliseum. And celebrated the event in Terme di Caracalla. But what is striking about this gathering was that the young workers from a developed country had adopted some worker-leaders of a developing or underdeveloped country by means of an educational fund campaign, dramatically demonstrated by some walking to Rome or by merely collecting small contributions in order to spend for the journey of one or another young Christian worker from the third world. It was my first experience of international solidarity. By analogy, there is no way to bring about an improvement in bridging the divides in society except through a sense of a profound solidarity at every level of society up to the global level.

Today there are many organizations and associations in the Church that are trans-national. There are trans-national religious congregations, professional and other types of associations. Individually they have made strides in the works of 'charity' and 'justice' to benefit those who have little in life.

It is to be noted that dissemination of the Christian Social Teachings of the Church is the role of the Pontifical Council for Justice and Peace of the Vatican. Caritas Internationalis, for instance, is a worldwide network with all their counterparts in Catholic and even non-Catholic countries in the world. They have addressed the issues of pastoral training and formation, of relief and rehabilitation, of livelihood programs of the government, of alternative trade and generally, of the basic needs of the poor. We have the Holy Childhood that addresses the poverty needs of children in the world.

Another significant network in the church doing justice, peace and development work are the CIDSE organizations whose secretariat is in Brussels, Belgium. These are Catholic Development Agencies in Europe that must have been inspired by the Christian Social Teachings. CIDSE (International Cooperation for Development and Solidarity) is a coalition of 15 Catholic development agencies in Europe and North America 'which share a common vision on poverty eradication and social justice and a common strategy on development programmes, development education and advocacy'.

It is to be noted that in August 2006, CIDSE came up with two documents on Governance and Development Cooperation: 'Civil Society Perspectives on the European Union Approach' and 'The World Bank's Strategy on Governance and Anti-Corruption', the result of a survey conducted with their partners in the developing world. These documents have been sponsored by 12 of 15 CIDSE organizations with the participation of 22 of their partners in the developing world. The 12 sponsoring organizations are: Broederlijk Delen (Belgium); CAFOD (United Kingdom); Caritas, Spain, CCFD (Comité Catholique contre la Faim et pour le Développement), Center of Concern (U.S.); CORDAID (Netherlands), Fondazione Giustizia e Solidarietà (Italy); Koordinierungsstelle (Austria), Manos Unidas (Madrid, Spain), MISEREOR, Germany; Secours Catholique (France) and Trocaire-Caritas (Ireland). Partners in the developing world in the foregoing studies cited are the following: The Asian Social Institute (ASI), Manila, Philippines; Caritas Cameroun; Catholic Economic Justice Network/America, Kenya; Christian Aid, Burundi; Centro de Investigación y Promoción de los Derechos Humanos (CIPRODEH), Honduras; Forum National Dette et Pauvreté, Cote d'Ivoire; Centre de Promotion Agricole du Senegal (CPAS), Senegal; Civil Society for Poverty Reduction (CSPR), Zam-

bia; Hakikazi Catalyst, Tanzania; Istituto Comboniano, Mozambique; Integrated Pastoral Development Initiative, IPDI Philippines; Jesuit Centre for Theological Reflection (JCTR), Zambia; Kenya Debt Relief Network (Kendren), Kenya; La'O Hamutuk, East Timor; Luta Hamuluk, East Timor; Peace Tree Network, Kenya; Salesian Delegation of Mozambique, Mozambique; Tanzania Ecumenical Dialogue Group (TEDG), Tanzania; Transparency International, South Africa; Uganda Debt Network (UDN), Uganda; Laves, Angola; and a bishop, Abba Tesfaselassie Medhin Bishop of Adigrat Eparchy, Ethiopia.

On an even more personal level, I am aware that my own institute, the Asian Social Institute (ASI), a social science graduate school oriented towards social transformative praxis from the perspective of Christian Social Teachings towards Justice Peace and Integrity of Creation, survived and developed only because of Church-related development institutions. Misereor of Germany, for instance, has given to ASI financial grants which have been a big help to our physical plant needs (3 buildings), library needs, large-scale scholarships for Filipino students, then later for foreign students especially of Vietnam, Myanmar, Cambodia, Laos, China, East Timor, Bangladesh, Pakistan, Nepal, Thailand, Malaysia, Japan, South Korea and the Philippines. Misereor has given grants for outreach students in the Philippines and for a library. The Katholische Jungschar of Osterreich and Katholische Frauenbewegung have been helping our social science graduate school by granting tuition subsidies to Filipino graduate students and to a two-month international diploma course for community development workers. Some of these member development agencies of CIDSE become mediating agencies for government funds marked for the third world.

Last February 19 – March 5, 2007, I was invited by the Catholic Women's Organization in Austria the 60th year of their foundation and 50th year of their Family Feast Fast Campaign. The latter movement is a way of raising funds for their projects in the Third World. Through a soup meal event, a bowl of soup is sold at 2 Euros in parishes. On special occasions the soup meal is held in plush hotels with famous chefs offering soup recipes and participated in by prominent government officials, governors, bankers, businessmen together with church hierarchy. The Catholic Women's Organization in Austria raises funds sometimes doubled by the authorities in attendance. I have seen children in Austria shining the shoes of parishioners to collect money for children of developing countries. This has given me the idea to simulate the same educational fund-raising campaign in the Philippines with many more people in soli-

ilarity for a shared cause of uplifting humanity. The Austrian Women jointly with the Youth Organization do not only raise funds... they have an educational campaign to raise social awareness for a cause. They expose themselves to the conditions of the beneficiaries of their partner organizations in the third world. They also call some self-empowered leaders from the third world to their country in order that they may themselves speak about their situation to the women, men, children and youth with whom they share their stories. The mutual openness to each other, the attitude that money is not power, and that sharing spells strength making for a deeper bonding in body-mind and spirit.

I have seen that some of these Catholic women are involved in an ecumenical cooperative bank formerly known as EDCS (Ecumenical Development Cooperative Society), founded by the World Council of Churches in 1975, now re-named Oikocredit where Christians and Churches contribute share capital of US\$250 and this is loaned out to cooperative enterprises in the world. At the moment their program's thrust is to loan money to micro-finance institutions in the third world – also a thrust of the World Bank to resolve poverty alleviation. Among alternative trade organizations in the world, there is an overarching organization known as FAIR TRADE. Their member organizations both from the developed and the developing countries live by certain trade principles. One of the principles of Fair Trade is: fair wages for workers and fair prices for the buyers and consumers. In Austria, I visited a Fair Trade Quality Shop selling goods from partner Fair-Trade member organizations in the First World and I asked them whether they have the goods of SAFFY Handicrafts from the Philippines. (SAFFY Handicrafts is the brand name of a sister organization which was established by a religious sister with our Priest-Founder and once was an affiliate of our Asian Social Institute [ASI] and is now independent from ASI). And to my surprise, it was on sale in the Quality Shop in the center of Vienna. They showed it to me. I had a picture taken holding a capiz shell lamp in order to show it to the Board Members of SAFRUDI (Social Action for Rural and Urban Development Foundation in Manila, Philippines). There I saw that every product in that Third World Shop is a symbol of solidarity. There are organizations connected with Alternative Trade such as GEPA in Germany that one time made a loan from Oikocredit. GEPA pre-pays farmers for their coffee-beans, from farmers' co-ops in the third world countries. SAFRUDI while being helped to market their products through the alternative trade organizations also contributed share capital to Oikocredit. Thus,

Coffee, Chocolate, Handicraft Products become symbols of global solidarity. In the area of communication, one can cite the London-based World Association of Christian Communication (an ecumenical organization) with its counterpart in the Catholic Church, led by His Excellency, Most. Rev. Archbishop John P. Foley, President of the Pontifical Council for Social Communications that promotes communication for integral evangelization, development and social change. People in communication assist children and youth in schools to try to critique the subliminal consumerist values promoted by the advertisements: being, not having; big is beautiful; the package, more important than the product.

For the poorest of the poor, there is the Grameen Model of Banking, adopted in the world. But the Grameen beneficiaries should graduate from livelihood projects to small businesses and then to industry. I am a Chair of the Board of the Center for Small Entrepreneurs which was facilitated by our Social Science Institute (ASI). This Center has a very dynamic and creative manager. With some funds from an NGO in Belgium, they have trained what they call 'Entrepreneurs for Others'. After seven years of operation, they were able to have a Trade Fair participated in by 150 small entrepreneurs in a famous mall in Manila, where in addition to the trade fair, they also had a launching of a book with the stories of successful small entrepreneurs. Representatives of the Department of Trade and Industry (DTI) and the Department of Science and Technology (DOST) in the Philippines, spoke words of esteem and recognition for the economically self-empowering work and related values this small dynamic group is preoccupied with. They instil in people who can barely cope with the difficulties of being-in-business, pride for their talents and capabilities to create more equity in life-chances. With a rigid training for small entrepreneurs, they will soon be a strong organization; they have already made connection with the organization of Entrepreneurs in Belgium. In Asia, there is the Asia Friendship Society, involved in community development in 19 countries of Asia, a Japanese-based organization where the members are of different religious persuasions – Protestants, Catholics, Hindus, Buddhists, Taoists and Muslims. I was once asked to give a talk on 'Spirituality and Total Human Development' to them. The NGO Protestant Minister, Rev. H. Murakami, founder and head of the organization, told me, 'They need to be given spirituality because of the high incidence of suicide (30,000 a year in Japan). It seems they do not know anymore the meaning of human existence'.

A qualitative study of the World Bank (2000), 'Voices of the Poor Crying Out for Change', defined poverty as 'powerlessness and ill-being' with the

following manifestations derived from the thematic analysis of the stories of 20,000 poor women, men and children in 23 countries:

1. Livelihoods and Assets: precarious, seasonal and inadequate
2. Places: isolated, risky, unserviced, stigmatized
3. The Body: hungry, exhausted, sick, poor appearance
4. Gender Relations: troubled and unequal
5. Social Relations: Discriminating and isolating
6. Security: lack of protection and peace of mind
7. Behaviors: disregard and abuse by the more powerful
8. Institutions: disempowering and excluding
9. Organization of the Poor: weak and disconnected
10. Capabilities: lack of information, education, skills, confidence.

The Call to Action requires programs of action that will bring about the following shifts:

- From material poverty to adequate assets and livelihoods
- From isolation and poor infrastructure to access and service
- From illness and incapability to health, information and education
- From unequal and troubled gender relations to equity and harmony
- From fear and lack of protection to peace and security
- From exclusion and impotence to inclusion, organization and empowerment
- From corruption and abuse to honesty and fair treatment.

And we could add:

- From environmental alienation to environmental integration.

It is quite significant that the World Bank Study has this to say about the study and I quote (see box):

The Challenge to Change

Listening to voices of poor people is a beginning, but only a beginning. At worst, it may only lead to a change in rhetoric. It sounds good to have elicited the voices of the poor. Quoting their striking statements as we have done in this book may make an impression. But the crux is deeper change. Poor people can be heard, quoted and written about without the hard step of changing policies. And policy can be changed without the even harder step of changing what actually happens on the ground. The voices of poor people cry out for change. Commitment to deep change demands a lot. Three domains for change stand out: professional, institutional and personal.

The professional change that is required is a paradigm shift. It concerns professional concepts, values, methods and behaviours in development. It entails modifying dominant professional preconceptions with insights from participatory approaches and methods. It implies starting with the realities of the poor. To do so is not to deny the validity of other approaches and methods. It is, rather, to introduce a different starting point and point of reference that other approaches and methods can complement. It demands that professionalism include reflection on the implications of decisions and actions for poor men and women.

Institutional change is cultural and behavioural. To the extent that organizations reward domineering behaviours, they are antithetical to the sensitive, responsive and empowering approaches needed to give the needs and interests of poor people priority. These behaviours are dictated by the norms, rules, rewards, incentives and values implicit in organizations. Organizations that affect poor people's lives include donor agencies, government and their departments, the private sector, NGOs, universities and training institutes.

Personal change is fundamental to the other two. Changes that are professional and institutional and changes in policy and practice all depend on personal commitment and change. The self-evidence of this statement should not detract from its force, for eventually it is individuals who make a difference, including individuals who behave and act differently even when surrounded by rot, corruption and indifference.

The need and opportunity to act and to change are greatest for those who are wealthy and powerful and who never come in direct contact with poor people. For them it can be hard to know the effects of their actions and inactions. It can be easy and tempting not to know. Few politicians, policy-makers, senior bureaucrats, staff of international agencies and the influential elite have had the chance to learn from poor people. This book is no substitute for direct experience, but we hope that, however modestly, it will help to bridge this gap. Those who speak through these pages were generous with time they gave to the study. They shared their experience. Many have suffered traumas of war, violence, hunger, sickness, debt, exploitation, exclusion, harassment, pain and fear. Many wondered whether anything they said would make any difference.

Will *Voices of the Poor* make things better for those poor people who took part or for the hundreds of million of others like them or their children? The answer is that it depends. It depends on the vision, courage and will of all touched by this study. It depends on us all.

Source: Deepa Narayan et al., Voices of the Poor. Crying Out for Change. The International Bank for Reconstruction and Development/The World Bank. Oxford University Press. 2000, 314 pages.

The Churches, Christian Schools and Universities, and all Christian-Motivated Development Agencies need to be studied in relation to how their Concrete Practice of Love, of *Agape* strengthens the consciences of people to the Kingdom Values and expressed in the Compendium of Christian Social Teachings as proclaiming Human dignity and Integrity of Creation, Common Good, Principle of Subsidiarity and Solidarity. The Spirit works where it wills. I believe that the facilitators of the participatory action research sponsored by the World Bank have personally been transformed as gleaned from their concluding statements. For organizations that have been working towards social structures that bridge 'gaps', 'divides' and 'disconnects', it is imperative to listen to the Spirit that has moved the researchers of the World Bank study to derive valuable insights that resonate in the hearts of those who struggle with the materially poor for more equity in life chances.

It is for us, members of the Pontifical Academy of Social Sciences, to discover for ourselves how to connect with those who are in the practice of Love or *Agape* where working for justice is in fact the minimum requirement on our part to manifest God's Love for our fellow human beings. All our reflections in this Academy could theorize from the experiences of Church organizations that have tried to witness to the goal of Global Solidarity, which is the more authentic Globalization being called for by the Christian Commandment of Love. Indeed there should be a study of how Global Solidarity already in practice among several Church entities could be enhanced to strengthen a movement of thought, inquiry and action which will fill us with the divine energy to create models from experience that becomes a counterculture to the kind of Economic Globalization that fragments body, mind and spirit; that alienates people from Mother Earth, that atomizes families, communities and the Global Community. As PASS, to be part of the Global Solidarity Network in the dimensions of a movement of thought and inquiry, motivated by Gospel Values and Christian Social Teachings may help to nurture an understanding of the appropriate programs of action seen from the perspective of a holistic development frame, if not of an engaged spirituality that will prevent our work of justice and charity from being endangered by 'special interests' and 'power' (Benedict XVI, *Deus Caritas Est*, December 25, 2005, n. 28).

SESSION IV

FAIRNESS IN INTERNATIONAL INVESTMENTS AND FINANCING

LUIS ERNESTO DERBEZ BAUTISTA

When speaking of fairness in financial markets, one has to be aware of the many aspects this implies. Because I framed my thoughts in terms of the capital markets of the world, I would like to start my presentation with the following quote. Quote that appeared in the March 31st issue of the magazine *The Economist*, as it referred to the current situation of the world's financial markets:

'The next wave of distress will be unlike the last in two respects. First, commercial banks no longer dominate the process. Non-banks such as hedge funds now make roughly half of all high-yielding leveraged loans and hold the lion's share in the secondary market. Secondly, borrowers' capital structures – the various layers of debt and equity, each with different rights in the event of default – are now more complex'.

Fairness and Unfairness of the Financial Markets

What does this mean? It means that globalization, and the appearance of new actors in the market has modified the rules in such a way that fairness in international flows of capital is difficult to evaluate. The explosion of financial instruments based on derivatives make it extremely difficult to understand even by experts in the field, why the access that many developing nations should have to required capital, either as foreign aid, or foreign direct investment, is not occurring.

Indeed, unlike the expectations that globalization of the markets brought in the last part of the past century, the many financial instruments now available to the world and the fact that speculation has taken hold of the markets, has led the world to a financial system with greater vulnerability to accidents than it ever was before. As a result, time and again we have

observed that the possibility occurs that through no fault of its own, a developing nation suddenly finds itself without access to capital in a very quick period of time. Today, as a result of this globalization process, we are facing two major financial risks which throw initial light on the unfairness of the current system to developing nations. The first one has to do with the proliferation of derivative instruments; the second with an excessive appetite for dollar denominated debt to finance current account deficits in large nations. I would like to talk about both today, as I believe they are the source of the great inequality and unfairness in today's world that developing nations face when looking for financial support to their economic programs.

First, proliferation and profusion of financial instruments have increased the potential risks to the international financial system. The instability that they produce, translates into fewer opportunities for financing projects in developing nations. The nominal (face) value of derivative instruments amounts to multiples of global GDP. Based on this massive number, it is easy to tell stories about how a financial crisis can occur, as a chain of interlocking derivative contracts unravels due to a failure to settle one contract, which is hedging another contract, which in turn is a hedge to something else. Pretty soon, as in stories in which the payments system grinds to a halt due to a relatively small payments failure, a small event can be made to have frightening consequences.

Scenarios involving the unraveling of a chain of derivative transactions may be unrealistic, because there are netting arrangements among most institutions which mean that it should generally be possible to offset obligations that have not been settled. Nevertheless, it may be equally possible that the risks that are passed on through derivative contracts may be inappropriately placed and not adequately recognized. For instance, when banks securitize or hedge a risk, the risk migrates to other places – frequently, it is believed, to insurance companies. The concern is that the risks move from people who understand them to those who do not. If that is the case, the world may soon be facing a major financial collapse; one where poor and disadvantaged nations may end up with the worst part of the cost.

On the other hand, superfluous consumption in developed nations has created an excessive demand for funds to finance their current account deficits. The ease with which a country as the United States of America manages to attract funds is remarkable, leading to question a system which provides large amounts to finance consumption, and few resources to finance projects in developing nations which could help them to reach higher levels of growth and employment, thus to lower levels of poverty. Moreover, the

consequences of this mismatch between demand and supply of financial flows could lead to consequences that would hit in a stronger negative way developing nations, once again, through no fault of their own.

Let me explain this last point.

We are all aware of the devastating effects that excessive international debt had in the economies of nations who found it easy to finance a consumption period in their histories. The Mexican crisis of 1994, the Asian crisis of 1997, and the Argentine crisis of 2001 are examples of currency mismatches and their aftermaths. However, in those cases the size of the economies involved and the nature of the foreign exchange risks taken by them are different from what could happen today. The punishment brought about by the solution to those crises was borne mostly by the borrowing countries which had indebted themselves in foreign currency. Devaluation punished the debtors, but we all know the effect on growth caused by the ensuing financial crises, I will refer to them later on.

Bad as these episodes of financial world crises were, we have a more dangerous situation today. It is no longer small economies that are at risk; it is the United States of America, the world's largest economy. The US has borrowed heavily abroad to finance ever larger current account deficits derived from an insatiable appetite for consumption goods. But whereas in the past indebted countries did so in currencies other than their own, the US has done it almost entirely using dollar-denominated liabilities. This implies that, just at the time that creditor countries could be facing the challenge of appreciating currencies and more competitive trade markets, they would also be facing the 'headwinds' of sharp wealth losses on dollar-denominated assets.

The negative effect would be a double negative impact on developing nations: first, a loss to financial access product of a reduction in financial official aid from many developed nations, as well as a fall in foreign direct investment arriving to their economies. Secondly, the heavy losses which such a crisis could bring to the world undoubtedly would translate in a more protective trade environment, affecting the developing nation's access to the very markets they would need to receive income needed for their development.

The Evolution of the Market

How did this unfairness in financial flows for development come to be?

Fifty years ago, foreign direct investment and capital market flows were negligible. Official financial aid was the dominant factor in financial flows

arriving to developing nations. Thus, an orderly manner of transferring capital was in place. This was possible because first, foreign direct investment was strongly curtailed by limitations imposed by many developing nations. Sectors of national interest were the recipients of such flows, the result was productive investments and growth which helped create jobs and welfare in the economies when the funds arrived. No speculative flows arrived, which was a major difference from where we are today.

Indeed, investing in foreign securities was practically impossible for most investors. Typically, nationals were forbidden to take their money away from the country, or foreign currency restrictions made it impossible for them to obtain foreign currency to pay for foreign securities. In addition, the countries in which they would have wanted to invest almost always did not allow them do so. As a result, capital markets in most countries were completely segmented. As financial liberalization took hold of the world, explicit barriers to international investment were brought down and, for the largest and most developed countries, largely eliminated. To use the analogy of bestselling author Thomas Friedman, when one focuses on explicit barriers, the financial world has become flat when one looks at developed countries, and has become flatter when one considers emerging markets.

Unfortunately, the financial world is much flatter *de jure* than *de facto*. The results we have observed from this new arrangement in the international financial system have limited the sharing of risks internationally and prevented capital from flowing to where neo-classical models suggested it would have the highest return: developing nations in need of it.

Leading trade and financial theorists now know that capital mobility is different to goods mobility, and that there is something about trade in financial instruments that is different from trade in goods. This is due to the failure to recognize that while regulation is almost certainly more necessary in financial markets than in goods markets, the need is not for regulation of international capital flows, it is for regulation of financial markets, domestic and/or foreign – a distinction that may not have been drawn sufficiently when recommendations to liberalize financial markets were pushed by multilateral institutions like the World Bank and the International Monetary Fund.

The proposed liberalization of financial markets pushed by the multilateral financial institutions was based on the neo-classical model of portfolio choice which predicted that, under liberalized markets investors would hold portfolios that were well-diversified internationally, so that risk was shared across countries efficiently and capital flows where it could be used most profitably. Unfortunately experience has shown us that instead of this result

capital does not appear to flow to where neo-classical models predicted it would. Today, investors hold portfolios that are overweighed in the securities of emerging countries which are approved by international financial agencies. And foreign investment funds follow the same approach, reducing substantially the offer of capital to those nations not considered safe by the international rating agencies. Furthermore, as the governments of developed nations consider that a sufficient amount of financing exists in the world, they have reduced their official aid flows, a situation that clearly has created a more unfair financial system than the one we had in the second half of the 20th century. In other words, an inherent bias is very much with us, one which unfairly discriminates against many of the countries where the financial flows would do the most good, both in terms of return to productive investments, as well as, more importantly, to the return of investment in people, a fact which is leading to today's migration processes: migration of people instead of trading of goods, a doubly unfair result.

We should have expected this bias when pushing for financial liberalization in the world. While experts were emphasizing financial liberalization, the Asian crisis intervened, and the countries most affected by the crisis were those of developing nature. As an example take the Brazilian crisis of 2002. If a country was following the experts' advice on implementing the so called 'Washington Consensus' measures it was Brazil. The crisis, thus, was the result not of poor economic management of the country; it was caused by the fear of international investors that Brazil might not service its debt if Lula were elected president. Clearly such a response to good management was an unfair outcome.

The unfairness derived from: a) the short-term nature of many of today's financial flows, b) the high turnover in financial markets and the multiplicity of agents who decide about a country's prospects, c) the speed with which market participants react to new information in negative ways, and quite importantly, d) the global reach of financial institutions with monopolistic power in the sector; commercial banks and financial rating agencies. These complexities of the new financial markets and the dominance by a few global financial institutions have a number of implications which affect the fairness in the way that capital is allocated in today's world.

Let me briefly consider a few of these, before turning to how they can significantly complicate the lives of policymakers.

The first implication to note has been the growing integration of financial markets, including those in emerging market countries, with subsequent impact on the covariance (perhaps even 'excessive covariance') of

asset prices. Over the last year or two, equity prices in virtually every emerging market economy (EME) have risen strongly while sovereign spreads have dipped to record lows. Even more astonishing, the sharp increase in house prices in most industrial countries has also been reflected by similar sharp increases in many EMEs. While arguments can be put forward to explain these developments in terms of 'pull' factors (better policies) in EMEs, there seems a reasonable chance that 'push' factors are also in play. The sharp increase in competition in the financial services industry in the industrial world, together with high hurdle rates and very low policy rates, has fostered a search for yield that has affected markets everywhere.

In what way does the international dimension complicate the lives of policymakers in developing nations? Consider first the conduct of monetary policy in tightening mode, with price stability as the ultimate objective of policy. As interest rates begin to rise, the currency will tend to strengthen. This will have a downward influence on inflation, implying that interest rates have to rise less than otherwise. This can have two dangerous effects. To start with, if the combined effect on the price of tradeables is greater than on non-tradeables, the trade account may deteriorate. Then, with domestic interest rates relatively low, asset prices could rise and even take on "bubble"-like dimensions. With spending further supported by this phenomenon, there would likely be further deleterious effects on the trade account. In the end, the markets could lose patience and a crisis might follow for the country involved.

This sounds very much like the dynamics of the Mexican and South-east Asian crises. And while it would be tempting to say that the international complication is really only material for small open economies, what has been going on in the United States seems qualitatively similar. The rate at which the United States is becoming externally indebted is, in itself, a cause for concern. Moreover, such concerns must be heightened by the recognition that the money lent by foreigners has been spent on bigger houses and higher oil prices, rather than investment in the tradable goods sector. As I mentioned before, the US deficit also has the potential to unleash a bout of global protectionism, which is not the case when small economies run into similar problems.

A second implication has to do with the management of monetary policy to help reduce cyclical effects in the emerging economies. Monetary policy in a financially integrated world is more complicated than it was in the past. The danger here is that an orderly management of the monetary mass could turn into a disorderly one, necessitating a sharp increase in policy

rates to stabilize the situation. We saw this on a number of occasions in Canada in the 1980s, and we have had a more recent example in Turkey. The end result of such policies could be a tightening of monetary policy which affects growth and investment in the host country, rather than an intended easing which would help increase investment possibilities in the nation concerned. As we in Mexico know, it is not a pleasant experience to find yourself going in the opposite direction from that originally intended.

The third problem arises from the globalization of commercial banks, and the presence of hedge funds as the major suppliers of financial flows in today's domestic and international markets. Banking supervision in a globalized world poses huge challenges for the relationship between home and host supervisors as they collectively seek to prevent crises from happening. The oversight of international payment and settlement systems is another important cross-border issue, one that affects the fairness of the international financial system.

Should the global financial system be subject to a sharp shock somewhere, the issue of how large, complex financial institutions might be wound down remains unresolved. The question of who might bear the costs of an adjustment under such shock still remains undecided. But we have then to ask ourselves the following: in a domestic financial crisis provoked by lax supervision of large dominant international banks in our economies, when emergency liquidity assistance is required, who is to provide it? In what currency?

There are a lot of issues to think about here, particularly since the absence of clarity about the limited role of the public sector brought about by liberalization policies positively encourages moral hazard behavior of the large financial institutions that control the domestic markets of many emerging nations. Thus the globalization of financial markets may provide enormous opportunities, but what we know is that it does create enormous concerns on their effect in providing a fair and just financial world system.

What may seem to the parent organization to be marginal decisions in a global business strategy may have major consequences for the availability of credit and liquidity in the host country when the local financial institution is large relative to local markets. While competitive forces, relatively free entry, and a global market for corporate control should replenish any gap in capital or risk tolerance over time, in practice, frictions, entry restrictions and information asymmetries can slow that process. The process could become more disorderly in periods of individual institution or general financial distress.

To resolve this situation which clearly is a major factor in the unfairness of the current international financial system, home and host country supervisors need to coordinate their supervision of large, multinational financial institutions. Where foreign-owned institutions make up a large proportion of the financial sector of an emerging market country, the health and well-being of the country's financial system may depend greatly on the financial strength and managerial effectiveness of the parent organization, as well as the local subsidiary or branch. In turn, host country supervisors would like to benefit from that comprehensive overview of the parent as they carry out their supervisory responsibilities. In particular, host country authorities want to receive information that is material to the operation of banking and financial markets within that country, recognizing that some constraints exist, especially for public parent companies.

After all the above is taken into consideration, it is difficult not to be skeptical of the fairness of the present financial international system of allocation of capital. The more we look at it, the more we feel concerned about its current structure. The skeptics now claim that the costs of financial opening in emerging markets are likely to outweigh its uncertain benefits. However beneficial the globalization trends may be in terms of economic efficiency, the implied changes, increased cross-border competition and pressure to adjust have provoked negative economic results and calls for protection, and not only in emerging markets.

The Mexican and Asian crises, in particular, were of a systemic nature, reminding us that financial markets have a growing capacity to transmit shocks, both across borders and across markets. The list of financial shocks in recent decades also includes the global stock market crash of 1987, the bursting of real estate bubbles in the late 1980s, and credit and asset price booms and busts. Experience has shown that in a number of instances the bust phase of the cycle has been accompanied by a crisis in the financial system. In many emerging market economies, domestic tendencies towards credit, asset price and investment booms have been reinforced by capital flows. Their abrupt reversals have deepened the bust phase. Moreover, emerging market economies – unlike developed ones – as a rule have not been able to borrow in their own currency. The resulting costs to the real economy have thus been greatest when, due to currency mismatch problems, banking crises and foreign exchange crises have coincided.

As if all this were not enough, even though international capital markets have become deeper and more capable of taking on risk, they have become more sensitive to fads and fashion. Changes in perceptions or attitudes

towards risks can abruptly alter the funds that a country can expect to receive (sudden stops). These changes can prove costly, in terms of sharp price variations, pressure on the exchange rate, projects having to be abandoned for lack of funding, and so on. In such a scenario, what can small countries do?

Thus, the new financial order of integrated markets comes as a mixed blessing for developing nations. Certainly, integration does bring great benefits to these economies: external funds begin flowing in; countries can enjoy lower costs of capital and take advantage of greater opportunities for risk diversification. In addition to cost reduction, through increased competition, it pushes local industry to increase efficiency and adopt best practices. In a more open environment, competition and market discipline are enhanced.

However, financial integration also entails the danger of amplifying the costly distortions and imperfections of domestic financial markets, as they are internationalized through financial flows between countries. It may also uncover the incompatibilities that arise between countries with inconsistent macroeconomic policies. But what is probably even more important, financial integration creates an additional source of domestic volatility, as irrational exuberance, bubbles and crashes in international markets are imported and contagion effects and sudden stop dynamics make it almost impossible to remain isolated from shocks elsewhere in the world. When financial imbalances grow too far and/or for too long, they do have the potential to trigger financial instability, especially if financial institutions' balance sheets are exposed to such risks.

Financial instability implies that due to some shock the financial markets are not properly performing their standard functions, i.e., effective mediation between creditors and debtors, spreading of risks and efficient allocation of resources to particular activities and over time. Such a situation, with its serious implications for payment and other systems, can be quite disruptive to economic activity. Although the advanced countries have also gone through episodes of boom and bust in credit and asset prices, experience has shown that the probability of a full-blown financial crisis is higher in emerging market economies. The latter are constrained by their institutional and structural weaknesses. Unlike developed countries, they cannot borrow in their own currency. By their nature these economies are susceptible, in particular, to foreign exchange and currency crises, which are rare in advanced countries.

All of this suggests that a continuation of past policies that seemed appropriate when initiated is now desirable. In particular, because it is hard to say when, where, and how future shocks will hit, developing countries

have to start thinking about weaning themselves off reliance on global savings and look for a more stable source of funds, while surplus countries have to find ways to depend less on external demand. Since adjustment is inevitable, would it not be better to commit ourselves to a medium-term policy framework? One that should be agreed by all governments and international financial institutions involved, so that public policy can support the needed private sector adjustment and ensure the process is smooth? One that would define a sufficient level of official aid funds as promised under the Millennium goals?

There are many interesting questions when analyzing the fairness of today's financial systems in the world. But we do not have the time to go over all of them, so please let me conclude my remarks.

Conclusions

First, under the impact of financial globalization, a gradual shift from the government-dominated official aid/multilateral aid system of the Bretton Woods tradition to a market-led system has evolved. Exchange rates, liquidity conditions and adjustment to shocks are increasingly determined by decentralized market forces. In the changed environment, a gradual shift from bank-centered to market-based financing is taking place, albeit at a different pace in individual countries and regions. The resulting decline in banks' core business areas has forced them to search for other opportunities both at home and abroad. They have found a niche in emerging economies, an action that has its positive and negative aspects, but above all that defines the unfairness of the current system with its bias against small and less developed nations.

Second, changing rules in the financial markets have meant a changing structure of power on who makes the decisions to provide financial flows to developing nations. Whereas the Bretton Woods system had a clear mandate to create a fair system of aid to developing nations, a system like the one we have now where private agents and speculative investments dominate, is a system where the governance structure is biased against fairness. It is a system that does not care for the need to give each country the possibility of reaching growth and eliminating poverty. It is therefore, a system without the legitimacy or the appearance of impartiality necessary to undertake the sometimes intrusive tasks entailed in facilitating international policy dialogue or international lending.

A financial system that can finance the running current account deficit of 6.5 percent of its GDP in the USA – in the process absorbing nearly 70

percent of world external savings – while denying funds to countries in dire need of them to rescue their population from poverty and hunger seems hardly a fair system.

A system that can impose in small emerging economies the mood of foreign investors at their will, not so much because foreign investors will inflict a ‘sudden stop’ but because they are likely, at some point, to start demanding a much higher premium for continuing to finance, is not a fair system.

This system, thus, needs to be changed to operate in a different more just manner.

First, it should recognize that trade imbalances are a shared responsibility and help prevent concerns about imbalances degenerating into protectionism, or into calls for one country alone to narrow its deficits or another to appreciate its exchange rate, measures that will be ineffective by themselves.

Second, it should reassure financial markets that a policy framework for supporting adjustment without undue pain is in place, thus limiting the risk of an abrupt and costly market-induced adjustment.

Third, it should create conditions to obtain a sufficient amount of donor aid to ameliorate the poverty conditions of extremely poor nations.

Unfortunately, even if the politicians in a country are far-sighted, only domestic benefits enter their calculus: the effects of their actions on reducing risks for everyone else are heavily discounted. As a result, policies that have large external spillover effects may not be undertaken because:

1. Politicians don’t think the risks of an abrupt adjustment are high or that the recommended policies will do anything to narrow imbalance; or

2. They think the risks are high but they care more about the high cost to their own political futures if they undertake corrective policies; or

3. They think the risks are high, and they want to do what is right for the country, but the domestic cost of action outweighs the domestic benefit because much of the benefit redounds to the rest of the world; or

4. They think the risks are high but they cannot move unless others move?

This means some way has to be found to persuade countries to internalize the beneficial effects their policies will have on everyone else – to internalize the spillover effects. That, my friends is a task that only an Academy as this we are in now can undertake. A task that I am sure most of us would gladly undertake, because it is a task that would help those in the world in more need of our support, the poorest of the poor.

Thanks.

FAIRNESS IN INTERNATIONAL FINANCING

HANS TIETMEYER

In the 2004 Compendium of the Social Doctrine of the Church, the paramount importance of investment financing for real economic growth and the fundamentally positive role of the financial markets and their internationalization are rightly stressed; at the same time, however, attention is drawn to the risks of crisis posed by the greater mobility of capital and by the loosening of the links with the real economic world:

‘...the experience of history teaches that without adequate financial systems, economic growth would not have taken place. The large-scale investments typical of modern market economies would have been impossible without the fundamental mediatory role played by financial markets, which, among other things, engendered an appreciation of the positive functions of saving in the overall development of the economic and social system. If the creation of what is called ‘the global capital market’ has brought benefits, thanks to the fact that the greater mobility of capital allows the productive sector easier access to resources, on the other hand it has also increased the risk of financial crises...’. (no. 368)

SOME SHIFTS OF EMPHASIS IN RISK POTENTIAL

In the course of the past few decades, the focal points of the potential for international financial crises have shifted. Unlike the situation in the sixties, seventies and eighties of the last century, for some time now the potential for international financial crises has not resided primarily in exchange risk. And in recent years the excessive public debt of many developing nations has been reduced or rescheduled, particularly in a number of especially impoverished countries, by means of joint efforts on the part of donors and recipients of capital, whilst others have accomplished this by

their own efforts. At the same time the activities of the financial markets have changed substantially. With the growing modernization of techniques and marketing channels (especially through the creation of derivatives), the increasing globalization of fields of action and new communications facilities, the main potential for financial crises has shifted more and more to the private financial sector, and to the risks of contagion inherent in it. Accordingly, international discussions have for some time been focussing increasingly on the issue of how to preserve the stability of the private financial system in this changing environment.

These shifts of emphasis in risk potential have also had implications for both duties and efforts at the international level. To be sure, the IMF still exercises a surveillance function, especially for the macro development of its member states, whereas the level of its former highly conditional lending is much reduced nowadays. The World Bank and other international development banks continue to concentrate mainly on financing projects in developing nations. For the oversight over private financial markets, on the other hand, there is no international supervisory organization with direct and comprehensive responsibility. Primarily through the agency of the BIS in Basel, however, with the global cooperation of central banks organised there, as well as through the Financial Stability Forum set up by the G-7 in 1999, a number of Round Tables of national and international supervisory bodies that are striving to coordinate national supervisory activities in the private financial markets and to devise appropriate regulatory frameworks and codes of conduct have now come into being.

FAIRNESS IN INTERNATIONAL FINANCING

As I interpret it, the concept of fairness in international financing comprises, besides respecting the general requirements of social justice, behaviour that takes due account of the generally accepted and applied rules and practices in effect in the financial markets. Thus, the fairness concept involves, in particular, the following aspects and considerations:

- fairness in reconciling divergent interests (especially prices and deadlines) between capital donors and capital recipients;
- fairness with respect to maintaining the lasting viability of the financial markets, and to avoiding crises;
- fairness in resolving, and dealing with, specific and systemic crises.

As regards the fair reconciling of the divergent interests of capital

donors and capital recipients, in the light of past experience, open access to the markets and the application of, as far as possible, identical conditions are of paramount importance. Fundamental lode-outs or partial limitations of markets are contrary to the requirement of fairness, as are the privileging of individual suppliers or demanders, let alone offers of bribes to decision-makers. The appropriate transparency of the terms demanded and agreed may be of mounting importance for all interested parties (including competitors) and to the lasting viability of the financial markets.

The concept of fairness requires those concerned, in particular, to give due consideration in their actions to the lasting viability of the relevant market segment. In this context (especially in the case of financial transactions), consideration of the time horizon of the deal on both sides, and of the mutual disclosure of risks, is of key significance. At the same time, the risk of contagion from other segments of the market must also be borne in mind.

Especially in the financing of large-scale projects, market participants must likewise be aware of their simultaneous responsibility for preserving the viability of the entire system. In view of the absence of binding international official rules and supervisory regulations for the lasting viability of the financial markets, the compilation of, and compliance with, joint international codes of behaviour and of decision-making are of growing significance.

Should specific or even systemic crises nonetheless occur, the concept of fairness is mandatory in coping with such crises. The standard for assigning fair shares must depend on both the failures of individual participants and their lasting importance for restoring viability to the system. In the final analysis, the decisive factor must be primarily responsibility for the future.

FAIRNESS IN INTERNATIONAL FINANCING FOR DEVELOPING NATIONS

The main speaker at this session, Prof. Luis Ernesto Derbez Bautista, has devoted himself in the paper he has delivered today primarily to the topic of the fairness and unfairness of the financial markets especially for developing nations, and has drawn attention mainly to recent trends in the financial markets and to the risks thus posed to developing nations. I should like to comment briefly on some of the issues he has raised and conclusions he has drawn.

1. Mounting Risks Owing to Market Innovations

Prof. Derbez Bautista has rightly drawn attention to the explosive escalation of market activity, especially as regards derivatives. However, these innovations have not only vastly enlarged the dimensions of the financial markets. Besides new financing opportunities, they have also created new risks, both for directly and indirectly affected borrowers and lenders and for the long-term stability of the financial system. So as to safeguard the durable viability of the financial markets, and to prevent – as far as possible – an unfair distribution of the risks, enhanced supervisory activity and international cooperation among national supervisory authorities, along with additional prophylactic measures (especially on the part of the major players among the private financial institutions) are imperative.

2. No One-Sided Unfairness to Developing Nations

Prof. Derbez Bautista is also quite right to point out that the explosive escalation of the financial markets has brought, and is still bringing, the developing nations greater risks and difficulties as well as enhanced opportunities. This is because most developing nations are particularly dependent on the external financing of their investments and on borrowing in foreign currencies.

However, unlike Prof. Derbez Bautista, I do not regard this distribution of risk as a one-sided unfairness to developing nations, since industrial nations may likewise be affected in the event of wrong policies. True, I concur in his criticism of some overly one-sided calls by the IMF and World Bank in the nineties for a rapid liberalization of capital movements – calls which were inadequately associated with major prerequisites. After all, in several of the developing nations addressed at that time, the domestic preconditions were not yet ripe for such liberalization. But this observation must not observe the fact that many of the earlier financial crisis in developing nations were mainly due to mistakes made by the affected countries themselves. That is true, in particular, of many of the earlier crises in Latin America and Asia. In most cases, a fixed or semi-fixed exchange-rate policy which was inconsistent with the domestic policy was being pursued at the time. The fixing of exchange rates, inconsistent economic policies and capital liberalization – that is an unstable triangle, and gives rise to a credibility problem which may suddenly lead to undue speculation, and thus to crisis-generating capital movements and financing problems. On account of their

often large proportions of external and foreign-currency financing, developing nations may be hit particularly hard by such trends. However, in principle that applies also to many industrial nations if their currency is not sufficiently stable, as a number of crises in Europe, too, have shown in the past.

3. Multiple Causes of Pent-Up International Imbalances

Prof. Derbez Bautista likewise rightly draws attention to the particular risks and potentially unfair effects facing developing nations on account of pent-up external imbalances. Especially in the United States, a substantial part of private and public consumption has for some time been financed by borrowing abroad. Although it is true that such external financing of a considerable part of US domestic demand has fostered world trade, and thus also growth and prosperity in many developing nations, at the same time the risk of a sudden change or even a reversal in financial flows, and of new protectionist interventions in world trade, has increased, and may well evolve to the detriment of developing and emerging nations, as well as of other industrial countries. However, the causes of this accumulation of dangerous risks are to be sought not only in the United States. In substantial measure, they are also due to unilateral policies of nominal exchange-rate stabilization and to the excessive accumulation of foreign exchange reserves in China, Japan and the OPEC countries. Hence these nations, too, bear part of the responsibility for today's problematic global imbalances, and for their adjustment without undue drawbacks for other developing and industrial nations.

SOME CONCLUSIONS FOR NATIONAL POLICIES

With respect to the operation of present-day financial markets and their further practical evolution and increasing globalization, the demand for international fairness has to take due account of numerous dimensions. One-sided assessments are no good here. In my opinion, above all the following points are essential to the achievement of the requisite fairness in international investment and financing:

1. Sustained and Credible National Policies

Present-day financial markets, with their generally global dimensions and frequently highly volatile investment policies, more than ever before

necessitate domestic national policies and modes of conduct that are Consistent, Continuous and Credible (the three Cs). That goes not only for developing and emerging nations, but also for already largely developed industrial countries. On such a basis, stable international monetary groupings can then be brought about, as the experience with the Euro goes to show. By contrast, given the divergent interest and preferences of many countries, I do not regard a global supranational currency sometimes called for by certain commentators as being realizable and desirable in the foreseeable future.

2. Stepping-Up International Cooperation

Besides a more credible orientation of national policies, a progressive further development of international cooperation in the monetary and financial sphere is of particular significance:

– The national financial supervisory authorities must continue and further refine the international cooperation that they have started. To bridge the contradiction between the growing global activities of market players, on the one hand, and for the foreseeable future prevalent national sovereignty of supervisory authorities, on the other, progressive informal cooperation, and the introduction and exploitation of greater transparency, are most likely to yield real progress towards what is – in substance – a joint set of regulations. In particular, the evolution of codes of behaviour and guidelines, as well as commitments to greater transparency, which may at the same time perform a kind of controlling function, can play a useful role, judging by past experience.

– Furthermore, the monetary policies of the national and in some cases also the international central banks must continue to be conducted credibly, and sufficiently foreseeably for the financial markets. They must not be conducted in a short term orientated way given the fairness required for the lasting functioning of the financial markets.

3. The Further Evolution of Financial Development Aid

Besides the as-fair-as-possible working of the financial markets, the financial development aid granted by developed nations will continue to be significant in future, especially for specific development projects. Specifically on grounds of fairness, however, such aid should be increasingly concentrated on conspicuously poor countries, and shaped in such a way that

it manifestly helps durably to overcome poverty and to develop a country's national and competitive economic activity. Development aid must support the lasting development of the poor countries and not privilege special groups of people or politicians.

THE ROLE OF THE CHURCH AND THE DEFINITION OF JUSTICE AND FAIRNESS

Replying to the question 'What is justice?', Pope Benedict XVI rightly said in his encyclical *Deus Caritas Est*: 'The problem is one of practical reason, but if reason is to be exercised properly, it must undergo constant purification, since it can never be completely free of the danger of a certain ethical blindness caused by the dazzling effect of power and special interests'. And a few sentences further he added: 'The Church cannot and must not take upon herself the political battle to bring about the justest society possible. She cannot and must not replace the State...She has to play her part through rational argument, and she has to reawaken the spiritual energy without which justice, which always demands sacrifice, cannot prevail and prosper. A just society must be the achievement of politics, not of the Church' (n. 28a).

Speaking as a cardinal, Josef Ratzinger, addressing businessmen here in Rome in 1985, drew attention to the connection between ethics and a knowledge of economic relationship: 'A morality which believes that it can be disregard the laws of economics is not morality but rather moralism, i.e. the opposite of morality. An objectivity which believes it can be disregard ethics is a failure to appreciate human reality, and therefore a lack of objectivity'.

The demand for fairness for the financial markets today and tomorrow likewise calls for a stance on the part of policy-makers and financial market participants alike which is geared both to ethical principles and to the exigencies of the markets.

FAIRNESS IN INTERNATIONAL INVESTMENTS AND FINANCING

*Special Reference to Developing Countries**

JOSÉ T. RAGA

The problem with the financing of the economy at international level, including the determining factors behind the movement of capital and particularly the financing of investment in third countries, constitutes a most attractive topic both with respect to Economic Theory and to Applied Economics as well as with regard to the decision making of economic agents. One must also consider its significance to those with political responsibility at both national and international level. This is true whether such financing is carried out through loan operations or through direct investment outside the country of residence of the main investor.

At the beginning of the twenty-first century, a time in which we are committed to the creation of a global economic model, a world without borders, an efficient and competitive space that guarantees the free movement of goods, services, financial resources and indeed people, the location of the productive activity and the distribution of the means necessary for it to be carried out have assumed an unprecedented interest.

The enormous increase in investment alternatives, geographical destination points and the great diversity in terms of characteristics of those in receipt of financial flows, have made international financing the meeting

* I am very grateful to H.E. Prof. Luis Ernesto Derbez Bautista, Secretary of Foreign Relations of Mexico, for his kind and outstanding comments to this paper. I want to extend my gratitude also to Prof. Wilfrido V. Villacorta, Professor Emeritus of De La Salle University in Manila, and to H.E. Mgr. Marcelo Sánchez Sorondo, Chancellor of the PASS, and Prof. of LUMSA University in Rome, for their most stimulating comments. Any responsibility for errors and misunderstandings is exclusively the author's.

point for economic, political and social considerations as well as moral evaluation. This requires an input of considerable time and effort on the part of those studying this interdisciplinary question.

And within this diversity to be found in the receivers of capital movements, we wish to highlight factors such as standard of living and economic and human development, factors which vary so greatly from one country to another. The forceful statement of Paul VI is still completely valid thirty-six years later:

...Flagrant inequalities exist in the economic, cultural and political development of the nations: while some regions are heavily industrialized, others are still at the agricultural stage; while some countries enjoy prosperity, others are struggling against starvation; while some peoples have a high standard of culture, others are still engaged in eliminating illiteracy. From all sides there rises a yearning for more justice and a desire for a better guaranteed peace in mutual respect among individuals and peoples.¹

And these are the differences that we would like to concentrate on today, with a view to focusing our studies on those less favoured regions, regions that seem to be less attractive to capital flows and therefore remain marginalised and in poverty with a very real danger to their lives and the survival of their kind.

From the inequality outlined in Paul VI's text, it can effortlessly be deduced that when we speak of international financing we have, on the one hand, the developed countries and their economic agents, public or private, who, because of their knowledge, economic capacity or perhaps more importantly their negotiating power – stressed by a multiplicity of alternatives – are capable of operating in an environment where the financial transaction is conducted on equal terms between the financier and the financed, the borrower and the lender, the financial institution – be it private or public, national or international – and the economic agent, regardless of whether this economic agent belongs to the private or public sector.

Because of this, we find it unnecessary to devote special attention to financial relationships of this kind. One can assume that the freedom of agreements between parties so equal in terms of capacity and power will serve to guarantee that the result of the negotiation satisfies the objectives of those entering into the contract. It is unlikely that, in such negotiations, there

¹ Paul VI, 'Apostolic letter *Octogesima Adveniens*', Rome 14.05.1971, n. 2.

will be cases of pressure and the imposition of one party over the other. This is even more the case if we consider the range of opportunities available. In other words, although in exceptional cases, moral considerations may be relevant, in this type of financial relationship it is uncommon to find ethical implications assuming a role of necessary and general consideration.

The situation becomes different when we consider the financing of economic activities in poor countries. To start with, these countries suffer from very rudimentary financial structures. They have little capacity to negotiate lines of finance in a market, which though in theory is extensive and full of alternatives, is far more restricted both in terms of diversity and options when it comes to providing resources to a developing nation. Whether it is the public or the private sector that seeks financing, it is forced to accept the conditions stipulated by the financier.

In most cases these conditions include an extra charge for insolvency risk, which, when incorporated into interest rates, makes financing either inaccessible or tremendously expensive. It is obvious that the risk to which we are referring exists in many cases, but it is no less true to point out that such a generalised measure penalises those who are more trustworthy while those who are less reliable are indifferent given that their insolvency may even be premeditated.

Naturally, what the Social Doctrine has stated with respect to international agreements is also applicable to contracts that establish a financial relationship between two parties. Once again, Paul VI said that:

...when two parties are in very unequal positions, their mutual consent alone does not guarantee a fair contract; the rule of free consent remains subservient to the demands of the natural law. In *Rerum Novarum* this principle was set down with regard to a just wage for the individual worker; but it should be applied with equal force to contracts made between nations: trade relations can no longer be based solely on the principle of free, unchecked competition, for it very often creates an economic dictatorship. Free trade can be called just only when it conforms to the demands of social justice.²

These demands of natural law and social justice are what motivate us to examine the problems caused to developing countries by the need to seek international financing from a perspective of inequality between the parties that is clear from the outset. Therefore, and without denying the interest of a

² Paul VI, 'Encyclical letter *Populorum Progressio*', Rome 26.03.1967, n. 59.

more far reaching study in terms of the diversity of countries under consideration, we have excluded financial problems affecting developed countries and limited our analysis to developing ones and particularly those receiving the greater part of international financing, at least from a quantitative perspective.

INVESTMENT AND FINANCING, AN EVER PRESENT DUO IN MODERN ECONOMIES

Great transformations have taken place on the economic stage, from the origins of human activity to the present day. In all of them, one finds *man*, the artifice of change and leader of progress by means of his rational choice.

The transformation is particularly noticeable with respect to the way in which the production of goods and services is taking place, always aimed at satisfying the legitimate needs of humanity and therefore directed towards the good of the community. These needs, being economic in nature, refer to those requiring material resources and if in a certain sense they not exclude the immaterial ones, can also be an instrument at the service of spiritual aims.

In primitive societies with rudimentary economies, the efforts of man were only sufficient to provide the means necessary for the subsistence of the community in its most limited sense. It can be said, with historical veracity, that the fruits of the labour carried out by the economic agents was wholly consumed by the members of the community to which they and their dependents belonged.

The lack of productive education both in terms of ends and means, along with the absence of even the most tenuous specialisation, meant that work was based on physical effort. It was work of low productivity with short term objectives and a scarcity of means with which to achieve them.

This was an economy lacking in productive efficiency and exchange which gave rise to an inability to produce surpluses – *saving* –. Therefore, each moment of the process, was in fact its beginning, without deriving any benefit from the previous period. To express it another way, each moment was a *year zero* in the production process. It was to be the most timid of productive specialisation that would give way to two phenomena. On the one hand was the necessity for exchange and the distribution of goods and services. From that moment, goods and commodities changed hands as a consequence of the different players committed to different processes. On the other hand, while exchange ended the immediacy between means and ends, thereby generating an incipient commercial turnaround, a reduction

in the number of ends increased productive efficiency, giving rise to surplus and accumulation.

Such surpluses in working hours, with respect to those needed to guarantee the subsistence of the community would enable an accumulation in the form of means of production – capital equipment or fixed capital –. This would serve to achieve two objectives. The first was to lighten the load in terms of the physical effort needed to carry out the productive work, which would now have the benefit of new productive tools. The other was the increase in the productivity of the factors of production and labour itself, due to the utilisation of both current work and the saving arising from past work in the form of capital.

Indeed, as Adam Smith pointed out,

Every fixed capital is both originally derived from, and requires to be continually supported by a circulating capital. All useful machines and instruments of trade are originally derived from a circulating capital, which furnishes the materials of which they are made, and the maintenance of the workmen who make them. They require too a capital of the same kind to keep them in constant repair.

No fixed capital can yield any revenue but by means of a circulating capital. The most useful machines and instruments of trade will produce nothing without the circulating capital which affords the materials they are employed upon, and the maintenance of the workmen who employ them. Land, however improved, will yield no revenue without a circulating capital, which maintains the labourers who cultivate and collect its produce.³

From Smith's words we can infer that, in terms of economic thinking too, man and human activity has prevalence over any other material, be it a resource, good, commodity or service. It can be deduced that only man is capable of producing, on his own or with the aid of the fixed capital produced by his own efforts. As Smith points out, fixed capital alone, because of its inert nature, cannot achieve anything without the addition of human work.

However, in addition to its origin, fixed capital eases the burden of productive work by using the power of the machine or tool to reduce what heretofore had to be accomplished with human muscle power. John Paul II pointed out that nowadays,

³ Adam Smith, 'An Inquiry into the Nature and Causes of the Wealth of Nations'. Liberty Press/Liberty Classics. Indianapolis 1981. Reprint authorized by the Oxford University Press. Oxford University Press 1976. Volume I, Book II, Chapter I, p. 283.

...In industry and agriculture man's work has today in many cases ceased to be mainly manual, for the toil of human hands and muscles is aided by *more and more highly perfected machinery*. Not only in industry but also in agriculture we are witnessing the transformations made possible by the gradual development of science and technology...Understood in this case not as a capacity or aptitude for work, but rather as a *whole set of instruments* which man uses in his work, technology is undoubtedly man's ally. It facilitates his work, perfects, accelerates and augments it. It leads to an increase in the quantity of things produced by work, and in many cases improves their quality...⁴

In effect, capital is created by means of an initial sacrifice. This is the sacrifice of present consumption, the consumption man could have enjoyed by virtue of his participation in the production process. Such a sacrifice is made in order to have access to greater consumption in the future. By applying new work to the work that has been saved and accumulated in the form of capital, this new work can generate more goods than could have been produced with present work alone. However, this is not the only benefit to be derived from the sacrifice of present consumption. This sacrifice, known as 'saving', also provides a guarantee fund with which to subsidise future needs which cannot be satisfied by present work. It also serves as a hedge against risks arising from the life circumstances of an individual subject and his family.

It can be inferred from what we have said that the possibilities of this sacrifice are closely linked to man himself and his conditions of work and the efficiency with which this work is carried out. In other words, it is closely related to the degree of culture, knowledge, professionalism and dedication of man with respect to work. Only the possibility to generate, through human work, a greater quantity of goods than that needed for his sustenance and that of his family can give rise to what we have called 'sacrifice of present consumption'. It can be deduced that this possibility is greater if knowledge levels are higher, assuming that all other conditions are equal.

However, the effect of capital, once it has been created and invested, i.e., once it has been made available to the production process, is not only limited to the aspects to which we have referred. Capital, in this dimension, not only has its origins in work culture but also stimulates growth in this cul-

⁴ John Paul II, 'Encyclical letter *Laborem Exercens*', Castelgandolfo 14.09.1981, n. 5.

ture. Capital, in its different aspects, facilitates the accumulation of knowledge and information on the one hand, thereby enabling man to intervene more effectively in the different productive activities. However, it also demands of man a receptive and enriching attitude in order to take full advantage of its utilisation.

In this way, far from being a trivial or merely statistical detail, the presence of fixed capital, of physical capital in the productive processes, and the fact that it is increasingly sophisticated and complex, becomes a stimulus for the creation of the resource of 'human work'. This is broadened and perfected based on deeper knowledge resulting in a greater capacity to constitute what, with rather unfortunate use of terminology, is known as 'human capital'. 'Human capital' is no more than the human person and his capacity – general and specialised knowledge, skills, abilities, attitudes, aptitudes, etc. – to contribute to the work of Creation, both for his own good and that of the entire human family. Capital, considered in this way, serves man and through him and his work it serves the community as a whole.

Capital and its investment, therefore, becomes the gateway for growth in a modern economy, insofar as it increases production possibilities by increasing efficiency in the use of limited productive resources. We would go further by arguing that it is a requisite, though not sufficient in itself, to guarantee both economic and social development. It is a necessary condition, though not enough in itself, because if economic benefits are to be translated into human and social development, it is also necessary for certain objectives to be present in the feeling and the actions of men. A growth steeped in selfishness and competitive aggression will achieve no more than a deepening of the chasms separating those who are favoured from those who are not. However, growth within a framework of fraternity, generosity and commitment based on solidarity, will enable all humanity who wish to sit at the banquet of human concourse participate in its progress and will serve for the proper distribution of the abundant fruits to be harvested.

Therefore, Pius XI stated that,

...Expending larger incomes so that opportunity for gainful work may be abundant, provided, however, that this work is applied to producing really useful goods, ought to be considered, as We deduce from the principles of the Angelic Doctor, an outstanding exemplification of the virtue of munificence and one particularly suited to the needs of the times.⁵

⁵ Pius XI, 'Encyclical letter *Quadragesimo Anno*', Rome 15.05.1931, n. 51.

And, if in the words of the Pope, it was *particularly suited to the needs of the times*, in the year 1931, it is equally true or even truer for the time in which we live and the state of affairs in which we find ourselves at the beginning of the twenty-first century.

Two conditions are clearly set out in the words of Pius XI to which we have alluded. One is that the investment be carried out with human work in mind, i.e., that it favours the participation of the human being in the economic process. To favour, in the current context, implies not only employability in a quantitative sense but also in a qualitative dimension. This means, on the one hand, the creation of more employment opportunities within which men find alternatives for their self-realisation, while at the same time offering employment which by its very nature exalts more and more the dignity of man in the productive process and lessens the physical workload of this process.

In conjunction with all of this, and today perhaps more than ever, an effort must be made to ensure that the provision of a job, whilst satisfying the indubitable demands of the economy, does not impede attention to family responsibilities. We are referring to what has come to be known as 'reconciling family life with professional demands'. This will require great efforts in terms of imagination, organisation and flexibility if it is to be achieved.

Thus far, we have spoken, without more emphasis than strictly necessary, of terms such as *capital* and *investment*. We have configured them in terms of their remotest origins or their immediate and future effects in the areas of production, productive efficiency and the wellbeing of the community. At this point, we would like to concentrate on the distinguishing characteristics of the capital asset and the other goods and services that arise from the production process.

The most cursory of observations is sufficient to confirm that when the consumer of a good pays a price for its consumption in the market, this payment covers in full the labour costs of the workers who have participated in its production, the cost of raw materials, intermediate products, energy, etc. that have been used, or, to express it in a more representative manner, absorbed by the process that gives rise to a new good or service. However, this payment made by the buyer to cover the price of the acquired good, covers but a very small, we may say tiny part of the value of the investment, i.e., the value of the fixed capital which, as physical instruments of production, have been used during the production process of any good from its most initial phase to its completion.

In other words, in the same way that the value of most of the resources used in production are recovered entirely and immediately by the prices

paid by buyers in the market, the capital invested is only recovered at the end of its useful life by means of the accumulation throughout this extensive period of small particles of that value which are included as a production cost – in the form of amortisation or depreciation – in determining the total cost of the product.

This leads to a need to cover the lag between the time of investment and its recovery through prices, which can be done by means of a concept that up to now had been absent: *financing*. The idea is to allocate resources arising from income surpluses, once consumption needs have been covered, i.e., saved income. This is used to pay for investment, before it is recovered for in the productive process by means of the goods produced and the prices paid for them in the market.

This is the characteristic of all financing operations. Financing attends to payment requirements in a context where the economic circumstances and the time at which payment falls due, does not allow for the generation of sufficient resources to cover such payment. Whether saved income comes from the agents themselves involved in the process – *self-financing* – or from external agents – *external financing* –, or whether these agents are national or international is of no importance. From a macro economic perspective, it can be added that this mission to finance fixed capital is ultimately a function of the collective saving of the community. Therefore, with mutual symmetry, investment can only be financed by saving and saving can only be used to finance investment. Thus, in conditions of equilibrium, saving and investment must, by definition, be equal.

John Maynard Keynes expressed this in the following terms:

...everyone is agreed that *saving* means the excess of income over expenditure on consumption...[by] *current investment*...we must mean...the current addition to the value of the capital equipment which has resulted from the productive activity of the period. This is, clearly, equal to what we have just defined as savings...

The equivalence between the quantity of saving and the quantity of investment emerges from the *bilateral* character of the transactions between the producer on the one hand and, on the other hand, the consumer or the purchaser of capital equipment.⁶

⁶ John Maynard Keynes, *The General Theory of Employment, Interest and Money*. MacMillan-St Martin's Press. MacMillan and Co. Ltd. London and Basingstoke. First Edition, February 1936. Reprint of 1970; pp. 61-63.

This necessary equality between savings and investment is the source of our worry and the reason why we have decided to concentrate our study on countries in the process of developing. A broader study would have to include all the other countries, whereas in this particular study we prefer to limit our analysis to the developing nations. It is clear from what we have argued above, that investment in any given economic context is limited by the capacity to save and the availability of savings. Therefore, a community without its own savings is unable to finance any investment, whereas societies with high rates of savings can choose amongst an infinite number of investment options. A greater availability of savings results in a greater diversity of investment alternatives. The financial intermediaries ensure that disposable savings are channelled towards the financing of investment needs.

Once again it was Keynes, in the same book *The General Theory of Employment, Interest and Money*, who established that the percentage of income devoted to consumption declined in accordance with increases in income.⁷ Thus, if the propensity to consume is higher when income is lower, the propensity to save, *a sensu contrario*, will be less if income is lower and may even be negative in the case of incomes that are so low that they fail to cover the minimum living needs of the individuals.

This principle, supported by the undeniable evidence of the data at our disposal for the different economies, is what moves us, when we consider the poor countries and the remote possibilities they have of escaping poverty if they can call only upon their own means. We believe that it requires neither a great effort nor more specific data to be in a position to imagine the savings capacity with which to finance investment in countries such as Burundi, with a GDP per capita in 2004 of 90 US dollars, Ethiopia with 114 dollars in the same year, the Democratic Republic of Congo with 119 dollars, Malawi with 149 dollars, or Guinea-Bissau with 182 dollars. It is even more difficult to imagine when we place ourselves in countries such as Luxembourg which, in the same year of 2004, had a GDP per capita of 70,295 US dollars, while Norway came in at 54,465 dollars, Switzerland at 48,385 dollars, Denmark at 44,673 dollars and Ireland at 44,644 dollars.

⁷ It is the result of the Keynesian consumption function that, in a very simplified way it is expressed by $C=f(Y)$; a function, specifically of the following form: $C=\alpha+\beta(Y)$; that is to say, the consumption as a percentage of the disposable income of individuals, above a constant term (α), that would represent the minimum subsistence level and that, in the event of zero income, would determine the negative saving of the individual or of the community.

The difference between rich and poor countries is so great that the possibility to appreciate and really 'live' the problems faced by some is little short of impossible for others. It will be said that in the examples mentioned, we have chosen the poorest countries on the one hand and the richest on the other. This is true, but the picture hardly improves if we take larger blocks of countries as a reference. Therefore, if we look at the group of countries classified in United Nations terminology as 'least developed countries',⁸ the average GDP per capita for 2004 is 355 US dollars, i.e., somewhat less than a dollar per day; while the average for the 'OECD high income countries'⁹ is 34,249 dollars for the same year.

It will also be said that we have used income data that has not been adjusted to reflect purchasing power. This is also true. However, the gap is so alarmingly wide that what the poor countries would have gained and rich countries lost in an adjustment to reflect the purchasing power of their respective dollars would not have mitigated the alarming nature of the situation. This is particularly the case if we pause to think that saved dollars, if any, in the poor countries, when used to finance investment in fixed capital, would see the gains of a purchasing power adjustment disappear as they would be forced to pay the prices of the international market.

It seems pointless to go any deeper into a demonstration of the limited financing capacity of these poor economies, given that the principle we have outlined with respect to saved resources being the sole internal source of financing investment is one that is widely accepted in economic theory. The question we face now is determining what the attitude of the developed world should be with respect to investments made in poor countries in order to remedy the situation of poverty in which they live. To put it another way, the question is whether investment efforts in poor countries by rich countries are sufficient to satisfy the properly formed consciences of the latter.

Only one piece of data is relevant for the purposes of passing judgement on the problem from a quantitative perspective: the total foreign direct investment in developing countries in 2004, amounting to 211.5 billion USA dollars, would barely represent 72.6% of the total investment made in one country such as Spain. If we consider Sub-Saharan Africa, the total for-

⁸ The meaning and the values are taken from 'Informe sobre Desarrollo Humano 2006 – Más allá de la escasez: poder, pobreza y la crisis mundial del agua'. Published for the United Nations Program for the Development. New York 2006. Spanish edition by the Grupo Mundi-Prensa – Madrid, Barcelona and México.

⁹ The meaning and the values are taken from the same reference as the previous footnote.

eign direct investment in the same year for the entire region – a sum of 11.3 billion USA dollars – would not even represent 10% of the investment made in a small but rich country such as the Netherlands.

With such references, it is not surprising that Paul VI should state that, Today it is most important for people to understand and appreciate that the social question ties all men together; in every part of the world... The hungry nations of the world cry out to the peoples blessed with abundance. And the Church, cut to the quick by this cry, asks each and every man to hear his brother's plea and answer it lovingly.¹⁰

Can the developed world shut its eyes and ears to the situation of the developing world? Is not the term itself *developing* an example of the problems of bad conscience of the developed world? Is it not an attempt to avoid more precise terminology such as *poor countries* or underdeveloped countries? The facts seem to appear before us with the clear purpose of reminding us of an irrefutable truth: what we have tried to ignore in a very singular manner in the past half century has become ever more difficult to hide.

The terrible drama of poverty, until recently shut away in the countries where it was suffered is now making its presence felt in the developed world. It is increasingly difficult to aspire to a situation whereby he who feels the need to survive accepts the challenge and stays in his place of origin to witness the disappearance of his nearest and dearest and the community around them. Emigration towards the rich countries is no longer an idle myth, nor is it the result of an adventurous spirit. Emigration is equivalent to the need to survive, albeit in a climate of conflict in a host country that is not always welcoming.

In this respect, the Compendium says that:

In the modern world, where there are still grave inequalities between rich countries and poor countries, and where advances in communications quickly reduce distances, the immigration of people looking for a better life is on the increase. These people come from less privileged areas of the earth and their arrival in developed countries is often perceived as a threat to the high levels of well-being achieved thanks to decades of economic growth.¹¹

This explains the frequent problems with respect to the acceptance of immigrants.

¹⁰ Paul VI, 'Encyclical letter *Populorum Progressio*', Rome 26.03.1967, n. 3.

¹¹ Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, Libreria Editrice Vaticana, Città del Vaticano 2004, reprint 2005, n. 297.

It is impossible to continue to ignore the situation or to imagine that a time will come when solutions will be found without effort. With every year that passes, of those born in Botswana, 69.1% will not reach the age of forty. In Lesotho, the figure is 67.6%; in Zimbabwe, 65.9%; in Zambia, 60.1%. In 2003, 73% of the population of Eritrea was considered to be below the level of minimum nutrition, in other words they were undernourished. In the Democratic Republic of Congo, the figure was 72%, while 67% of the population of Burundi was undernourished. All this data shows us that to wait will have a very high cost in terms of human lives, the lives of people whose problem arises solely from having been born, involuntarily, in a poor country.

In the light of Paul VI's text, transcribed above, the most eloquent and clearest imploration from poor countries is to be found in the data we have mentioned. This data is merely a small example of the real lives led by these people, who are in no way different to those of us who, also involuntarily, have been born in developed countries. These are people who, as children of the same Father, are equal in dignity and therefore in terms of the rights of the person. They are ultimately people who are knocking on our door in the hope of the clemency that would alleviate their situation.

DIRECT INVESTMENT AND THE FINANCING OF INVESTMENT, THE HOPE OF POOR COUNTRIES

It is true that developing countries, and to an even greater extent those who are less developed, are countries which, along with shortages on a personal level, also have great material shortages which affect the initial attractiveness of investment. Of course, they have enormous deficits with respect to transport and communications infrastructures as well as an educational deficit which makes it difficult for them to manage the most rudimentary of technology in the field of production. Financial structures are also very precarious. In some countries they are non-existent or subject to regulation that fails almost completely to take account of the economic dimensions.

It is well known that the absence of such structures and channels for financial resources greatly reduces the possibility of economic growth or simply eliminates it completely.

...The experience of history teaches that without adequate financial systems, economic growth would not have taken place. Large-scale investments typical of modern market economies would have been impossible without the fundamental role of mediation played by

financial markets, which among other things brought about an appreciation of the positive functions of savings in the overall development of the economic and social system.¹²

These deficits are even present in countries that produce raw materials or have raw material resources. For many decades, the developed countries have had a presence in these countries with a view to taking advantage of their resources. However, in very few cases have they established structures with a long term view. Such structures would enable the transfer of knowledge, production culture and technological training. It would also, and this is of central importance, provide the opportunity to become part of an international context, which is something their economies need to aim at.

To compound all of this, both in countries possessing natural wealth above or below ground and in those with nothing but ethnic, religious, tribal and ever-present political conflicts, there is a generalised presence of corrupt governments. These are prepared to sacrifice their people for the sake of unlimited personal power, both in the political and economic sense. We are conscious of all this but even so, we find it difficult to accept that nothing can be done.

It is clear that we perhaps face a model that differs, in respect to its variables, from that operating in our developed countries. However, this is precisely why those of us who have had the random fortune to have all that we need within our reach, in addition to the possibility of enjoying the opportunities afforded by the world of culture and knowledge, should look for the way to remedy such a plethora of evils.

In terms of social responsibility, we are far from the vision that Ricardo had in mind when he said:

Whilst every man is free to employ his capital where he pleases, he will naturally seek for it that employment which is most advantageous...This restless desire on the part of the employers of stock, to quit a less profitable for a more advantageous business, has a strong tendency to equalize the rate of profits of all, or to fix them in such proportions, as may in the estimation of the parties, compensate for any advantage which one may have, or may appear to have over the other..

A capitalist, in seeking profitable employment of his funds, will naturally take into consideration all the advantages which one occu-

¹² Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, Libreria Editrice Vaticana, Città del Vaticano 2004, reprint 2005, n. 368.

pation possesses over another, He may therefore be willing to forego a part of his money profit, in consideration of security, cleanliness, ease, or any other real or fancied advantage which one employment may possess over another.¹³

At the beginning of the twenty-first century, with the level of globalisation at which economic relations exist, it is worth offering some comment on Ricardo's text, more with a view to interpreting it rather than wishing to contradict it. We would like to concentrate our attention on the terms *most advantageous* and *less profitable*. The fact is that these are concepts encompassing somewhat more than a purely monetary benefit arising from the physical aspect of the production function, from productive efficiency and efficacy, and this is acknowledged in the work of Ricardo.

The author himself considers that the investor could decide to sacrifice a monetary utility of greater quantity for another of a lesser amount on taking into account variables such as *security, cleanliness, ease, or any other real or fancied advantage...* In the light of this, how exactly does the investor value the capacity to alleviate poverty, action that would save human lives, investment that would improve the knowledge, the skills, the competence and the abilities of the poor, thereby enabling them to exist in a context fit for human persons? How will the investor assess the level of conflict in his country of origin arising from a marginalised, clandestine immigration that is subjected to exploitation or thrown towards a life of crime? Could he and his family be freed from the conflicts in his own country, which are surely, at least in part, the result of the absolutely precarious living conditions in the poor countries that are the countries of origin of the immigrants? Is it not surprising that, things being as they are in this diverse world in which our economic decisions are taken, we try with all at our disposal to protect our production against the weak production of the developing countries, alleging without embarrassment that their labour costs are excessively low? Would we be willing to pay higher salaries for their productivity levels?

It is fitting to complement Ricardo's text, from the year 1817 with another written almost two centuries later in 1991 by John Paul II and which represented a word of warning with respect to human activity. He said that:

¹³ David Ricardo 'On the Principles of Political Economy and Taxation'. In *The Works and Correspondence of David Ricardo*. Edited by Piero Sraffa with the collaboration of M. H. Dobb. Published for The Royal Economic Society. Cambridge University Press. Vol. I, Chap. IV, pp. 88-90.

...The economy...is only one aspect and one dimension of the whole of human activity. If economic life is absolutized, if the production and consumption of goods become the centre of social life and society's only value, not subject to any other value, the reason is to be found not so much in the economic system itself as in the fact that the entire socio-cultural system, by ignoring the ethical and religious dimension, has been weakened, and ends by limiting itself to the production of goods and services alone.¹⁴

Indeed, the subject guided exclusively by the quantitative monetary objectives of production or consumption is a person who, in terms of his economic decisions, is rendered redundant for the purposes of valuing the qualitative aspects that compose the strength of the spirit, including those qualitative aspects with visible economic effects.

Prior to this, Paul VI had reacted against the trend of many to seek refuge in the philosophy of free trade in order to justify a passive attitude to situations of poverty in the third world. The Pope said that:

It is evident that the principle of free trade, by itself, is no longer adequate for regulating international agreements. It certainly can work when both parties are about equal economically; in such cases it stimulates progress and rewards effort. That is why industrially developed nations see an element of justice in this principle.

But the case is quite different when the nations involved are far from equal. Market prices that are freely agreed upon can turn out to be most unfair.¹⁵

We are faced by a terribly alarming reality, the death of men, women and children due to a shortage of food and the lack of sanitary conditions which would allow them to continue living. Faced by such a dramatic situation, it is necessary to seek secure paths to the provision of a remedy. In the opinion of Paul VI,

Individual initiative alone and the interplay of competition will not ensure satisfactory development. We cannot proceed to increase the wealth and power of the rich while we entrench the needy in their poverty and add to the woes of the oppressed...

It is for the public authorities to establish and lay down the desired goals, the plans to be followed, and the methods to be used

¹⁴ John Paul II, 'Encyclical letter *Centesimus Annus*', Rome 01.05.1991, n. 39.

¹⁵ Paul VI, 'Encyclical letter *Populorum Progressio*', Rome 26.03.1967, n. 58.

in fulfilling them; and it is also their task to stimulate the efforts of those involved in this common activity. But they must also see to it that private initiative and intermediary organizations are involved in this work.¹⁶

Today, in a global world, an even greater commitment reigns. The model must be to the benefit of all. If not, it is unlikely to be capable of ensuring, in the long term, the benefit of any particular being. Have we nothing to learn from the high number of conflicts between neighbouring countries or even fratricidal wars between ethnic groups within a single country? Are we told nothing by the increase in terrorism, in its multiple forms, that confronts countries or even continents and whose end is difficult to foresee? Is it a coincidence that these focal points of violence have their origin in poor countries, where in addition the value given to human life is minimal? Should we not include in the economic calculation of our investments all these factors and their consequences under what Ricardo called *any other real or fancied advantage*?

But allow us to speak of the distinction alluded to in the title of this section, a distinction which in our opinion is not without substance: direct investment versus financing, even if the latter is financing of investment in real terms.

A) *Direct Investment of Developed Countries in Developing Countries*

We have already offered data to enable us to appreciate the magnitude of this investment and, in concise terms, we have indicated that we consider it to be clearly insufficient. We remind you that the entire direct investment of the developed world in the developing world barely exceeded 211.5 billion dollars in the year 2004, which in comparative terms is equivalent to 72.6% of investment in Spain in the same year.

Furthermore, the increase in the eight-year period from 1997 to 2005 for the main receiving countries, shown in Table I (p. 166) – those countries specified in the Table, suppose at least 75% of the total external direct investment, for the years under consideration, carried out in the overall developing countries –, and in Figure 1 (p. 579) in terms of its regional aggregate, is barely 40.78% for the entire period. To this fact must be added the variability of these investments throughout these years, something which does not permit a trend

¹⁶ Paul VI, 'Encyclical letter *Populorum Progressio*', Rome 26.03.1967, n. 33.

of consolidation of economic activities that would lead to the strengthening of national economies supported by the initiative of foreign investment.

If, in the light of the data outlined, we look at the geographical distribution of investment flows, we cannot fail to observe the unequal distribution between regions. There is a predominance of investment in East Asia and the Pacific, Europe and central Asia and Latin America and the Caribbean, which together absorb approximately 85% of the total. The remaining 15% is left to the Middle East and North Africa, South Asia, and Sub-Saharan Africa. A further breakdown of the flows reveals not only an inequality between regions, but also between countries. For example, China absorbs 81.2% of the total for its region and Brazil and Mexico absorb more than 50% of all foreign direct investment in their region.

It is obvious that the importance we place on direct investment is due to the fact that in this type of investment can be found the combination of activity that would put resources to use in the receiving country, particularly human resources, which would otherwise almost certainly remain redundant. At the same time, direct investment would mean the introduction of technology, irrespective of its type. This would of necessity require a process of the training of the human factor in order to enable it to use efficiently the instruments and facilities resulting from the investment. Therefore, the worker would develop in terms of abilities, skills and knowledge and there would be a build up of what is now known as *human capital*.

There is also another aspect of direct investment which simply must be pointed out. This is ensuring that the financial resources related to the investment will in fact be devoted to that investment and not channelled into other areas that are frequently far removed from the common good of society. Unfortunately, the latter occurs all too often in developing countries when financial flows are not subject to conditions.

It can be said that this type of investment best reflects the view of the Second Vatican Council:

Investments...must be directed toward procuring employment and sufficient income for the people both now and in the future. Whoever makes decisions concerning these investments and the planning of the economy – whether they be individuals or groups of public authorities – are bound to keep these objectives in mind and to recognize their serious obligation of watching, on the one hand, that provision be made for the necessities required for a decent life both of individuals and of the whole community and, on the other, of looking out for the future and of establishing a right balance

between the needs of present-day consumption, both individual and collective, and the demands of investing for the generation to come. They should also always bear in mind the urgent needs of underdeveloped countries or regions.¹⁷

Investment in productive sectors is what creates wealth and jobs and therefore benefits for workers. These benefits are both monetary and, as we have already mentioned, in relation to the acquirement of the knowledge and skills needed for the carrying out of economic activities. This is therefore where the emphasis should be placed in terms of the aid that developed countries can offer to developing countries. This mission and objective finds its true stage in the relationship between the private sectors of the developed country and the country where the investment takes place and this is more favourable if the object of the investment can be shared with the members of the local community. If advantage is taken of this possibility, it serves as a means of introducing local agents to the context of the market, its structures and how it works. In broad terms, it is a matter of helping them to participate in the global market in which we currently operate.

This participation, perhaps difficult in the context of an absence of prior initiatives in the receiving country, becomes quite simple in the case of activities already underway, in which an injection of financial capital, taking into account the investment needs of consolidation and expansion, are of vital importance in achieving the objectives we have outlined. On the one hand, it provides the fixed capital required by the production process and on the other hand, it broadens the knowledge of the foreign sector and favours the relationship with this sector, thereby providing a breath of fresh air for the domestic economy of a developing country.

It is only fair to point out that the degree of effectiveness of these financial flows are very relative. Provisional figures of portfolio investment from rich countries in companies residing in developing countries for the period of the study, 1997 to 2005, can be seen in Table II (p. 167). Aggregated regional figures can be seen in Figure 2 (p. 580). If we compare these portfolio investments with those for direct investment shown in Table I, it can be concluded that they range from 3% to 25% per annum with respect to foreign direct investment in developing countries in the same period.

The reason for this relatively low investment in company shares with respect to direct investment may be due to the difficulties involved in a

¹⁷ Second Ecumenical Vatican Council, 'Pastoral Constitution *Gaudium et Spes*', Rome 07.12.1965, n. 70.

negotiation process between people of such different cultures. In this respect, we refer specifically to company cultures and in particular company practices in areas such as accounting control and tax obligations arising from the economic activity. In addition, and apart from the management innovation that a foreign company might provide to the receiving country enterprise, an alliance with an already established domestic company with a view to strengthening it technologically and financially and having access to its distribution network would appear to ease the way for a newly established investor.

With a view to anticipating possible criticism, which in itself may be justified, we would like to underline the fact that we have taken into account portfolio investment within the framework of direct investment. If this investment in shares is an investment in new shares, i.e., newly issued shares as a result of an agreement with respect to an increase in capital, it is clearly a case of direct investment. Only if these shares were already in circulation and the sellers did not devote the proceeds to new business objectives, would the financial flow from the developed to the developing world not represent investment for the receiving country.

We have looked at the evolution of these two investment instruments – direct investment and investment in shares – and we have also looked at the weight of the former with respect to the latter. We should now ask ourselves about the significance of these investments and particularly direct investment, which is more significant in quantitative terms, for the economy of the receiving country. In other words, what would happen in the receiving countries and their productive economies if such foreign direct investment did not exist? We could also ask if foreign direct investment is a sufficient response from rich countries to the plight of poor countries, a matter addressed by Paul VI in the Encyclical letter *Populorum Progressio* Are these resources sufficient to enable poor countries to be in a position to avail of the advantages enjoyed by the developed countries?

It is clear that isolation is one of the great enemies facing developing countries in their quest to escape poverty. It must, therefore, be one of the objectives of those who, committed to development for all, are in a position to invite poor Lazarus to the table of cooperation. John Paul II, in his final social Encyclical said that,

...it was thought that the poorest countries would develop by isolating themselves from the world market and by depending only on their own resources. Recent experience has shown that countries which did this have suffered stagnation and recession, while the

countries which experienced development were those which succeeded in taking part in the general interrelated economic activities at the international level. It seems therefore that the chief problem is that of gaining fair access to the international market, based not on the unilateral principle of the exploitation of the natural resources of these countries but on the proper use of human resources.¹⁸

Without wishing to underestimate the direct investment of the developed countries in those trying to escape from underdevelopment, Table III (p. 168) and the corresponding Figure 3 (p. 581) offer two rather striking ratios. We show them both separately and also in terms of the relationship between them. One of the relationships studied is that between foreign direct investment and the GDP of the receiving country, with a view to examining the importance of that investment on the magnitude of reference of the country in question in the year 2004. In the light of the data provided, and leaving aside the atypical case of Thailand, foreign direct investment ranges from 0.44% for Indonesia to 8.08% for Chile, with the percentages in all cases being with respect to the volume of gross domestic product for the year 2004.

Judging from these figures, one ventures to suggest that the importance of foreign direct investment is not of great significance in the receiving countries. It is true however, as we have already pointed out, that there are indirect benefits in terms of culture and international context which must be taken into account. However, the amounts in themselves point to very moderate progress indeed.

On the other hand and in a separate column, we can observe the relationship between gross domestic investment and gross foreign investment for each country with respect to its GDP in 2004. Remember that without investment, economic growth is not possible. This investment ranges from a minimum of 12% – for Angola and Venezuela – to a maximum of 27% in the case of the Czech Republic. We exclude from this analysis the extravagant data relative to investment in China, which amounts to 44% of its gross domestic product.

The People's Republic of China has a system of economic planning in which the planner decides what proportion of the income generated in the nation should be distributed amongst citizens in the form of disposable personal income. Therefore, the national economy has, from the outset, an imposed saving and cannot be compared to other countries where, although the market may not be entirely competitive, there is at least a

¹⁸ John Paul II, 'Encyclical letter *Centesimus Annus*', Rome 01.05.1991, n. 33.

direct relationship between the income generated in the economy and the income of the economic agents.

Given that the quantities in both columns are with reference to the same base – gross domestic product –, one can draw conclusions with respect to the weight of foreign direct investment in relation to the total fixed capital formation of the country. It can be concluded, therefore, that in the case of Indonesia, of the 22% of GDP equivalent to fixed capital formation, only 0.44% comes from foreign investment. In India, of the 22% of GDP making up fixed capital formation only 0.82% comes from foreign investment. However, in the case of Angola, of the 12% of GDP which goes to fixed capital formation, 7.39% has its origin in foreign investment.

Lastly, it should be mentioned that what is most striking to us, in terms of its effect on putting a country on the road to growth or otherwise is precisely the data related to fixed capital formation. Fixed capital conditions the possibilities of an economy taking off and is in turn conditioned by the volume of saving in the domestic economy and by the volume of saving which the international economy is willing to place at its disposal for this purpose, and in this respect we must remember that these are countries with very little capacity for saving.

Rates of fixed capital formation have to be considerably higher if these countries are to escape from the precarious situation in which they find themselves. If we compare the rates of capital formation to those commonly found in developed countries, countries that do not require growth to escape underdevelopment, we find that they are more or less the same. Let us remember that the rates for the developed countries of the OECD range from a minimum of 16% of GDP to a maximum of 28%.

Both investment for growth and access to the international context require attitudes not only on the part of the developed countries but also on the part of those countries who legitimately aspire to development. John Paul II reminded us that:

Stronger nations must offer weaker ones opportunities for taking their place in international life, and the latter must learn how to use these opportunities by making the necessary efforts and sacrifices and by ensuring political and economic stability, the certainty of better prospects for the future, the improvement of workers' skills, and the training of competent business leaders who are conscious of their responsibilities...¹⁹

¹⁹ John Paul II, 'Encyclical letter *Centesimus Annus*', Rome 01.05.1991, n. 35.

B) *Other Financial Flows Into Developing Countries*

It is clear that there are other ways of financing economic needs in general, including those of investment, apart from the ones that we have looked at up to this point – direct investment and portfolio investment. Quite another matter is the possibility of controlling financial flows from one country to another and, in any case, whether these have the effect of producing a debt in the receiving country with certain terms and conditions in respect of repayment schedules and interest rates.

We are of course speaking of the creation of a current liability in the receiving country, which if used for productive purposes can be self-amortised but otherwise will suppose such an effort on the part of the national economy that it will result in a worsening of the living conditions of the population. Let us remember that the financing contemplated in the previous sub-section, because it is based on provision or participation in the equity capital of the companies receiving the investment, is considered a non-current liability. In addition, it is subject to market risk and can ultimately be transferred if there is a buyer interested in its purchase. In contrast, loans granted to either the public or private sector to service their investment needs must be repaid at its maturity, plus the payment of the agreed interests due along the period.

Expressed in this manner, there is nothing exceptional about the credit instrument we are examining. It is common in taking those savings from economies that have the capacity to produce them and transferring them to economies with a need for saved resources in order to finance their investments.

The worry arises from the unknown factors which may exist with respect to the use of these financial resources. In other words, we must ask the question as to what point the desire to be financed and the desire to finance might lead to the creation of a burden of debt that would be unbearable for the economy and the population of a given country. John Paul II warned that

...one must denounce the existence of economic, financial and social mechanisms which, although they are manipulated by people, often function almost automatically, thus accentuating the situation of wealth for some and poverty for the rest. These mechanisms, which are maneuvered directly or indirectly by the more developed countries, by their very functioning favour the interests of the people manipulating them at in the end they suffocate or con-

dition the economies of the less developed countries. Later on these mechanisms will have to be subjected to a careful analysis under the ethical-moral aspect.²⁰

It seems unlikely that foolish or capricious indebtedness would arise from the private sector. This is true, not only due to the attitude of the debtor, who must always take into account the conditions under which the loan is taken out, but it is also a consequence of the prudence of the lender. Whether it is a bank or a financial institution, it will strive to ensure a satisfactory outcome to the loan operation, notwithstanding the corresponding assumption of risk by both parties. The problem basically arises when the borrower is the state itself, the government of a nation as a visible party to the loan contract. The risk is greater when the financing is not linked to a specific project and is further compounded if the lender is a public financial institution, perhaps international in terms of scope.

Naivety in this matter can lead to the structures of the financial markets – as mediators between savings and investment they play a central role without which the channelling of these resources could not take place – being transformed into perverse mechanisms which end up *suffocating or conditioning the economies of less developed countries*. If the government of a nation is insensible or even directly engages in acts of corruption, it is the responsibility of the financial institutions to ensure that their loans do not enrich the governor at the unbearable expense of the national community.

Faced with this reality, we consider it opportune to remember the call made by H.E. Mgr. Mendes de Almeida, at that time President of the Bishops' Conference of Brazil. At an international symposium attended by a group of multinational companies from diverse activities as well as several banks and financial institutions, he asked all of them to return to Latin America to provide investment and technology in order to improve the living conditions of the people. He also took the opportunity to warn, particularly the financial institutions, that financing efforts should be concentrated in the private sector and that loans should never, ever be granted to the public sector, for the reasons we have outlined above.²¹ At stake is the survival of the nation and even more dramatically, the expectations of future generations.

²⁰ John Paul II, 'Encyclical letter *Sollicitudo Rei Socialis*', Rome 30.12.1987, n. 16.

²¹ Speech of H.E. Mgr. Mendes de Almeida at the Symposium on 'Multinational Enterprises and Investments in Developing Countries'. UNIAPAC. Wolfsberg (Switzerland) 17th to 19th May 1989.

A financial economy that is an end unto itself is destined to contradict its goals, since it is no longer in touch with its roots and has lost sight of its constitutive purpose. In other words, it has abandoned its original and essential role of serving the real economy and, ultimately, of contributing to the development of people and the human community. In light of the extreme imbalance that characterizes the international financial system, the overall picture appears more disconcerting still: the processes of deregulation of financial markets and innovation tend to be consolidated only in certain parts of the world. This is a source of serious ethical concern, since the countries excluded from these processes do not enjoy the benefits brought about but are still exposed to the eventual negative consequences that financial instability can cause for their real economic systems, above all if they are weak or suffering from delayed development. [Cf. *John Paul II, Address to the Pontifical Academy of Social Sciences (25 April 1997), 6: L'Osservatore Romano, English edition, 14 May 1997, p. 5*].²²

In the light of all we have said, and demonstrating that the warnings of Mgr. Mendes de Almeida have had little effect, Tables IV (p. 169) and V (p. 170) show details of public sector foreign debt or debt entered into with the guarantee of the public sector for the group of selected countries. The latter table shows private sector foreign debt for the same countries over the same period. The tables are represented in graph form, in regional aggregate terms, in Figures 4 (p. 582) and 5 (p. 583) respectively.

The low efficiency to which we have referred is demonstrated by the fact that the total volume of debt for all developing countries is greater in all the years for the public sector than for the private sector. This may confirm that ease of negotiation and the size of the loan are more relevant than the economic aspects of the use of financial resources and the ethical behaviour of lenders and borrowers. If we concentrate on the year 2004 and the provisional figures for 2005, two exceptions are worthy of mention. In a certain sense and with knowledge of their economic evolution, they are very logical exceptions. We speak of East Asia and the Pacific on the one hand and Europe and Central Asia on the other.

²² Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, Libreria Editrice Vaticana, Città del Vaticano 2004, reprint 2005, n. 369.

BY WAY OF EPILOGUE

Sixteen years ago John Paul II made public his concern with respect to the foreign debt of poor countries. He said that:

At present...are being affected by the...unsolved problem of the foreign debt of the poorer countries. The principle that debts must be paid is certainly just. However, it is not right to demand or expect payment when the effect would be the imposition of political choices leading to hunger and despair for entire peoples. It cannot be expected that the debts which have been contracted should be paid at the price of unbearable sacrifices. In such cases it is necessary to find – as in fact is partly happening – ways to lighten, defer or even cancel the debt, compatible with the fundamental right of peoples to subsistence and progress.²³

Sixteen years later, what is the situation of poor countries and what has been the effect of foreign debt in terms of increasing the economic capacity and income generation of the countries in debt?

Table VI (p. 171) and its corresponding graph (Fig. 6, p. 584) shows the total foreign debt of the developing countries expressed as a percentage of gross domestic product. Thailand, which we earlier classified as atypical, stands out with foreign debt of more than nine and a half times its gross domestic product in 2004. Excluding Thailand, the Lebanon takes on a volume of debt that is approximately ten percent more than its gross domestic product. This may be explained by the permanent conflict within the country which forces it to accept more and more financial resources in order to tackle the enormous expense arising from this conflict.

It is much more difficult to explain the case of Argentina, with a debt amounting to 110.59% of GDP, taking place in the context of a country rich in natural resources and in human capital. Only bad management at government level can possibly explain the waste. It is worth noting in this case that, as we can see in Tables IV and V, Argentine public sector debt is higher than private sector debt for all the years under analysis. However, from 2001 up to the provisional figures for 2005, public sector foreign debt is more than double that of the private sector. This is a clear result of the failure to heed the warning of Mgr. Mendes de Almeida, to which we referred earlier.

This consideration is more serious still if we consider it in relation to the other column of the same Table VI (p. 171), which shows the percent-

²³ John Paul II, 'Encyclical letter *Centesimus Annus*', Rome 01.05.1991, n. 35.

age of GDP devoted to the gross fixed capital formation. Only 19% of GDP is channelled to capital formation, that is to say, investment, while the total external debt is 110.59% of GDP. The relevant question is: for what has the debt entered into by the Argentine nation been used?

At the other end of the scale, we have countries such as South Africa with a foreign debt of only 13.39% of GDP and capital formation standing at 16% of GDP. Another example is India with a foreign debt of 18.03% of GDP and gross fixed capital formation amounting to 22.0% of GDP. As we have already said the case of China is hardly worth mentioning because of its very specific nature. With a debt of 15.09% of GDP, its capital formation is 44.0% of GDP. In any case, this shows us that the real engine for the financing of investment is domestic saving.

Finally, we would like to consider those countries which, not only due to their volume of debt with respect to GDP, but also because of their minimal capacity to accumulate their own resources from the foreign sector – exports –, present great current and future difficulties. Table VII (p. 172), and its corresponding Figure (p. 585), show countries with heavy indebtedness. In one column we can see Total Foreign Debt versus the volume of Exports and in the other column, the relationship between Total Foreign Debt and GDP. The former indicates the capacity for the recovery and covering of the debt entered into and the latter is an indication of the determination and commitment of each country with respect to the income it is capable of generating. Look at the situation of countries such as Burundi, Liberia, Saint Thomas and Prince, Sierra Leone, and so many others with an indebtedness in excess of their GDP figure and astronomically higher than their volume of exports.

The situation of these countries is particularly complex. Not only are they poor countries, but they are also engaged in fratricidal wars, mostly of an ethnic origin. They have easily corruptible governments, more interested in personal benefit and remaining in power than in the common good. The international community has a great challenge here. The most modest of these challenges is to bring about a reduction in the number of countries living in these extremely alarming conditions. The most ambitious is to develop aid models and practices which would benefit the different national communities. With them, it is necessary to be scrupulous in the application of the criteria of justice, but once these are satisfied, a direct appeal must be made to criteria of solidarity.

An international society in which some of its members live in permanent conflict will not enable the achievement of a guarantee of peace, not

even for those who are not directly involved in the conflicts. The awareness of interdependence in the world must be greeted in its positive dimension but we must not be blind to its negative effects if the sense of fraternal interdependence is absent. The absence of this sense of fraternity will lead us to ever more frequent trans-national conflicts. The positive dimension will lead us by the hand to the practise of solidarity.

John Paul II said that:

...It is above all a question of interdependence, sensed as a system determining relationships in the contemporary world, in its economic, cultural, political and religious elements, and accepted as a moral category. When interdependence becomes recognized in this way, the correlative response as a moral and social attitude, as a 'virtue', is solidarity. This, then, is not a feeling of vague compassion or shallow distress at the misfortunes of so many people, both near and far. On the contrary, it is a firm and persevering determination to commit oneself to the common good; that is to say to the good of all and of each individual, because we are all really responsible for all.²⁴

Forty years have passed since Paul VI expressed the hope for that rebirth of a new man, an unselfish man who attends to the needs of others. The Pope said that:

We cherish this hope: that distrust and selfishness among nations will eventually be overcome by a stronger desire for mutual collaboration and a heightened sense of solidarity. We hope that the developing nations will take advantage of their geographical proximity to one another to organize on a broader territorial base and to pool their efforts for the development of a given region. We hope that they will draw up joint programs, coordinate investment funds wisely, divide production quotas fairly, and exercise management over the marketing of these products. We also hope that multilateral and broad international associations will undertake the necessary work of organization to find ways of helping needy nations, so that these nations may escape from the fetters now binding them; so that they themselves may discover the road to cultural and social progress, while remaining faithful to the native genius of their land.²⁵

²⁴ John Paul II, 'Encyclical letter *Sollicitudo Rei Socialis*', Rome 30.12.1987, n. 38.

²⁵ Paul VI, 'Encyclical letter *Populorum Progressio*', Rome 26.03.1967, n. 64.

We are probably faced with a situation that not only demands economic resources but also an injection of human resources to present new ways of living peacefully together. In addition to the challenge of growth and distribution, we also have the specific challenges of development and most especially those of civic, social and political education.

Perhaps these challenges demand a higher degree of fraternal commitment, a greater devotion. Perhaps they cannot be resolved with a few dollars in aid that may be put to better or worse use, but by the determination to achieve objectives of a human nature. These objectives may be complex and this complexity may have its origins in a degree of pharisaism which seeks to hide a hunger for power and personal gain to the exclusion of the needs of others. Paul VI's affirmation still has the same relevance today, approximately forty years after he said that,

Human society is sorely ill. The cause is not so much the depletion of natural resources, nor their monopolistic control by a privileged few; it is rather the weakening of brotherly ties between individuals and nations.²⁶

If what we lack is the necessary fraternity to attend to the remedy of all these evils, the financial resources we commit to this mission will serve for nothing and the objective will prove unattainable in every sense.

And let us bear in mind that if we are not prepared to cooperate to make the situation better at source, in the place where these men have been born, reared and have developed, they, uprooted by their own hunger and that of their families will come to knock upon our doors and we will have no case for keeping them closed. Because, how can we close our eyes to the need for survival of our brothers?

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²⁶ Paul VI, 'Encyclical letter *Populorum Progressio*', Rome 26.03.1967, n. 66.

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APPENDIX OF TABLES AND FIGURES

TABLE I.- NET INWARD FOREIGN DIRECT INVESTMENT (Billions of US Dollars)

<u>Countries /Regions</u>	<u>1997</u>	<u>1999</u>	<u>2001</u>	<u>2003</u>	<u>2005^(*)</u>
All developing countries	168,7	183,3	176,9	161,6	237,5
East Asia and Pacific	62,1	50,8	48,5	59,8	65,3
China	44,2	38,8	44,2	53,5	53,0
Indonesia	4,7	-1,9	-3,0	-0,6	2,3
Malaysia	5,1	3,9	0,6	2,5	4,2
Philippines	1,2	1,7	1,0	0,3	1,1
Thailand	3,9	6,1	3,9	1,9	3,1
Europe and Central Asia	24,6	29,8	32,7	35,9	75,6
Czech Republic	1,3	6,3	5,6	2,0	11,0
Hungary	4,2	3,3	3,9	2,2	4,0
Poland	4,9	7,3	5,7	4,1	7,7
Russian Federation	4,9	3,3	2,7	8,0	14,6
Ukraine	0,6	0,5	0,8	1,4	7,8
Turkey	0,8	0,8	3,3	1,8	7,2
Latin America and the Caribbean	66,7	88,3	71,1	41,1	61,4
Argentina	9,2	24,0	2,2	1,7	4,7
Brazil	19,7	28,6	22,5	10,1	15,2
Chile	5,3	8,8	4,2	4,4	7,2
Mexico	12,8	13,4	27,7	12,3	17,8
Venezuela, R. B. de	6,2	2,9	3,7	2,7	3,0
Middle East and North Africa	2,1	2,4	3,4	5,6	9,1
Algeria	0,3	0,5	1,2	0,6	1,4
Egypt, Arab Rep. of	0,9	1,1	0,5	0,2	3,1
Morocco	0,0	0,0	0,1	2,3	1,0
South Asia	4,9	3,1	6,1	5,6	8,4
India	3,6	2,2	5,5	4,6	5,6
Pakistan	0,7	0,5	0,4	0,5	2,2
Sub-Saharan Africa	8,3	9,0	15,0	13,6	17,6
Angola	0,4	2,5	2,1	3,5	1,5
South Africa	3,8	1,5	7,3	0,8	6,3

(*) Estimated data.

Source. J.T. Raga on the data of World Bank 'Global Development Finance 2006 – The Development Potential of Surging Capital Flows'. The International Bank for Reconstruction and Development. Washington 2006.

TABLE II. NET INWARD PORTFOLIO EQUITY FLOWS (Billions of US Dollars)

<u>Countries /Regions</u>	<u>1997</u>	<u>1999</u>	<u>2001</u>	<u>2003</u>	<u>2005(*)</u>
All developing countries	30,6	12,6	6,4	25,2	61,4
East Asia and Pacific	4,1	2,2	2,0	12,4	26,5
China	5,7	0,6	0,8	7,7	19,0
Indonesia	-5,0	-0,8	0,4	1,1	-0,2
Malaysia	0,0	0,0	0,0	1,3	0,9
Philippines	-0,4	1,4	0,4	0,5	1,5
Thailand	3,9	0,9	0,4	1,8	5,3
Europe and Central Asia	4,0	2,0	0,3	0,5	5,8
Czech Republic	0,4	0,1	0,6	1,1	-1,5
Hungary	1,0	1,2	0,1	0,3	0,0
Poland	0,6	0,0	-0,3	-0,8	1,3
Russian Federation	1,3	-0,3	0,5	0,4	-0,2
Turkey	0,0	0,4	-0,1	0,9	5,7
Latin America and the Caribbean	13,3	-3,6	2,5	3,4	8,5
Argentina	1,4	-10,8	0,0	0,1	0,0
Brazil	5,1	2,6	2,5	3,0	6,5
Chile	1,7	0,5	-0,2	0,3	1,7
Mexico	3,2	3,8	0,2	-0,1	3,4
Venezuela, R. B. de	1,4	0,4	0,0	0,1	0,1
Middle East and North Africa	0,7	0,7	-0,2	0,1	0,9
Egypt, Arab Rep. of	0,5	0,7	-0,2	0,0	0,7
South Asia	2,9	2,4	1,0	8,0	12,2
India	2,6	2,3	1,0	8,2	12,2
Sub-Saharan Africa	5,6	9,0	-0,4	0,7	7,2
South Africa	5,5	9,0	-0,4	0,7	7,1

(*) Estimated data.

Source. J.T. Raga on the data of World Bank 'Global Development Finance 2006 – The Development Potential of Surging Capital Flows'. The International Bank for Reconstruction and Development. Washington 2006.

TABLE III. NET INWARD FOREIGN DIRECT INVESTMENT VS. GDP RELATED TO GROSS CAPITAL FORMATION, FOR YEAR 2004 (in % of GDP)

<u>Countries</u>	<u>FDI/GDP⁽¹⁾</u>	<u>GCF/GDP⁽²⁾</u>
China	3,33	44,00
Indonesia	0,44	22,00
Malaysia	3,90	22,00
Philippines	0,58	18,00
Thailand	26,42	24,00
Czech Republic	4,21	27,00
Hungary	4,59	23,00
Poland	5,22	18,00
Russian Federation	2,15	18,00
Ukraine	2,62	21,00
Turkey	0,89	18,00
Argentina	2,68	19,00
Brazil	3,07	18,00
Chile	8,08	21,00
Mexico	2,57	20,00
Venezuela, R. B. de	1,34	12,00
Algeria	1,11	25,00
Egypt, Arab Rep. of	1,46	16,00
Morocco	1,61	23,00
India	0,82	22,00
Pakistan	2,35	16,00
Angola	7,39	12,00
South Africa	2,96	16,00

Footnotes: (1) This column represents en percentage terms, the ratio between the Net Inward Foreign Direct Investment versus the GDP; (2) In this case, the values are those of the Gross Capital Formation versus the GDP, also in percentage terms.

Source. J.T. Raga on the data of World Bank 'Global Development Finance 2006 – The Development Potential of Surging Capital Flows'. The International Bank for Reconstruction and Development. Washington 2006. The data for GDP and for Capital Formation, are from United Nations 'World Statistics Pocket Book'. United Nations, New York 2006.

TABLE IV. TOTAL EXTERNAL DEBT OF DEVELOPING COUNTRIES, OWED BY PRIVATE SECTOR BORROWERS (Billions of US Dollars)

<u>Countries /Regions</u>	<u>1997</u>	<u>1999</u>	<u>2001</u>	<u>2003</u>	<u>2004</u>	<u>2005(*)</u>
All developing countries	740,2	869,3	879,7	1.023,9	1.166,2	1.317,5
East Asia and Pacific	254,4	231,4	239,4	262,9	308,3	353,8
China	33,9	52,9	93,1	123,3	158,1	
Indonesia	77,3	67,3	56,2	52,7	58,0	
Malaysia	30,4	23,0	20,9	23,2	26,6	
Philippines	23,5	21,7	27,1	25,2	24,2	
Thailand	85,0	62,0	39,3	34,1	36,0	
Europe and Central Asia	101,8	187,1	216	344,3	442,5	542,3
Bulgaria	2,4	2,0	2,0	4,5	7,0	
Czech Republic	10,2	15,1	17,1	26,1	33,5	
Hungary	9,3	13,0	17,6	31,0	42,4	
Poland	7,5	32,8	41,7	60,5	62,6	
Russian Federation	7,8	38,3	41,3	71,6	94,1	
Turkey	36,1	50,6	45,0	56,8	71,9	
Latin America and the Caribbean	290,9	351,9	332,3	311,8	302,3	297,3
Argentina	55,4	56,7	51,6	51,4	51,3	
Brazil	110,7	142,8	124,6	106,7	99,3	
Chile	22,7	29,2	33,0	35,3	34,6	
Colombia	16,5	14,2	14,5	14,2	14,4	
Mexico	55,2	74,1	68,6	64,1	61,5	
Venezuela, R. B. de	6,7	8,9	10,8	10,4	9,7	
Middle East and North Africa	23,6	30,2	25,8	28,4	28,7	32,7
Algeria	0,2	0,2	0,2	0,7	1,1	
Egypt, Arab Rep. of	3,1	4,8	4,0	4,1	2,9	
Libanon	2,7	2,9	3,5	3,8	4,7	
South Asia	19,9	17,4	23,4	31,3	38,6	47,0
India	14,3	11,9	18,7	27,1	34	
Pakistan	4,8	4,1	3,4	2,9	2,8	
Sub-Saharan Africa	49,7	51,3	43,0	45,2	45,8	44,3
South Africa	13,3	15,7	16,1	18,7	18,7	

(*) Estimated data.

Source. J.T. Raga on the data of World Bank 'Global Development Finance 2006 – The Development Potential of Surging Capital Flows'. The International Bank for Reconstruction and Development. Washington 2006.

TABLE V. TOTAL EXTERNAL DEBT OF DEVELOPING COUNTRIES, OWED BY PUBLIC AND PUBLICLY GUARANTEED BORROWERS (Billions of US Dollars)

<u>Countries /Regions</u>	<u>1997</u>	<u>1999</u>	<u>2001</u>	<u>2003</u>	<u>2004</u>	<u>2005(*)</u>
All developing countries	1.366,8	1.476,4	1.400,9	1.557,9	1.589,5	1.482,9
East Asia and Pacific	271,9	307,4	277,5	278,6	280,6	279,9
China	112,8	99,2	91,8	85,3	90,8	
Indonesia	58,8	83,9	77,9	84,3	82,6	
Malaysia	16,8	18,9	24,2	25,4	25,6	
Philippines	27,2	36,6	31,2	37,2	36,3	
Thailand	24,7	34,7	27,9	17,7	15,3	
Europe and Central Asia	288,6	315,7	292,1	336,3	352,5	327,8
Bulgaria	8,7	9,0	8,5	8,9	8,6	
Czech Republic	12,9	7,7	5,7	8,7	12,0	
Hungary	15,3	16,9	12,7	16,3	20,7	
Poland	34,2	33,2	25,7	35,0	36,6	
Russian Federation	119,8	136,4	111,2	103,9	103,2	
Turkey	48,1	51,6	68,4	88,6	89,7	
Latin America and the Caribbean	378,6	420,5	420,7	474,1	476,6	426,4
Argentina	72,8	88,9	102,4	114,7	117,9	
Brazil	87,4	102,4	106,5	129,9	122,9	
Chile	4,4	5,7	5,6	8,0	9,4	
Colombia	15,4	20,2	21,8	22,8	23,4	
Mexico	92,4	92,4	77,0	77,5	77,2	
Venezuela, R. B. de	29,0	28,7	25,2	24,5	25,9	
Middle East and North Africa	127,7	125,5	117,2	132,8	135,2	129,8
Algeria	30,7	27,8	22,4	22,9	20,9	
Egypt, Arab Rep. of	27,0	26,3	25,3	27,3	27,4	
Libanon	2,3	5,3	9,0	14,8	17,5	
South Asia	129,7	144,6	132,8	150,2	155,3	147,7
India	80,1	86,4	78,8	85,6	88,7	
Pakistan	25,3	29,8	28,3	33,0	32,9	
Sub-Saharan Africa	170,3	162,7	160,6	186	189,2	171,3
South Africa	11,9	8,2	7,9	9,1	9,8	

(*) Estimated data.

Source. J.T. Raga on the data of World Bank 'Global Development Finance 2006 – The Development Potential of Surging Capital Flows'. The International Bank for Reconstruction and Development. Washington 2006.

TABLE VI. TOTAL EXTERNAL DEBT OF DEVELOPING COUNTRIES VS. GDP RELATED WITH GROSS CAPITAL FORMATION VS. GDP, BOTH FOR YEAR 2004 (in percentage of GDP)

<u>Countries</u>	<u>TED/GDP⁽¹⁾</u>	<u>GCF/GDP⁽²⁾</u>
China	15,09	44,00
Indonesia	62,49	22,00
Malaysia	44,23	22,00
Philippines	70,14	18,00
Thailand	967,92	24,00
Bulgaria	64,34	21,00
Czech Republic	42,62	27,00
Hungary	63,01	23,00
Poland	41,06	18,00
Russian Federation	33,88	18,00
Turkey	53,51	18,00
Argentina	110,59	19,00
Brazil	37,43	18,00
Chile	46,87	21,00
Colombia	39,39	18,00
Mexico	20,51	20,00
Venezuela, R. B. de	31,79	12,00
Algeria	27,23	25,00
Egypt, Arab Rep. of	34,12	16,00
Lebanon	111,56	29,00
India	18,03	22,00
Pakistan	38,10	16,00
South Africa	13,39	16,00

Footnotes: (1) This column represents en percentage terms, the ratio between the Total External Debt versus the GDP; (2) In this case, the values are those of the Gross Capital Formation versus the GDP, also in percentage terms.

Source. J.T. Raga on the data of World Bank 'Global Development Finance 2006 – The Development Potential of Surging Capital Flows'. The International Bank for Reconstruction and Development. Washington 2006. The data for GDP and for Capital Formation, are from United Nations 'World Statistics Pocket Book'. United Nations, New York 2006.

TABLE VII. TOTAL EXTERNAL DEBT RATIOS VERSUS EXPORTS AND INCOME, FOR DEVELOPING COUNTRIES (% average for 2002-2004)

<u>Most significant countries</u>	<u>TED/Exp.</u> ⁽¹⁾	<u>TED/GNI.</u> ⁽²⁾
<i>Severe indebtedness</i>		
Burundi	3,069,00	227,00
Central African Republic	730,00	91,00
Democratic Rep. of Congo	765,00	208,00
Guinea-Bissau	791,00	331,00
Liberia	1.891,00	674,00
Malawi	584,00	188,00
Rwanda	964,00	96,00
São Tomé and Príncipe	1.655,00	666,00
Sierra Leone	903,00	177,00
Zambia	530,00	170,00
<i>Light indebtedness</i>		
Barbados	44,00	27,00
Belarus	30,00	20,00
Botswana	14,00	8,00
China	48,00	15,00
Equatorial Guinea	10,00	***
Fiji	16,00	9,00
Islamic Republic of Iran	33,00	10,00
Malaysia	42,00	52,00
Oman	30,00	18,00
Swaziland	24,00	26,00

Footnotes: (1) This column expresses the ratio between the Total External Debt and the total exports value of goods and services. (2) In this case the values established are those of the ratio between the Total External Debt and the Gross National Income of the mentioned country.

Source. J.T. Raga on the data of World Bank 'Global Development Finance 2006 – The Development Potential of Surging Capital Flows'. The International Bank for Reconstruction and Development. Washington 2006.

LES CONDITIONS D'UN INVESTISSEMENT INTERNATIONAL JUSTE, FACTEUR DE DÉVELOPPEMENT ET DE PROGRÈS SOCIAL¹

FRANÇOIS PÉRIGOT²

*La globalisation de l'économie
doit être également celle de la solidarité*
(Jean-Paul II, au Jubilé des Travailleurs,
à Tor Vergata en 2001)

Les investissements internationaux sont en pleine expansion. Ils sont de l'ordre de 1.000 milliards de dollars par an. Avec le développement du commerce international, ils sont le vecteur de la mondialisation de l'économie. Traduction de la stratégie des entreprises, ils portent sur des acquisitions ou sur le développement de centres de production et de recherche, de service ou encore de direction. Ils se font sur la base de critères stratégique, de rentabilité, et d'attractivité tels que le contexte juridique et réglementaire, le coût de la main d'oeuvre, les potentialités du marché, leurs positions mondiales.

Dans cette grille de paramètres, y a-t-il une place pour la charité et la justice? Et comment cette finalité humaniste peut-elle être prise en compte dans un acte économique dont l'objet essentiel et la raison d'être sont de valoriser l'épargne investie dans la création de richesse et d'emploi.

Telle est la problématique à laquelle les décideurs économiques sont confrontés? Personne de bonne foi ne doute que c'est largement à travers l'investissement international que la globalisation a des effets extrêmement

¹ Contribution de François Perigot à la XIII session plénière de l'Académie Pontificale des Sciences Sociales du 27 avril au 1er mai 2007 à Rome.

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positifs pour le développement matériel et intellectuel de millions d'hommes mais tout le monde s'interroge sur l'exclusion de tant d'êtres humains.

Peut-on concevoir une pratique (doctrine) de l'investissement international privé qui laisse une place à cette préoccupation fondamentale qui doit être celle de chacun d'entre nous?

Je pense que pour le décideur l'investissement international doit avoir un sens humaniste et éthique, il doit s'intégrer dans une vision beaucoup plus lucide et responsable des finalités de la mondialisation dont il est un vecteur essentiel.

Je pense que tous les acteurs de la société doivent s'accorder sur ces enjeux, sur une vision commune et accepter la responsabilité d'assumer un certain nombre d'obligations majeures correspondant à la réalisation des conditions du succès.

Je pense qu'il faut surtout fournir aux décideurs un corpus de valeurs spirituelles, moderne et adapté aux réalités ou ils puissent trouver une référence éthique profonde qui commandera leurs choix ultimes.

La société civile s'efforce de définir des règles de conduite, elle ne doit pas être la seule à édicter aux décideurs leurs obligations sociétales.

Le bilan des investissements internationaux est contrasté et plus la mondialisation s'accélère plus surgissent des questions nouvelles (*Res Novae*).

La communauté des affaires tente de trouver une approche cohérente et éthique, de son côté l'Eglise apporte des réponses fortes.

C'est à partir de ce constat que l'on peut essayer de définir des impératifs majeurs qui s'imposent aux différents acteurs pour tenter de faire entrer davantage de justice dans les investissements internationaux.

1. UN BILAN GLOBALEMENT POSITIF ET DES QUESTIONS NOUVELLES

A. *La problématique de l'investissement international dans une économie globalisée*

Les investissements directs à l'étranger – mesurés chaque année par la CNUCED – étaient de plus de 900 milliards de dollars en 2005, en croissance de 29% par rapport à 2004, après une croissance de 27% en 2004. Ils sont réalisés en premier lieu dans les pays développés (pour 60%), dont notamment les Etats-Unis, le Royaume-Uni, la France, mais aussi les pays en développement, au premier rang desquels la Chine. Ils prennent principalement la forme d'acquisitions. Les fusions-acquisitions internationales représentaient ainsi en 2004 plus de 700 milliards de dollars.

Cette évolution a fait émerger un nouveau type d'entreprises – les entreprises multinationales ou globales – qui sont devenues des acteurs essentiels du développement économique, souvent plus que les états eux-mêmes. Elle a aussi fait apparaître un nouveau type d'interdépendances globales – notamment entre entreprises fournisseurs et clientes (“supply chain”).

Le bilan économique et social de ces investissements comporte de nombreux éléments positifs. Ainsi:

- Ces investissements visent généralement à produire des biens et des services utiles à la collectivité et assurent la transmission de la “connaissance” dont leurs entreprises sont détentrices;
- Ces investissements créent des richesses au plan local, à travers notamment les salaires qu'ils génèrent. Ils peuvent ainsi contribuer à sortir une région de difficultés structurelles ou à assurer le décollage économique des pays les moins développés. Ils ont ainsi un impact sur la pauvreté. Rappelons qu'entre 1990 et 2001, la population mondiale vivant en-dessous du seuil de pauvreté est passée de 28% à 21% (Banque Mondiale);
- Ils contribuent généralement à développer le pouvoir d'achat des consommateurs, du fait de la plus grande activité qu'ils génèrent;
- Les entreprises multinationales responsables de ces investissements ont souvent des standards juridiques et sociaux supérieurs aux pratiques locales;
- La globalisation des investissements contribue à développer les échanges économiques entre les nations, ce qui est sans doute un facteur de paix et de prospérité, notamment par rapport à un nationalisme exacerbé;
- La globalisation contribue également à développer des entreprises au sein desquelles collaborent des individus issus de multiples nationalités et cultures, ce qui est là-aussi sans doute un facteur de paix;
- La rentabilité de ces investissements assure la protection sociale et le niveau de vie de tous les retraités dans le monde dont les pensions relèvent des régimes de capitalisation, car n'oublions pas que derrière les investisseurs institutionnels se trouvent des épargnants et des fonds de retraite.

La globalisation fait aussi ressortir des injustices criantes, telles que les écarts de ressources considérables existant entre nations et à l'intérieur des nations, ou l'exploitation abusive des ressources naturelles de certains pays sans bénéfice notable pour les populations locales. Elle pose également un certain nombre de problèmes réels: critères de décision parfois uniquement

spéculatifs de certains acteurs du marché financier (les fonds de pension, les fonds d'investissement, les "hedge funds"); délocalisations; diffusion accélérée de maladies; risque d'uniformisation des cultures ; une certaine forme d'éloignement par rapport à la réalité du fait des distances, etc.

Aussi les questions à approfondir ne manquent pas:

- Comment assurer la justice dans la relation entre investisseurs et entreprise malgré les distances et la volatilité des investisseurs? Comment éviter que les critères financiers n'interviennent de manière trop exclusive? Est-il possible d'établir une relation avec l'investisseur ultime qui est souvent un individu qui cherche à assurer sa retraite?
- Comment assurer des termes de l'échange équitable?
- Comment gérer avec justice la question des délocalisations? A quel titre et selon quels critères différencier la relation avec des collaborateurs indiens ou chinois par rapport à des collaborateurs américains ou européens?
- Quels standards appliquer en matière de droit du travail à travers des sites aussi différents que Bangalore et Bordeaux, Dalian et Detroit, Meishan et Munich?
- Idem en matière de respect de l'environnement?
- Quelles responsabilités sociales voire politiques (respect des droits de l'homme) assumer dans des zones émergentes où la pauvreté et l'absence d'autorité de l'Etat tend à transférer aux entreprises, notamment multinationales, des responsabilités qui vont bien au-delà de leur vocation
- Comment prendre en compte la dimension familiale dans le contexte de la globalisation (question de la mobilité, des expatriations, du travail du conjoint)?
- Comment à la fois embrasser une dimension mondiale dans la gestion d'une entreprise mondiale, tout en gardant un contact étroit avec les réalités locales? Comment gérer la dématérialisation des contacts pour éviter qu'elle se traduise en déshumanisation? Comment promouvoir une réelle ouverture à l'autre?
- Quelle responsabilité sociale les entreprises peuvent-elles ou doivent-elles accepter et assumer face aux conséquences de la globalisation et aux réalités locales les plus brûlantes là où elles opèrent, tel que le problème des banlieues en France, le SIDA en Afrique, la question des libertés en Chine, le problème du tourisme sexuel en Asie, etc.?

Ce sont des questions qui touchent de près à la justice dans les investissements internationaux, et plus généralement à la justice dans le cadre de la

mondialisation de l'économie et des entreprises. Ce sont donc des questions récentes. Il n'est donc pas étonnant qu'elles restent largement à approfondir.

Sans chercher à les traiter ici, on peut au moins s'intéresser aux conditions nécessaires pour assurer la justice dans ces investissements internationaux.

B. L'approche de la communauté des affaires et les enseignements de l'église

1. *Les travaux de l'Organisation Internationale du Travail* apportent en toile de fond des éclairages fondamentaux sur ces sujets que nous trouvons confirmés par le Compendium de la Doctrine Sociale de l'Eglise.

Notre réponse de pays nantis aux problèmes de justice soulevés par la globalisation consiste souvent à mettre en cause la capacité de certains gouvernements à établir les conditions intellectuelles, morales et matérielles qui permettraient d'éviter un dysfonctionnement grave du système? source d'échecs, de désillusions et d'agressivité. C'est une réponse trop facile comme l'a noté la Commission mondiale de l'Organisation Internationale du Travail (OIT) sur la dimension sociale de la globalisation.³ Il nous faut approfondir notre réflexion en recherchant sans passion les causes de dysfonctionnement d'un modèle dont l'efficacité économique et sociale a permis le développement de très nombreuses nations et que nous avons contribué à faire admettre dans de nombreux pays. Il faut s'interroger sur l'absence de cohérence de l'organisation de la société autour de la logique économique de ce modèle et sur l'oubli des valeurs de la part de l'ensemble des acteurs de la société. Il nous faut sortir de l'approche traditionnelle des bonnes et des mauvaises conséquences, il faut s'attaquer aux causes profondes et porter notre réflexion sur un terrain différent que celui choisi jusqu'ici par les protagonistes qu'ils soient détracteurs ou défenseurs du nouvel ordre économique mondial telles que les Nations l'ont décidé à l'aube du troisième millénaire. La mondialisation est avant tout un choix politique, celui de l'ouverture des relations entre les peuples, celui de la primauté donnée à la liberté et à la responsabilité du citoyen pour construire son destin: le modèle d'économie ouverte fondé sur l'initiative privée et la liberté des échanges n'en est que la traduction économique indissociable.

³ Dont j'avais l'honneur de faire partie aux côtés de l'un des membres éminents de l'Académie Pontificale des Sciences Sociales, le Professeur Stiglitz.

Le Secrétaire Général de l'OIT, M. Juan Somavia, a eu le privilège de présenter à son Eminence le Cardinal Martino, les conclusions essentielles du rapport de la Commission mondiale sur les aspects sociaux de la mondialisation. Cette commission, rappelait M. Juan Somavia, fixe quatre objectifs pour faire de la mondialisation un facteur puissant de justice:

1. Faire du "travail décent" un objectif mondial. Il faut réorganiser l'économie mondiale de manière à réduire le déficit de travail décent: ce sera la meilleure façon de prouver que la libéralisation de la société et de l'économie peut être un bienfait pour l'individu, sa famille et la communauté dans laquelle il vit;
2. Replacer la notion de responsabilité en matière d'équité au coeur des débats. Dans la mondialisation, si l'évolution technologique est irréversible en revanche, les politiques qui sous-tendent l'évolution de la mondialisation ne sont pas une donnée naturelle mais une création des décideurs. Ces derniers ont donc le pouvoir de la modifier et de faire en sorte qu'elle repose sur la justice et la dignité;
3. Partir de la réalité locale. Il faut renforcer les moyens des communautés des entreprises et des marchés locaux, c'est-à-dire là même où vivent les gens: pour réussir au niveau mondial, il faut des réussites à l'échelon local. Cet ancrage de la mondialisation locale repose sur un principe fondamental: celui de la subsidiarité
4. Reformuler la gouvernance mondiale à partir des valeurs éthiques fortes de la liberté et de la responsabilité. Seule une bonne gouvernance mondiale peut permettre de recueillir tous les fruits d'une bonne gouvernance nationale

Son Eminence le Cardinal Martino lui répondait: "Le premier devoir de l'Eglise en ce qui concerne la mondialisation est de contribuer à former une "sagesse" unitaire à même de connaître la mondialisation en la gouvernant. L'humanité ne peut faire l'économie d'un code éthique commun ... à trouver dans l'homme, en tant que tel, dans l'humanité universelle jaillie de la main de Dieu". Il disait aussi "la mondialité ou encore l'unité ontologique de la famille humaine a un sens propre, c'est une réalité ontologique qui doit orienter le processus de la mondialisation et lui donner pour objectif d'instaurer la solidarité universelle".

2. *Le Compendium de la Doctrine sociale* de l'Eglise aborde quant à lui des points essentiels sur la vie économique et sur la finalité de l'homme et qui doivent inspirer la décision et la mise en oeuvre des investissements internationaux. Il propose des principes fondamentaux: le bien commun, la

destination universelle des biens, la subsidiarité, la participation, la solidarité, les valeurs fondamentales (vérité liberté, justice), la charité. Il met aussi en relief le travail dans sa dignité, mais aussi en matière de droit, et de solidarité. Il éclaire profondément les choix des entreprises qui investissent dans le monde:

- “La Doctrine sociale de l’Eglise considère la liberté de la personne dans le domaine économique comme une valeur fondamentale et comme un droit inaliénable à promouvoir et à protéger: ‘Chacun a le droit d’initiative économique, chacun usera légitimement de ses talents pour contribuer à une abondance profitable à tous, et pour recueillir les justes fruits des ses efforts’. Cet enseignement met en garde contre les conséquences négatives qui dériveraient de la mortification ou négation du droit d’initiative économique. (...) Cette initiative doit jouir d’un vaste espace. L’Etat a l’obligation morale de n’établir de restrictions qu’en fonction des incompatibilités entre la poursuite du bien commun et le type d’activité économique mise en oeuvre ou ses modalités de déroulement”.
- “A la lumière de la Révélation, l’activité économique doit être considérée et accomplie comme une réponse reconnaissante à la vocation que Dieu réserve à chaque homme”.
- “L’activité économique et le progrès matériel doivent être mis au service de l’homme et de la société”.
- “La dimension morale de l’économie permet de saisir comme des finalités inséparables, et non séparées ou alternatives, l’efficacité économique et la promotion d’un développement solidaire de l’humanité”.
- “L’entreprise doit se caractériser par la capacité de servir le bien commun de la société grâce à la production de biens et de services utiles.”
- “L’entreprise remplit aussi une fonction sociale en créant une opportunité de rencontre, de collaboration, de mise en valeur des capacités des personnes impliquées”.
- “L’objectif de l’entreprise doit être réalisé en termes et avec des critères économiques, mais les valeurs authentiques permettant le développement concret de la personne et de la société ne doivent pas être négligées”.

Il touche aussi le rôle du dirigeant d’entreprise et le sens de ses décisions.

- “Les rôles de l’entrepreneur et du dirigeant revêtent une importance centrale du point de vue social, car ils se situent au coeur du réseau de liens techniques, commerciaux, financiers et culturels qui caractérisent la réalité moderne de l’entreprise”.

- “Les entrepreneurs et les dirigeants ne peuvent pas tenir compte exclusivement de l’objectif économique de l’entreprise, des critères d’efficacité économique, des exigences de l’entretien du ‘capital’ comme ensemble des moyens de production: ils ont aussi le devoir précis de respecter concrètement la dignité humaine des travailleurs qui oeuvrent dans l’entreprise”.

Il aborde aussi le thème du développement de la sauvegarde de l’environnement et celui de la promotion de la paix. De fait, l’entreprise n’est pas simplement un ensemble économique au service de ses actionnaires. Elle est un ensemble humain vivant, tissu de relations entre ses collaborateurs, avec ses investisseurs, ses clients, ses fournisseurs, et les sociétés dans lesquelles elle s’insère. C’est la notion des “stakeholders” qui dépassent largement les “shareholders”. On rejoint ici un développement récent de la vie des entreprises qui est celui du développement durable ou de la “corporate social responsibility”.

Fort de cet éclairage, on peut souligner cinq conditions qui apparaissent essentielles à la réussite des investissements internationaux et à assurer une contribution collective à la justice sociale.

2. CONDITIONS POUR UN INVESTISSEMENT INTERNATIONAL EQUITABLE

Quelles sont donc les conditions d’un investissement international équitable? On peut en citer au moins cinq:

1. Un investissement qui s’inscrit pleinement dans la logique de la liberté d’entreprendre;
2. Un environnement législatif et réglementaire favorable à la réussite du modèle de liberté des échanges – au plan national et international;
3. La responsabilisation des acteurs dans leur sphère de compétence;
4. Une sensibilisation des acteurs à leur responsabilité par rapport à la société;
5. Un engagement qui prend ses racines dans des valeurs morales et spirituelles.

N° 1: Un investissement qui s’inscrit dans la logique de la liberté d’entreprendre

La logique de l’entreprise s’inscrit dans la création de valeur pour rémunérer l’épargne qui lui a été confiée: sa profitabilité est la garantie de sa survie par rapport à ses concurrents, conditionne la fidélité de ses

actionnaires et la protège contre les offres d'achat hostiles de la part de ses concurrents. Dans une économie concurrentielle de marché, les décisions d'investissement doivent satisfaire des exigences de stratégie et de rentabilité, et une juste appréciation des risques: cette gestion permanente des risques dans un marché ouvert lui confère d'ailleurs un caractère de fragilité qui contraste avec l'image d'invulnérabilité qu'on lui prête souvent. Si l'exigence de profitabilité globale ne doit pas occulter les responsabilités de l'entreprise vis-à-vis des autres parties prenantes, il n'empêche qu'elle constitue la mesure de l'efficacité de l'entreprise, la garantie de sa compétitivité et sa pérennité.

La recherche du résultat ne doit bien sûr pas se faire au détriment de la bonne gestion et du respect des règles du jeu, en particulier celle de la concurrence loyale sur lesquels sont fondés la liberté des échanges et de l'investissement. Les entreprises doivent agir autant par déontologie que par obligation et s'interdire d'utiliser les rapports de puissance pour enfreindre les règles de la transparence et de l'honnêteté. Le choix de l'investissement doit être l'objet d'un arbitrage entre les différentes parties prenantes et refléter les valeurs auxquelles l'entreprise est attachée.

En fait, si le modèle d'économie libérale de marché reste idéologiquement critiqué par certains, le monde est davantage préoccupé par la fixation de règles du jeu justes et équilibrées dans les échanges entre les pays que par la recherche d'un modèle alternatif.

N° 2: Un environnement législatif et réglementaire favorable à la réussite du modèle de liberté des échanges – au plan national et international

C'est à l'absence d'un tel environnement qu'il faut attribuer l'insuffisante valorisation ou l'échec de l'investissement étranger et plus généralement de la valorisation du modèle de liberté économique.

Une référence explicite et la pratique réelle des règles du jeu inspirées d'un système de valeurs et de principes de base universellement considérés comme les fondements de la liberté et de la responsabilité de l'individu apparaissent ainsi indispensables. Il faut avoir la volonté et le courage d'exprimer ce que signifie au niveau d'une société l'option d'ouverture économique et de démocratie, notamment au plan des règles de comportement des acteurs quels qu'ils soient. Il faut oser dire quelles sont les contraintes de la pratique responsable de la liberté dans tous les compartiments de l'activité des hommes et les valeurs de référence d'une pratique responsable de liberté. Il faut oser mettre en avant les valeurs éthiques et

morales : l'intégrité, le respect de la personne et la solidarité, la valeur de l'engagement... Bref tout ce qui distingue un comportement responsable de la liberté, d'attitudes et de convictions incompatibles avec la philosophie qui fonde l'ensemble du système politique, économique et social de la responsabilité.

De même, il apparaît indispensable d'avoir une parfaite cohérence entre cette échelle de valeurs et les comportements qu'elles impliquent avec celles qui conditionnent le bon fonctionnement de la société toute entière. Il ne peut y avoir de contradiction entre l'exercice de la responsabilité économique et celui de la responsabilité politique du citoyen. L'organisation de la vie du citoyen doit être fondée sur une même approche philosophique et comportementale sauf à créer une véritable contradiction génératrice d'une inefficacité totale.

Troisièmement, assurer le succès de l'application du schéma de liberté économique dans toute société implique la transparence des processus de décision. Celle-ci est l'essence même de la démocratie – elle s'applique aussi bien aux décisions du pouvoir politique qu'à celle des acteurs économiques. Cette exigence de règles de gouvernance clairement définies et mises en oeuvre valent aussi bien pour les entreprises que pour les Etats et les institutions multilatérales.

Enfin, il peut être nécessaire de donner du temps au temps. Il est certes vrai que l'adoption de l'économie de marché fondée sur la responsabilité de l'individu ne peut se faire que dans un contexte cohérent. Mais il faut s'assurer que chaque Nation qui décide d'adhérer au schéma en comprenne la véritable signification dans l'organisation de la société. Il faut lui permettre de disposer du temps nécessaire pour conduire les changements de mentalités et d'habitudes indispensables à la cohérence du système, pour mettre en oeuvre les pratiques et les comportements compatibles avec l'esprit et les finalités du modèle, et disposer des moyens matériels de son adaptation.

N° 3: La responsabilisation des acteurs dans leur sphère de compétence

Le bon fonctionnement du modèle de société que nous nous sommes donnés ne peut être assuré que si chaque acteur se responsabilise chacun dans sa sphère de compétence, et s'engage autour des valeurs de base qui sous-tendent l'exercice responsable de la liberté.

Au plan National. La responsabilité des Etats dans la valorisation du modèle de liberté économique est entière comme elle l'est dans la gestion

des affaires du pays. L'application de la démocratie – qu'il s'agisse de règles de gouvernance fondées sur l'éthique, la transparence et l'objectivité des décisions ou des formes d'utilisation des aides obtenues – la diffusion des connaissances et l'apprentissage de la responsabilité sont essentiels. Ces règles seront d'autant plus facilement mises en oeuvre que l'opinion publique toute entière adhèrera, en assumant la diversité des traditions et des cultures, aux valeurs de base du modèle choisi. Les citoyens ont également une grande part de responsabilité dans leur pratique de la démocratie, de la liberté et des responsabilités qui leur sont données. Les droits des citoyens doivent être contrebalancés par leurs devoirs civiques. Ils ont la responsabilité de faire les choix des politiques à suivre et de les imposer par le suffrage universel. Les entreprises, en dehors d'une déontologie forte dans l'exercice des libertés, doivent elles aussi exercer pleinement leurs responsabilités citoyennes, jouer le rôle qu'on attend d'elles dans la société, en particulier en matière d'éducation ou de développement durable de respect des Droits de l'Homme. L'exercice de leurs responsabilités sociales ne consiste pas à prendre des engagements qui dépassent leur véritable vocation – essentiellement celle d'assurer leur compétitivité et de contribuer ainsi à la croissance et à l'emploi – mais elles doivent porter le plus loin possible leurs responsabilités citoyennes. Si elles doivent refuser d'assumer des responsabilités qui relèvent de l'Etat et de la société, elles doivent par contre être pleinement conscientes de leurs responsabilités vis-à-vis de la communauté d'hommes et de femmes qu'elles représentent, leur respect, leur écoute, leur développement. Comme les Etats, elles sont tenues à des règles de gouvernance et de transparence.

Au plan international. L'adéquation de l'action des institutions internationales avec les conditions théoriques d'application du modèle d'une part, et la réalité des différentes situations dans lesquelles se trouvent les différents pays d'autre part. Il s'agit là des formes et des critères d'aide au développement qui incombent au Fonds Monétaire International ou la Banque Mondiale. Lier l'aide financière à l'acceptation de l'économie ouverte de marché et la subordonner à des réformes structurelles est une chose – tenir compte des possibilités réelles de chaque pays pour y parvenir en est une autre qui mérite beaucoup d'attention. A cet égard les critères d'aide et les contreparties doivent tenir compte du degré d'acceptabilité du modèle, du rythme réaliste des moyens à mettre en oeuvre par les Etats pour mener à bien les transformations souvent profondes du fonctionnement de la société toute entière qu'elles supposent. S'agissant de l'Organisation Mondiale du Commerce, l'application des règles qui régissent le commerce international, l'établisse-

ment des règles de la concurrence à la réciprocité des échanges et de l'ouverture aux produits est valable pour tous. Le respect des règles du jeu par l'ensemble des Nations et en particulier par les pays développés est capital. L'application des conditions de protection respectant les principes et droits fondamentaux de l'homme au travail (déclaration de 98 de l'OIT) doit se faire progressivement dans les pays en voie de développement pour ne pas leur imposer un rythme trop brutal de mise à niveau qui viendrait pénaliser à l'excès leur compétitivité factuelle.

N° 4: Une sensibilisation des acteurs à leur responsabilité vis-à-vis de la société toute entière

Au fur et à mesure de l'ouverture des économies, l'opinion publique a pris conscience que le problème n'était pas de s'opposer au phénomène globalement positif de la mondialisation, mais que l'important est la manière dont les différents acteurs jouent leur rôle et assument leurs responsabilités, non seulement vis-à-vis du groupe d'intérêt qu'ils représentent mais également vis-à-vis de l'ensemble de la société. Qu'il s'agisse des initiatives internationales comme l'OCDE, l'OIT, les Nations Unies, ou d'initiatives privées, *la recherche d'une déontologie sociétale de l'investissement* – en particulier international – se poursuit depuis plusieurs années. La communauté des affaires accompagne ce mouvement en prenant ses propres engagements. On peut à titre d'exemple citer le Pacte mondial proposé par le Secrétaire général Kofi Annan à Davos en 1999 entre l'ONU et les entreprises ("global compact"),⁴ l'initiative lancée par le même Kofi Annan en avril 2006 sur les Principes pour l'Investissement Responsable,⁵ ou les travaux de l'ISO, l'organisation internationale de

⁴ En 1999, au Forum économique mondial de Davos (Suisse), le Secrétaire général a proposé un "pacte mondial" entre l'ONU et les entreprises; la phase opérationnelle du Pacte a été lancée au Siège de l'ONU à New York, le 26 juillet 2000. Ce pacte a pour objectif de permettre à tous les peuples de la planète de bénéficier des avantages de la mondialisation et d'ancrer les marchés mondiaux à des valeurs et pratiques indispensables pour répondre aux besoins socioéconomiques. Le Secrétaire général a demandé aux entreprises du secteur privé d'adhérer à dix principes et de les traduire dans leur pratique. Il encourage également les dirigeants syndicaux et les représentants de la société civile à s'associer au Pacte et à en faire une tribune de débat sur les aspects controversés de la question de mondialisation et du développement.

⁵ Cette initiative est née du constat de plus en plus patent que, si la finance sert de moteur à l'économie mondiale, les décisions d'investissement et les pratiques d'action-

normalisation. Des engagements spontanés ont été pris par les entreprises internationales qui font du respect d'un code éthique une obligation pour l'ensemble de leurs employés dans le monde.

De quoi s'agit-il? Que recouvre la notion de responsabilité sociale ? Il s'agit de la responsabilité d'une organisation vis-à-vis de l'impact de ses décisions et de ses activités sur la société et l'environnement, à travers un comportement éthique et transparent:

- En ligne avec le développement durable et la protection de la société
- Qui prend en compte les attentes des "stakeholders"
- Qui obéit à la loi applicable et en ligne avec les normes internationales de comportement
- Qui est intégré dans l'ensemble de l'organisation

Ses domaines d'application sont:

- L'environnement
- Les droits de l'homme
- Les conditions de travail
- La gouvernance
- Les pratiques loyales
- L'intégration dans la société
- Les droits des consommateurs

Elle s'applique à travers:

- Le respect des instruments internationaux reconnus
- La conformité avec la loi
- La reconnaissance des droits des "stakeholders"
- L'obligation de rendre des comptes "accountability"
- La transparence
- Le développement durable
- Le comportement éthique
- Le principe de précaution
- La priorité au respect des droits humains fondamentaux
- Le respect de la diversité

naires ne reflètent pas suffisamment les considérations d'ordre social et environnemental. Les Nations Unies entendent ainsi poursuivre leur démarche en faveur du développement durable en s'adressant au monde de la finance. Fruit d'un an de travail entre experts et directeurs financiers internationaux, sous légide de l'UNEP-Fi (unité du PNUD visant à encourager l'adoption des meilleures pratiques environnementales par les professionnels de la finance) et du Global Compact, les PRI visent à intégrer les problématiques environnementale, sociale et de gouvernance (ESG) dans la gestion des portefeuilles d'investissement.

Ces travaux mettent en lumière les points sensibles d'une déontologie des investissements internationaux dans lesquels l'O.I.E est très engagée et s'attache en particulier à la solution des points suivants:

- Le caractère volontaire ou obligatoire de l'engagement des entreprises
- Le contrôle ("integrity measures")
- L'arbitrage et la sanction en cas de manquement aux obligations prises
- La généralisation de ces principes à toutes les organisations et pas seulement les entreprises

En parallèle, nombre d'entreprises développent leur propre charte d'engagement. Elles sont en général plus riches, plus engagées, mieux perçues par les membres de l'entreprise qui doivent y souscrire individuellement. Elles exigent en contrepartie un niveau excellent de gouvernance et des moyens considérables pour contrôler les situations locales.

N° 5: Un engagement qui s'enracine dans des valeurs voire jusque dans le spirituel

Prenons le cas des entreprises et de leurs dirigeants. Les entreprises et leurs dirigeants ont un rôle clé à jour en matière d'investissements internationaux. D'abord bien sûr d'un point de vue économique. Mais pas seulement.

Ils/elles doivent s'assurer que l'objet social de l'entreprise et de ses investissements est pertinent, c'est-à-dire qu'il sert un réel besoin et rend un service à la communauté. L'entreprise a bien sûr tout d'abord un objet économique. Elle est créée pour produire des biens ou des services de manière performante. Mais, ses dirigeants, en particulier lorsqu'ils sont chrétiens, doivent être vigilants sur la nature de ce qui est produit et vendu.

Ils/elles doivent satisfaire trois impératifs: un impératif financier (déga-ger une rentabilité suffisante pour assurer la pérennité de l'entreprise et satisfaire les attentes de ses actionnaires et créanciers); un impératif business (avoir des clients et les servir de manière efficace et compétitive); et un impératif humain (avoir des collaborateurs correctement formés, équipés, déployés, rémunérés et motivés). A noter que la satisfaction de ces trois impératifs n'est pas un jeu à somme nulle. Les meilleures entreprises réussissent en excellant simultanément au regard des trois impératifs.

D'un point de vue de bonne gestion, on peut ordonner ces trois impératifs, pour considérer que c'est l'excellence au regard de l'impératif humain qui engendre l'excellence business, qui elle-même entraîne l'excellence financière.

D'un point de vue humaniste, on pourra considérer que la finalité de l'entreprise est humaine et que l'entreprise doit être un lieu de développe-

ment et d'épanouissement pour les hommes et les femmes qui y travaillent directement – ou indirectement, c'est-à-dire en étendant cette vision aux relations avec les clients, les sous-traitants, les fournisseurs, etc. On peut ainsi dire que la finalité d'une entreprise n'est pas de gagner de l'argent, et que la finalité ne doit pas être confondue avec l'objet et des impératifs. Autrement dit et concrètement, l'entreprise est pour ceux qui y travaillent un espace social où s'écrit leur histoire individuelle et collective. Ses dirigeants ont parmi leurs missions de faire vivre le groupe humain qu'elle constitue; d'un point de vue chrétien, on pourra considérer que la finalité de l'entreprise et de ses investissements peut s'inscrire dans le dessein divin et contribuer à l'accomplissement de l'homme;

Au chef d'entreprise de déterminer librement jusqu'où il peut aller à cet égard. Le chef d'entreprise croyant vit une tension entre aspiration religieuse et exigence économique. L'action du dirigeant peut être comprise comme participant à la Création. Celui qui tente de participer au dessein de Dieu veille d'abord à la droiture et à la qualité de ses objectifs. Il est également vigilant sur la nature de ce qu'il produit et vend. Sa démarche se concrétise dans les choix éthiques de l'action (honnêteté, souci de la création et donc d'un développement durable), mais aussi dans la qualité des relations qu'il met en place dans son entreprise et autour d'elle. En quelque sorte, il s'agit ni plus ni moins de répondre à l'exhortation rapportée dans Michée 6,8: *“Ce que Yahvé réclame de toi n'est rien d'autre que d'accomplir la Justice, aimer la Bonté, et marcher humblement avec ton Dieu”*.

EN CONCLUSION

La globalisation des entreprises et l'internationalisation de leurs investissements n'est pas quelque chose que l'on subit, c'est une responsabilité à assumer. Autrement dit, il ne s'agit pas d'assumer des décisions coupables en se réfugiant derrière un phénomène inéluctable. Il s'agit d'assumer des responsabilités économiques, sociales, morales, voire spirituelles dans un contexte qui se globalise.

- Dans la recherche de plus de justice et de charité dans l'orientation de la vie des Nations, les entreprises et leurs dirigeants ont un rôle déterminant à jouer, ils ont besoin de valeurs, de références, de guides et d'inspirations. Ils jouent un rôle prépondérant dans la nature et les incidences de l'investissement international, en particulier dans les pays les plus en retard sur le plan de la justice et de la pauvreté. C'est largement

à eux qu'incombe la réalisation d'investissements plus justes et utiles aux hommes.

- Les effets positifs de la globalisation et des investissements internationaux nous conduisent à encourager les chefs d'entreprise à ne pas brider leur énergie, leur volonté d'entreprendre, au contraire.

Cependant, la seule logique économique qui, par son efficacité, a légitimé leur action, n'est pas suffisante pour traiter l'ensemble des problèmes de l'humanité et risque de nous conduire tôt ou tard à des situations explosives sur le plan social ou celui des équilibres de la nature.

La globalisation oblige tous les acteurs dont les décisions ont une portée ou une influence planétaire à se poser la question de leur responsabilité au-delà de leur sphère traditionnelle.

Cette prise de conscience d'une responsabilité ultime est devenue nécessaire pour la survie de l'humanité.

- "L'entreprise est partie prenante dans la recherche de l'équité et de la justice, de la transmission entre les générations, de l'éducation, du respect du droit et de l'innovation sociale. De par sa nature même, elle récuse le gaspillage, l'incompétence et la barbarie. Elle contribue ainsi à la civilisation par des conduites et des comportements. Même si elle n'a jamais été enfermée dans l'avoir, la mondialisation l'incite, l'oblige même à se porter sur le terrain de l'être. Par delà les biens et les services, l'entreprise devra de plus en plus produire du sens".⁶
- Les dirigeants des entreprises multinationales prennent aujourd'hui conscience de cette responsabilité sociale qui les conduit à situer désormais leurs actions au sein d'un paradigme plus large. Leur champ de compétence doit intégrer également l'ordre des valeurs et de l'éthique et viser à soumettre la logique économique à une finalité humaine plus globale.

C'est à l'intersection entre ces deux zones de compétence que les hommes d'entreprise et les hommes d'église se doivent de travailler aujourd'hui ensemble pour mieux humaniser ou peut être "diviniser" notre espace de vie menacé.

C'est pourquoi je vous remercie de m'avoir permis d'apporter cette contribution à votre réflexion et vous en suis reconnaissant.

⁶ S. Exc. l'Ambassadeur Pierre Morel.

SESSION V

ROUND TABLE

INTERNATIONAL JUSTICE AND AID. DO WE NEED SOME SCHEME OF REDISTRIBUTION OF INCOME AT THE WORLD LEVEL ALONG THE LINES OF WHAT MOST COUNTRIES HAVE AT THE NATIONAL LEVEL?

JEAN-PIERRE LANDAU

We live in a world of sovereign states. Among these sovereign states, justice is recognized as a guiding principle for governing their relations. But charity is not. All nations today have inalienable and equal rights. But states are not expected to be charitable to one another. And yet, official development aid is necessarily intermediated and implemented by the states. This is the deep paradox of international aid. We may see growing manifestations of international solidarity and private generosity. Nevertheless, between nations, the act of giving – i.e. transferring resources with purely altruistic motives and no conditions or expectation of any counterparties – remains occasional and discretionary even if there are international institutions specifically dedicated to this aim.

Today, we hear frequent references to a new Marshall Plan. But the Marshall Plan was a truly exceptional endeavour, with no historical precedent since nation states emerged in their current form and no comparable follow up since: it remains the only experience of a quasi ‘pure’ unilateral gift, on a large scale, between sovereign nations. No action taken ever since has come close to matching the breadth and scope of that vision.

Hence the question in the title of our session: do we need a different system? Should we try and achieve between nations the same kind of natural solidarity which, most of the time, exists between people sharing the same citizenship? Most modern states have internal income redistribution schemes, the scope and nature of which differ widely across the world. Those redistribution schemes consist in taxes and transfers operated by the State according to preset rules and parameters. They aim, in proportions which also differ between countries, to reduce poverty and/or inequality between citizens.

Do we need such schemes at the international level and are they feasible? Both from a moral and instrumental point of view, I would answer, yes certainly. But, when they exist, those schemes are grounded on political and social infrastructures which exist at the level of the nation-state but not at the world level. One the major achievements of the Millennium Development Goals has been to by pass this difficulty by making poverty reduction recognized as a universal value, and objective. The same status has not been achieved, however, for the reduction of income inequality.

At this stage, we have the Millennium Development Goals (MDGs). How do they contribute to achieving justice between people? Can they be met under the current system? And should we go beyond? These are the three questions I would like to touch briefly upon.

The Millennium Development Goals and Justice

As we all know, at the core of the MDGs is a commitment to halve the number of people living in extreme poverty by 2015 (as compared to 2000). The goals also refer to specific achievements in human development, especially in education and health. Generally associated with the MDGs is a target of doubling the volume of aid (not universally accepted by all countries).

So, what the international community is seeking to achieve is a reduction in poverty. Not a reduction in inequality. These are two very different approaches. Poverty refers to an absolute level of income whereas inequality is judged – and measured – by looking at the relative positions of individuals. So, we can have both an increase in inequality and a reduction in poverty. This is exactly what has happened for most of the recent period. While world population has more than doubled in the last four decades, the number of people living in extreme poverty – i.e. less than 1\$/day – has dramatically decreased. But, as I shall expand upon later, inequality has not followed the same trend.

Is poverty reduction an adequate translation of our moral aspiration to justice for all people? It is an approach, which looks only to the poorest and most disadvantaged. This, of course, is very reminiscent of the Rawlsian definition of justice. We could see the MDGs as the product of a collective deliberation of mankind behind the famous ‘veil of ignorance’ bypassing, in a thought experiment, the segmentation of the world into sovereign states. While, in a Rawlsian perspective, every individual is guaranteed a full set of basic liberties, there is no identified value attached to the specific welfare of each member of the human community. Thus, this principle of justice is

indifferent to the level of inequality as long as it does not impair the situation of the poorest of all.

This may appear, to some of us, as a minimalist approach to justice. In addition, even from the point of view of justice defined as such, the MDGs do not appear overly ambitious. The poverty threshold has been set at a very low level: less than 1\$ a day. True, there are still 1.2 billion people living in such extreme poverty, and reducing that number by half would be no small achievement. But nearly half of the world population still live right now with less than 2\$ a day and it is not clear that meeting the MDGs will significantly reduce that number (as an immediate result will be to increase the number of those living between 1 and 2\$ a day).

Can the Millennium Development Goals Be Achieved Under the Current System?

As a result of the MDGs, intense mobilization has taken place and strong financial commitments have been made. But one needs not be cynical to wonder about the implementation. To quote from the introductory paper to this Session, 'there are now well grounded doubts about the possibility of really implementing them within the time envisaged'. Beyond the obviously slow growth in actual aid flows, there are two reasons to be doubtful: increased domestic pressures in donor countries; and failures in the current international aid system.

Looking at the internal dynamics in donor countries, two conflicting forces seem at work. On the one hand, altruism is on the rise as evidenced both by surveys and growth in voluntary contributions. This altruism is clearly fuelled by a growing sense of proximity with the poor and disadvantaged, brought by globalization and instant communications. On the other hand, globalization also brings strong adjustment pressures and increased economic insecurity, which are not conducive to helping people and countries often perceived as dangerous competitors. As a result, altruism shows itself in occasional outbursts of generosity, but it remains difficult to transform those positive forces into continuous and stable financial transfers to the poorest countries. In such an environment, fiscal constraints may prove very detrimental to development aid.

I had a chance to get a close look at the implementation process while working with a group of personalities on a report on international contributions for development commissioned by President Chirac. Doing so, we were able to identify some fundamental – some would say systemic – failures to which it can only be remedied through considerable changes in the financial mechanisms.

The current aid system is organized through a network of bilateral and multilateral relations between recipient and donor countries. The procedures for deciding and allocating aid flows are based on permanent negotiations between donors whose strategies change according to their priorities and their foreign policy objectives, and whose budgets are decided, for the most part, on an annual basis. Such a process is bound to produce non optimal results: insufficient resources because each donor has built-in incentives to finance its own priorities first, and then to free ride on other countries contributions; forms of aid which are inadequate (only one third of disbursements currently go to fighting poverty; grants are insufficient; less than 50% of aid actually translates into cash transfers to developing countries); and finally excessive volatility and unpredictability in aid flows. This unpredictability considerably reduces aid effectiveness. It penalizes those programs – aimed at human development and the fight against poverty – most in need of long-term stability and continuity because they are mainly based on recurrent expenditures in basic social services.

We concluded that one crucial element is currently missing: a resource that is both totally concessional and predictable. Even small amounts of such a resource, at the start, would make a difference by increasing the return on other aid flows and creating an environment, which would increase their overall efficiency. In order to produce such a resource, new multilateral (and more automatic) financing mechanisms are necessary.

We suggested that some form of international taxation would deliver the precise kind of resource needed to finance human development, one that is both totally predictable and concessional. This could be done without changes to the current international order. Contrary to widespread perception, no new institutional arrangement or international organization would be necessary. Naturally, an international tax could only be the outcome of an act of cooperation between sovereign countries. It can be defined as a set of identical or convergent national tax mechanisms, implemented jointly by these countries within a common, agreed framework, encompassing the utilization of the funds levied by each of these states.

Finally, we underlined the economic rationale behind such taxes. For instance, corrective taxes, such as environmental taxes created at the world level, would raise revenues without creating any new economic distortions, and actually eliminating some. Also, taxes levied, at a very low rate, on internationally mobile tax bases would be less distortionary than additions to existing national taxes, whose rates are already much higher. Thus, such international taxes could bring net benefits in terms of economic efficiency.

So, our conclusions were clear as regards to the question asked for this roundtable. Yes, in order to fight poverty and reach the MDGs we do need some redistribution schemes which, although not exactly along the lines of the ones implemented at the national level, would reproduce some of their basic elements, such as a permanent structure of tax and transfers.

Beyond the MDGs: Reducing Inequality in a Globalized World

In most, if not all, countries where income redistribution schemes exist, they go beyond poverty reduction and aim, to some extent, at modifying income distribution and correct inequalities. Could and should a global system be designed with such a purpose?

Political realism would impose a negative answer. But, in this case, realism alone cannot dictate our reflexion. We cannot ignore that income inequality is a salient feature of our world and may stay so in the future. During the 19th and most of the 20th century, the expansion of global capitalism has brought both an unprecedented prosperity and a growing dispersion in the distribution of income. Over the last three decades, this trend may have partially reversed, depending on the perspective one chooses to adopt. As measured by synthetic indicators of worldwide income distribution (such as so called gini coefficients), global inequality has been stable over the last three decades – or has even decreased slightly. A different measure, such as the gap between the highest and lowest levels of income, would on the contrary, show a significant increase.

This calls for a fundamental discussion from the point of view of economic efficiency, political philosophy as well as on pure moral grounds. As we shall see, from all those viewpoints, establishing a worldwide redistribution scheme might seem, at first sight, as a highly debatable proposition. But this does not mean that nations are powerless and that nothing can be done to fight inequality in our present world.

The economic case against seeking to reduce global inequalities by redistributing income is apparently straightforward. It starts with the fact that global income distribution is mainly driven by inequality between nations rather than inequality within nations. Put differently, global inequality in income between individual persons is essentially a result of divergence in economic growth rates between nations. As a consequence, the best contribution one can bring to income equality in the world is to help and foster growth in less advanced countries, so that they can catch up with the richest ones. Indeed, most of the recent reduction in aggregate measures of glob-

al inequality (and poverty) comes from the strong growth registered by big emerging economies, such as China and India. Many policies can be designed to achieve stronger growth, including, for the richest nations, to open their economies to developing countries exports. In that perspective, protectionism is the least charitable of all policies. Redistributing income between countries can only bring a marginal – and not necessarily positive – contribution. This view has been forcefully expressed by Robert Lucas: ‘Of the tendencies that are harmful to sound economics, the most seductive, and in my opinion the most poisonous, is to focus on questions of distribution. In this very minute, a child is being born to an American family and another child, equally valued by God, is being born to a family in India. The resources of all kinds that will be at the disposal of this new American will be on the order of 15 times the resources available to his Indian brother. This seems to us a terrible wrong, justifying direct corrective action, and perhaps some actions of this kind can and should be taken. But of the vast increase in the well-being of hundreds of millions of people that has occurred in the 200-year course of the industrial revolution to date, virtually none of it can be attributed to the direct redistribution of resources from rich to poor. The potential for improving the lives of poor people by finding different ways of distributing current production is nothing compared to the apparently limitless potential of increasing production’.

A second interrogation relates to the political philosophy of income redistribution. Income redistribution is the outcome of a political process, which, in most countries, is based on democratic decision making mechanisms. We know from observation that countries differ widely as to their preferences for equality or tolerance for income inequality. Furthermore, devising a redistribution scheme may involve delicate trade-off between economic efficiency and social equity considerations. There is no worldwide democratic process to decide on those trade-offs and reconcile those differences in order to determine an appropriate level of international income redistribution. This is a major difference with poverty reduction. As mentioned above, we don’t need to give a value to each individual’s welfare to unanimously agree on poverty reduction as a priority. Whereas such a valuation (explicit or implicit) is inescapable to decide on a level of acceptable income inequality. And such a valuation is to day simply impossible outside the realm of the nation-state. So the design and implementation of redistributive schemes can only be left to individual nations.

Finally, thinking about equality, one cannot avoid Amartya Sen’s famous question: equality of what? There are many possible dimensions to

equality (or, to use, Sen's words, many spaces into which equality can be assessed). We can think of equality in incomes, in liberties, in opportunities and, finally, of equality in 'capabilities', defined by Sen as our capability to 'achieve valuable functionings that make up our lives, and more generally our freedom to promote objectives we have reasons to value'. Arguably, equality in some of those spaces is best achieved through a combination of actions and processes involving institutional, social, and political evolutions. This should not be seen as casting a doubt on the basis for and necessity of charity. But it may raise legitimate questions as to the most appropriate forms and instruments. At the very least, it shows that income redistribution is but one condition, amongst others, of equality appreciated in all its dimensions. It also points to the fact that instruments and schemes internally used in individual countries might not always be the most adequate to address specific dimensions of inequality.

I have felt compelled to list those arguments against worldwide redistribution schemes, because they are currently used and based on careful consideration of facts and rigorous reasoning. On the other hand, there are strong, may be less rigorous, reasons to judge as unacceptable the current level of inequality and deeply insufficient the financial resources devoted to reduce it. A broader approach and agenda for fighting inequalities in the pursuit of justice would include the following:

First, extend our definition of justice beyond the pure 'Rawlsian' criteria. Predominant is the fact that, in a significant proportion, inequality between individuals in the world is a result of pure chance. Where you are born matters a lot when level of developments are so different between countries. While we can understand those inequalities, which stem from differences in talent and efforts, it remains ethically impossible to accept that the fate of human beings, otherwise equal in all their capacities, is nevertheless so much determined by the location and circumstances of their birth. There is a deep moral imperative for true equality in opportunities and we should, at some stage, recognize as a valid international objective that all human beings be given equal chances at birth. This may not be easy to translate into identifiable and operational criteria. People start in life with all sorts of endowments, including private wealth, family background, and access to public services. And some rigorous definition of what should be equalized would be necessary. My intuition is that this would involve much a bigger transfer of resources than what is actually contemplated. At the very least, this would lead to question the threshold currently used for the definition of poverty and give a basis for much stronger and more systematic international action.

Second, we should recognize that basic fact that poverty and equality may not always be considered as fully independent. Almost arithmetically, the evolution of poverty is a result of both the economic growth rate and changes in income dispersion. It may happen that faster growth is more than fully compensated by greater income inequality. This may be the case, to day, in some rich countries where most of income growth is concentrated in the hands of a limited number of people.

Third, we should strengthen the capacity of our societies to embrace international justice and develop collective charity. This may be a challenge in the period to come. There is a close link between social justice within countries and their ability to act for international justice. In an era of rapid change and increased economic insecurity, there is risk that the pressures of globalization would pit the poor in rich countries against the poor in poor countries. It is our moral responsibility to avoid such an outcome by strengthening our own domestic social contracts and developing strong and adapted systems of solidarity.

And fourth we should recognize that for a significant part, global income inequality is a product of insufficient international cooperation. Looking at international economic relations to day, one can easily identify those choices and arrangements, whether explicit or implicit, which do result in increased inequality. Protectionism is one. More generally, it is not clear to day that the international economic order produces the best mix of efficiency and equity. My intuition – it is no more than that – is that weaknesses in cooperation between nations result in more inequality that would spontaneously appear (as well as, may be, a loss in overall efficiency). One obvious example is tax competition. But it may be more general. As new actors, both private and public emerge in the world scene, states should cooperate more in the pursuit of common objectives. They should accept to bind themselves more for the sake of combining efficiency and justice. In the current environment, where multilateralism is receding, this might be an objective worth fighting for.

JUSTICE, AID AND POVERTY: A SHORT SURVEY OF THE LITERATURE¹

EDMOND MALINVAUD

In this session, dedicated to 'Charity and justice in the relations among peoples and nations', we accept the idea that international justice calls for an increase in aid to the poorest countries. This round table is meant to study how the increase should be patterned so as to implement as well as possible a just reduction in poverty. That is a wide-ranging matter to the clarification of which a short survey of the literature may contribute.

The first two parts of this paper will essentially consider a literature that existed before the Millennium Goals were chosen. Their titles will respectively be 'What would international justice require?', 'Poverty, aid and economic growth'. The literature of the last decade, which was particularly rich, will be the subject of the third and fourth parts, respectively on 'Foreign official aid and poverty' and 'Funding the Millennium Development Goals'.

1. WHAT WOULD INTERNATIONAL JUSTICE REQUIRE?

Philosophy has often closely examined what justice should be. But our concern in this round table is to reach operative proposals. Attempting to survey fundamental debates between philosophers would be misplaced.²

¹ Contribution to the round table 'International Justice and Aid. Do we Need some Scheme of Redistribution of Income at the World Level Along the Lines of What Most Countries Have at the National Levels?' in the XIII plenary session of the Pontifical Academy of Social Sciences, 28 April 2007. Une version française est disponible sur le site de l'Académie <http://www.vatican.va/roman-curia/pontifical-academies/index.htm>.

² On other occasions, notably in E. Malinvaud (2004), I approached fundamental philosophical issues. For that matter we should not overlook that philosophy contains

We shall rather consider, directly and in turn, justice according to the humanist philosopher Paul Ricoeur, the application of justice in law, and the application of justice in international relations.

1.1. *Justice According to Paul Ricoeur*³

This philosopher takes a strong position against the idea that principles of justice could be derived from rational reasoning only. He points instead to the relevance of a teleological perspective inspired by the sense of justice rooted in the minds of men and women who yearn for meaningful lives, with and for others within just institutions.

What matters is first to appeal to *practical wisdom* in judging each context in itself. It is also the emergence of an ethic in the process by which argumentations and convictions are exchanged between persons and progressively improved, up to the point where *considered convictions* might have a fair degree of universality. Ricoeur then concludes: 'the skill of conversation in which the ethics of argumentation is put to the test of the conflict of convictions makes up one of the faces of practical wisdom'.

Social scientists have a natural role to play in Ricoeur's scheme. They seldom claim to dictate what institutions and social policies ought to be. Their role is rather to reflect on social realities and to present evidence showing what the positive or negative effects of institutions and policies are likely to be. The argumentations in which they are involved, in relation with the demands addressed to them, help the formation of considered convictions in the citizenry.

important elements fostering the social doctrine of the Church. This was asserted many times by John Paul II, particularly in the long section entitled 'The Church's interest in philosophy' (nn. 57-63) in the Encyclical *Fides et Ratio*. He there recalled that Pope Leo XIII had devoted entirely to philosophy his Encyclical Letter *Aeterni Patris* (1879) and that, as a result, the studies of the thought of Saint Thomas and other Scholastic writers had received new impetus. John Paul II also stressed 'the intimate bond which ties theological work to the philosophical search for truth' (n. 63).

³ I am referring here particularly to P. Ricoeur (1992) and to Study 9 which follows Study 7, on the inner reflection of each person on his or her aims, duties, obligations and rights, and Study 8, on the interpersonal relations inspired by solicitude and norms of reciprocity. Study 9 deals with the institutions which mediate such relations within a society, aim at justice and enforce legal obligations.

1.2. *Application of Justice in Law*

All social scientists may now benefit from occasionally referring to the three volumes of the *Palgrave Dictionary of Economics and the Law* (Macmillan, 1998, London). These volumes are relevant in particular for the discussion in our round table, because they lead readers to reflect on the application of justice.

In the entry on *Justice*, A. de Jasay begins with: 'The concept of justice informs our sense of justice'. The first part is entitled 'Findings and judgments', the second 'Constituent principles' with the subheadings 'Responsibility', 'Presumption', 'Convention'. We perceive continuity with the thought of Ricoeur and a distance from the two principles stated by Rawls (1971) (see below).

The dictionary well exhibits three important distinctions in the constituting of law: (i) common law and written law; (ii) legal justice and social justice; (iii) render unto each 'his own' or 'according to his needs'. I shall say no more about the first distinction. But the second leads us to refer to the entry *Social justice* where we find the two relevant definitions. For legal justice: 'exercise of impartiality in enforcing the system of rights and duties by which a basic level of order in society is achieved'; for social justice: 'ensuring that each individual is given his due, not in terms of a claim to just conduct on the part of others, but as an assigned share of society wealth'. This induces us to refer to the entry on *Equity*, but it turns out that the entry is focussed on the 'jurisdiction of equity', which I understand to be a historically distinctive feature of some English courts.

There is no doubt in my mind that the drive for fighting against poverty belongs to social justice applied to those most suffering from destitution. But the above third distinction brings into conflict two sensitivities which clearly appear in the philosophical literature. The second one goes back to Roman law and to the principle of *Suum cuique* heading the fourth part of the entry on *Justice*. The principle in question literally translates from Latin as: 'to each his own'. It states the existence of a private property right, understood as one form of personal liberty. Now, various authors maintain that the latter has prime importance. Rawls (1971), in particular, gave primacy to his first principle of justice requiring 'the most extensive basic liberties'. The second principle, presented as subsidiary, states that justice must also insure 'the most restricted social and economic inequalities'. Among those who strongly argued for the primacy of liberty I may mention the philosopher Robert Nozick and the Nobel prize economist Friedrich Hayek.

I may also remind academicians that, in our second plenary session, labor and employment law was examined thanks to the contribution of

Thomas Kohler, who compared the German model, as a continental European prototype, to the (US) American model. German law was meant to protect the weaker party in the employment contract. American law took its inspiration from liberal anthropology. So, concerning collective bargaining, the legal schemes entail minimal state intervention in the ordering of relationship because they rely on market mechanisms to shape the results.

1.3. Application of Justice in International Relations

International justice appears as a major theme in the program of this session. But my role is not to provide here a synthesis of what can be found in this volume. I shall rather first draw attention to the dilemma of international justice, as exhibited in earlier sessions of the Academy. Secondly, I shall make a few comments inspired by my reading of other articles of the book.

Over much of the twentieth century there has been an important widening and deepening in the scope of the international legal order. However, it would be hard to argue that justice was the predominant concern.⁴ Historically, the main mode to create order was through bilateral treaties: equal sovereign states pursuing their respective national interests would bargain and in principle come to some form of transaction. However, in actual fact, the interest of the strong was often imposed on the weak. Appearance in the twentieth century of multilateral agreements rooted, in each case, on a certain world view somewhat mitigated the risk of imbalance. But the major states of North America and Europe still frequently imposed their rule on lesser states, leaving the latter with little or no margin for negotiation.

The development of international organizations led to search for an orderly international community, which, however, suffered many setbacks. More or less constraining international norms progressively replaced some of the national norms. This was by and large beneficial. But we could not accept without reservation today the claim that international normality would meet the requirement of justice. Moreover, we must acknowledge that it is now common to speak of a crisis of multilateralism.

One often hears about a 'global governance'. But it is undertaken only in a tentative, incomplete way, and it has to put up with a high degree of national disharmonies. Elements of a civil society spread beyond national borders, but they poorly interact with national governments and inter-

⁴ See J. Weiler (2004) and H. Zacher (2005).

national organizations. Behind such a lack of mutual adaptability transpires the frequent disagreement between value systems, each one claiming universality.

Who, such being the case, can define the content of international justice? In this volume M.A. Glendon gives an answer, which is particularly suitable for the gist of this paper: 'In recent decades, the Catholic Church has become the single most influential institutional voice for the voiceless in international settings, speaking out on behalf of the poor, the vulnerable and the marginalized'.

We shall also remember that, in his address to the Academy, H.H. Benedict XVI brought our attention to 'three specific challenges facing our world, challenges which...can only be met through a firm commitment to that greater justice which is inspired by charity': environment and sustainable development, our conception of the human person, the values of the spiritual goods. About the third challenge, the Pope explains that dialogue between the peoples of the world, now coming into much greater contacts, will 'promote understanding...of true human values within an intercultural perspective'. This is consonant with Ricoeur's practical wisdom leading to 'considered convictions which might have a fair degree of universality'. Indeed, the role of practical wisdom is manifest in postures taken by a number of authors in this volume, such as M. Ramirez underscoring the role of the practice of global solidarity, L.E. Derbez Bautista pointing to unfairness in the practice of international finance, or J. Diouf speaking of the right to water as a matter of international justice.

2. POVERTY, AID AND ECONOMIC GROWTH

Let us now move on into the main subject of this paper:

2.1. *What is Poverty of the Human Person? How Can It Be Measured?*

Introducing his article on the subject, A. Atkinson (1987) writes: 'Concern for poverty has been expressed over the centuries, even if its priority on the agenda for political action has not always been high. Its different meanings and manifestations have been the subject of study by historians, sociologists and economists. Its causes have been identified in a wide variety of sources, ranging from deficiencies in the administration of income support to the injustice of the economic and social system. The relief, or abolition, of pover-

ty has been sought in the reform of social security, in intervention in the labour market, and in major changes in the form of economic organization'.

Precise answers to the two questions posed above would require more analysis than will be found here. But the questions should already suggest what may be the main stakes. In the context of this round table, attention is naturally confined to countries of the Third World, where poverty is acute and seems to be more easily identified than in developed countries, in which such notions as 'conditions of living' permit wide ranges of interpretations.⁵

However we must keep in mind the distinction made by Atkinson between a *minimum level* of consumption or income, a kind of subsistence level, and a *right* to have at least a given share of the total amount of resources available in society. This second concept refers to a statistical distribution of the levels of consumption or income in that society. We then say that the first measure is 'absolute' and the second is 'relative'. Referring to the proportion of people living below one 1990 dollar a day, the particular Millennium Goal which most concerns us here, has chosen an absolute measure of poverty, whereas poverty indicators quoted for developed countries were often chosen as relative. Let us still note at this point that, in section 3.1., other Millennium Goals will be mentioned, which may also enter into the numerical description of poverty.

2.2. *Why Should We Talk About Growth?*

There are two reasons for doing so: facts and history of ideas. On the one hand, economic growth usually goes hand in hand with the gradual reduction in poverty. Since growth factors have been much studied in economics, what is known about them in such or such country already gives information about poverty, although imperfectly.

On the other hand, a large amount of literature has been published since the end of the 50s dealing with the effects of foreign aid on the growth of little-developed countries. This literature fostered a long debate and so makes up a useful background for appraising the relevance of recent contributions.

The literature had emerged at the very time when a sense of disillusionment was appearing in relation to the slow take-off in some assisted countries, to the absence of any take-off in others, and to what was perceived about aid use. A parallel was drawn with the luxurious life of some ruling

⁵ See B. Nohan and C.-T. Whelan (1996) and for France S. Ponthieux (2003).

leaders, or with the spread of corruption along aid distribution channels without caring about their best use. Or again with aid allocation which turned out to benefit only an elite or which went into poorly worked-out projects, the materialization of which might then turn out to be useless in practice. Some economists explained that aid had pernicious effects because it could prevent the natural development of entrepreneurship and could have the harmful effect of leading to overvaluation of the currency, thus handicapping exporters of home products. What had been happening in the Netherlands since the tapping of natural gas reserves (the 'Dutch disease') was presented as illustrative.

Of course, such pessimistic diagnoses were not unanimously accepted. They were not accepted for instance by H. Chenery and A. Strout (1966) who, in their modelling of aid effects, believed to be building on a solid theoretical basis. The latter had indeed been widely distributed by well-reputed development economists like Sir Arthur Lewis (1954).

However neither factual data nor analytical principles to process them were well established at the time, whereas they would progressively emerge later. In fact we shall have the chance to see that such data and principles do not remove all difficulties. Nevertheless a methodology was going to mature for testing the effectiveness of the various forms of aid.

We must also recognize that something still stands today to be remembered out of the early criticism. W. Easterly (2003) in his pages 36 to 38 quotes aberrations to which some institutions in charge of distributing international aid still recently succumbed.

2.3. Impact of Aid on Growth Through Investment

Published in 1960 a book by W. Rostow was for a time very popular among economists. According to the author economic development began with a period of take-off, following stagnation, when society began to build up capital. Once under way, growth would go on almost automatically. Many then accepted the thesis that foreign aid would serve as a release mechanism.

In their model Chenery and Stout accepted the idea, moreover assuming that aid would fully go to investment. Domestic saving would be proportional to the growth rate. International trade would sooner or later generate a surplus, which would progressively substitute for aid. Notwithstanding the restrictive character of the assumptions so made, the model proposed a reasonable framework for thought. It could even lend itself to computations, at the time when economic planning was fashionable and investment was made mainly of industrial equipment and transport infrastructures.

2.4. *A Larger Vision of Growth Factors*

During the three following decades, the growth factor concept was enlarged in two successive stages. First, great importance was recognized to 'human capital', hence to education and health. The goal was no longer only to finance imports, but also to train teachers and doctors.

There would be little reason to stress this point, except for a blame often addressed to the structural adjustment programs imposed by IMF or the World Bank: particularly in the poorest countries, these programs often turned out to mean drastic cuts in the budgets allocated to education and public health. There may be a lesson for us to draw today: we should not neglect to think about humanitarian aid, which also directly concerns human capital.

Starting in the decade of the 1980s a number of economists took the habit to include, among possible growth factors of a country, its institutions, which may either stimulate or hinder growth. I need not dwell on the fact that, since that time, market economies were recognized as definitely more favourable to growth than tightly controlled economies. On the other hand, within the category of market economies, performances widely differ and depend on the forms of regulations ruling the various markets, as well as on the quality of the governance applied by private and public agents.

Claiming to present all the economic literature dealing with the various aspects quickly alluded to above would be misplaced in this commentary. It will be better to now draw attention to what has been published recently.

3. LITERATURE OF THE LAST DECADE. FOREIGN OFFICIAL AID AND POVERTY

The literature devoted to our subject is rich. It takes advantage of rapidly increasing data collection in poor countries, of the progress of data analysis methods and of the multiplicity of research projects, which could be conducted with a good level of objectivity. Nevertheless debates did not vanish, as applied econometrics faced difficulties, the diagnosis of which remains somewhat uncertain.

Section 3.1. will outline the recent trends in absolute poverty compared with the Millennium Goals. Section 3.2. will explain how enrichment of databases and deepening of the econometric methodology to analyse them has opened new fields for research. Section 3.3. will examine how income redistribution may contribute to poverty reduction. Section 3.4. will single out a category made of those aids which may be assumed to stimulate

growth in the short run. Section 3.5. will bring to the fore the fundamental difficulty of the evaluation of long run effects of aid policies. Section 3.6. will deal with the poverty reduction agenda.

3.1. Trends in Absolute Poverty Compared with the Main Millennium Goal

For a good reason, T. Besley and B. Burgess (2003) wrote: 'Obtaining reliable measures of poverty requires household surveys about the distribution of income or consumption that are comparable across countries' (p. 4). They pointed out that, over the last twenty years, the World Bank Research Department has conducted a systematic operation for that purpose, covering in the year 2000 about 88 countries which, out of a total of 158 low and middle-income countries, represented about 89% of the total population of the developing world. That data source led to evaluate at 29% in 1990 and 24% in 1998 the proportion of people who, in those countries, were living with a purchasing power below one dollar a day (at a constant real parity of the dollar).

These two proportions much varied from one region of the Third World to another. They amounted to 48% and 46% for sub-Saharan Africa, to 44% and 40% for South Asia, as against for instance 17% and 16% for Latin America, 15% and 10% for East Asia and the Pacific (excluding China). It so appeared that the last of the large regions quoted here was on the right track to meet the Millennium Goal of cutting in half, between 1990 and 2015, the proportion of those living below one dollar a day. On the other hand, strong acceleration after the 1990-98 period was required for the same goal to be met by sub-Saharan Africa or Latin America. Urgency of such an acceleration is one of the reasons which motivated organizers of this Session, notably for this Round Table.

Moreover we should not limit our discussion to just one of the Millennium Goals. Hence, I must quote three other neighbouring goals. Concerning education: achieving universal primary education by 2015. Concerning health: from 1990 to 2015 reducing by half the proportion of people without access to safe drinking water; by two-third under-age-five mortality, by three-quarters maternal mortality; and also reversing the spread of HIV/AIDS. For the environment: ensuring environmental sustainability.

3.2. Enrichment of Data and Analytical Methods

In order to reply to those economists who had stood as detractors of foreign aid (see 2.2. above), other economists have more recently chosen an

opposite stand, while recognizing some part of truth in the former arguments. They claimed and sometimes proved that the strength of these arguments had been overstated. International aid would have sustained poverty reduction and growth in some countries and avoided worse outcomes in others. Some supporters also believe that many failings of aid have more to do with donors than recipients, especially since much aid is given to political allies with little concern for sustaining development.

It is not surprising that, after fifty years of experience, it has now become possible to issue a more qualified assessment and to analyse the impact of aid more meticulously, depending on the various motivations and contexts surrounding it. Indeed, the means now available to research on aid are much more extensive and appropriate than those available in older days.

In the first place, factual information has been much enriched. Today research has access to large data banks, the content of which admittedly has a variable reliability from one country to another, but a reliability that overall keeps improving.

Various typologies were set up, for instance about the quality of public or even private governance in aid-receiving countries. This is how G. Burnside and D. Dollar (2000) were led to the conclusion that foreign aid had a positive impact in those developing countries which were well managed, with sound fiscal, monetary and trade policies, but that aid had no significant impact in countries applying loose policies (the conclusion was however subsequently disputed, as we shall see in section 3.5.). In another example, the idea according to which donor organizations knew what would be useful for recipient countries does not seem to stand, given the testimonies of those who are operating on the spot, who report little apparent relation between political statements and what they observe.

Some particular aid programs were closely analysed as such: notably those responsible for the 'Green Revolution', or for the campaign against river blindness, or again for the fight against some epidemics and some local practices detrimental to health.

In the statistical studies applying econometric methods and aiming at giving global diagnoses, it is now common to make some relevant distinctions. For instance a separate treatment is applied to humanitarian aid after natural disasters, which simultaneously cause growth to fall and aid to increase, hence generate a negative correlation between aid and growth.

In the same studies models are refined so as to better accord to some characteristics of reality. For instance, when aid is found to have, on average, a positive impact on growth, it may also have decreasing return, that

is: aid may be less and less beneficial on average as its volume increases, a fact which does not appear if a linear model is used.

It would be misplaced for me here to display the various categories of econometric techniques used today in order to take full advantage of the available data. Each category has its proper field of application, because of the nature of both the data and the models suited to the investigated phenomena. The reader just needs to know that econometrics has become a demanding craft and that he or she should rely on econometric publication which are recognized as reliable.

Let us now look at the available results. It so happens that, in each one of the two following sections, they will be fairly clear. But the outcome of the long section 3.5. will be more difficult to formulate.

3.3. Redistribution and Poverty

Everything else being equal, in particular mean purchasing power, a redistribution policy which decreases inequality of individual incomes in a country would lessen the poverty indicator defined in section 3.1. Besley and Burgess measured the phenomenon, choosing as an inequality indicator the standard deviation of the statistical distribution defined for the logarithm of individual real income. They first noted that their inequality indicator had higher values in Latin America (around 1.0) than, say, in South Asia (around 0.6). They next evaluated how much a redistribution policy would lessen the poverty indicator in their regions of the Third World. For instance they noted that a reduction of one standard deviation in their inequality indicator in sub-Saharan Africa would cut the poverty indicator of that region by more than half.

From their computations these authors drew two conclusions. 'First, finding feasible means of achieving redistribution must be a priority...Second, attention must be paid to the distributional impact of growth. Growth that reduces inequality will have a larger impact on poverty. This in turn leads to a focus on specific drivers of growth that can directly benefit the poor'.

3.4. Short-Run Effects of Some Types of Aid

In their systematic study of impacts of foreign aid on growth M. Clemens, S. Radelet and R. Bhavnani (2004) considered aid flows to 67 countries between 1974 and 2004. They at first divided aid into three categories: (1) Aid for disasters, emergencies and humanitarian relief efforts

(including food aid); (2) Aid that might affect growth but indirectly and over a long period of time, if at all (such as aid to support democracy, the environment, health or education); (3) Aid that plausibly could stimulate growth in four years (including budget and balance of payments support, investments in infrastructure, and aid for productive sectors such as agriculture and industry). Their focus is only on the third group, which accounts for about 53% of all aid flows.

Presenting their results concerning the effect of aid after four years, the authors state that they do not mean that even aid of the third group is always beneficial everywhere. In the wrong circumstances it can, for instance, help centralize the power of autocratic despots. Aid does not work equally in all countries, far from that. Some aid has been wasted and aid quality could be much improved.⁶ ‘The big story, however, is that donors’ collective, overall aid portfolio has had positive returns’.

‘Even at a conservatively high discount rate, at the mean, a one dollar increase in short-impact aid raises output (and income) by 1.64 dollar in present value in the typical country...We find that higher-than-average short-impact aid to sub-Saharan Africa raises per capita growth rates there by about half a percentage point over the growth that would have been achieved by average aid flows’.

3.5. Measuring Long Term Effects: A Challenge for Econometrics, but Perhaps Also a Relevant Lesson

Speaking of development is to take the stand of a long-term perspective: say twenty years rather than four. Hence, we cannot be relieved by an assertion about short-term effects, however valuable it may be. But neither can we ignore possible delusions: many factors are capable of interfering in the long run, and in principle they should be all considered simultaneously in order to reach fully convincing results. In other words, econometricians were facing a serious challenge, which did not prevent them from trying. Now, since the year 2000, signs have accumulated showing that, on average, long-run effects of policies and institutions, of foreign aid in particular, might be more perverse than beneficial.

⁶ W. Easterly, who is known as a skeptic economist about the utility of foreign aid and the (2003) article of whom deserves mentioning, went some steps in the direction of the three authors when he wrote in his conclusion: ‘Improving the quality of aid should come before quantity. This step is difficult but not impossible’.

In order to appraise the difficulty we may first refer to a comment made by Easterly *et al.* (2004) on the article by Burnside and Dollar (2000). Their comment just amounted to show the weakness of the empirical evidence about the idea that aid would stimulate growth in countries applying good fiscal, monetary and trade policies: as a matter of fact shifting four years ahead the period on which Burnside and Dollar had established their conclusion (no longer 1970-93 but 1974-97) was sufficient to reverse the sign of the dependence of the growth rate on the variable characterizing the conjunction of foreign aid and quality of policies.

Still more disturbing are the results reached by R. Rajan and A. Subramanian (2005.b) who, after other econometricians, made a systematic investigation about the association between foreign aid and growth after ten, twenty or thirty years, and reached the conclusion that no robust relation emerged. Indeed, the dominant result was rather in the direction of aid slowing down growth. Similarly, for the aid category identified by Clemens, Radelet and Bhavnani (2004) as having short run beneficial effect, no such effect was discerned in the long run.

Facing these econometric results two main standpoints seem to emerge, which I shall impute, for shortness, respectively to Rodrick and Rajan-Subramanian.

Since the end of the 1990s, Dani Rodrick has been insisting on the idea that no useful conclusion can be drawn from econometric analyses of data covering a large sample of developing countries. Such analyses aim at finding a general model, complex if necessary, that would give a good account of the factors of development. In Rodrick (2006), where he speaks highly of a recent book (World Bank, 2005), this economist makes a plea for a different approach motivated by the concern for development policy advising. Prudence and an empirical spirit would be required for finding the proper development strategy, adapted to each country at each stage of its history. Three steps should come into play: first analytical diagnostics about the most important constraints blocking economic growth; then a creative and imaginative policy design focusing on the market failures and distortions associated with the constraints; finally an appropriate set of institutional reforms. The four countries with which Rodrick illustrates such an approach give an idea of the diversity of the means that might have to be used. Call for foreign aid is not particularly stressed.

The standpoint in Rajan-Subramanian (2005.a) is quite different, namely to aim at explaining why econometric analysis may uncover perverse effects of foreign aid and why countries should adapt their policies accordingly.

To reflect about what may be obtained from this standpoint we must first realize how serious is the econometric approach used by the authors in their paper (2005.b). The latter aims not only at presenting important new results but also at comparing them with what was obtained earlier by other econometricians. The data cover all developing countries which received foreign aid since the last world war and for which data are available (209 countries in total). Most results concern comparisons of performances achieved by the various countries, then analysed with various sets of explanatory variables (between 61 and 81 countries). Comparisons are made between an initial and a terminal year (a span of forty years between 1960 and 2000; thirty years between 1970 and 2000, twenty years between 1960 and 1980, or between 1980 and 2000). Some results come from the analysis of panel data (jointly featuring various countries and various periods, each one made of five successive years; 581 observations in total). The most commented findings bear on growth achieved between the beginning and end year, as a function of the amount of aid received, of the quality of institutions, of the geographical location, of changes in terms of trade, of political stability, as well as of a number of characteristics of the condition of the country at the beginning of the period. Some results distinguish between various aid categories: social, economic or food; supposed to have short- or long-term impact; multilateral or bilateral.

Which conclusions follow from this bulky investigation and some earlier ones made on the same issues? There are many. Given our present interest, the most important conclusions are set forth as follows: there is hardly any proof of a robust relation according to which the amount of aid would have an impact on growth; on the longest period (the forty years between 1960 and 2000) such a relation would rather imply that aid harmed growth; there is virtually no evidence that aid works better in better institutional or geographic environments, or that certain kinds of aid work better than others. After recognizing that their results were disappointing, the authors wrote: 'One explanation may simply be that the effects are too small to be detected against the background noise, at least using the standard cross-sectional technique'. But they do not want to stop at that.

In their (2005.a) paper they ask two questions: 'What offsets the undoubted benefits of additional resource flows to a resource-poor country?...Why do countries with better policies or governance not seem to use aid any better?' A priori one can hardly help thinking that aid should have favourable long-term effects. The authors, however, propose two explanations.

(1) 'Even though aid resources are initially additional to the budget, eventually the country becomes more lax on raising tax revenues, and more aid is necessary just to keep the country on even keel. If that aid is not forthcoming, and if the country's tax raising mechanisms have atrophied, all the short-term beneficial effects may dissipate over the long run as it creates a culture of dependency'. Rajan and Subramanian report their intention to write another paper providing econometric tests of this first explanation. Hence they limit their (2005.a) paper to the second explanation.

(2) The large windfalls coming from aid and their associated spending have an insidious effect, not directly discernible on any single aid project. It is a macroeconomic effect deteriorating the country's competitiveness, for instance because of an increase in the exchange rate of the country's currency. That is the famous 'Dutch disease' already mentioned above in section 2.2. The authors validate this thesis with two complementary empirical observations. They show that labor-intensive industries, those that should have the higher competitiveness, grow relatively slower in countries with high aid inflows. They also show that overvaluation of the real exchange rate and aid are positively correlated across industries, with the relationship becoming stronger over time.

However, the authors do not want, to be misunderstood and interpreted as dissuading donor and recipient countries from practising foreign aid. Rather, they say that economists should know the existence of channels through which aid can have effects that offset possible benefits. They should pay careful attention to how much aid can be handled to begin with, to how the aid should be delivered and spent, finally to how macroeconomic management should be conducted in receiving countries. By the way, a question naturally comes to mind: why is it that we do not speak of a Norwegian disease? Norway did receive large windfalls with the extraction of energy resources from the North Sea.

3.6. What Could Be Expected from Microeconomics in the Preparation of the Agenda for Reducing Poverty?

The macroeconomic results, which were just surveyed, are too recent to claim that the debate on aid efficiency is closed. The debate is all the more important as there is already too much cynicism surrounding the thesis according to which nothing can be done for efficiently fighting poverty in the Third World. Well then, how far did responsible economists get when facing this quite real challenge?

Let us first refer to the closing section, entitled 'A realistic vision for foreign aid', in Easterly (2003). Here are some quotes.

'How to achieve a beneficial aggregate impact of foreign aid remains a puzzle. Aid agencies should set more modest objectives than expecting aid to "launch the takeoff into self-sustained growth". Aid agencies have mis-spent much effort looking for the Next Big Idea that would enable aid to buy growth...There is no Next Big Idea that will make the small amount of foreign aid the catalyst for economic growth of the world's poor nations...The goal is simply to benefit some poor people some of the time'.

Easterly ends his paper describing how a trip to Ethiopia had given him the opportunity to visit a project led by a British NGO called Water Aid and run entirely by Ethiopians. He was glad to see that some aid dollars did reach some very needy people some of the time.

The recommendation expressed by Besley and Burgess (2003), summarizing their examination of various aspects of an agenda for reducing poverty, is not so different. They worry about the possibility that bald assertion, intuition and ideology dominate the debate, whereas a more directly empirical approach, specific for each case, ought to prevail. They write: 'It is unlikely that cross-country data will be the main vehicle for progress on' issues of liberalization, privatization or education... 'There is need to square macro and micro facts that may sometimes be at variance with one another'. 'Empirical approaches based on subnational data provide the most credible base for economists to influence the debate about global poverty reduction. The evidence-based approach to policy has proven effective in industrial countries, and its expansion to the developing world is long overdue'. This recommendation may be made precise in various fields.

So investment in education can be used to attack poverty both by encouraging economic growth and as a method of redistribution to the poor. But it is critical to understand how education expansion can be achieved, with the proper incentives faced by different providers. From which appears the relevance of a large amount of recent literature filled with evidence borrowed from micro-social and -economic observation.

Similarly, another type of literature, developed particularly for the Indian continent, tackles the issues of understanding the difficulty of the poor to have access to credit and of circumventing that difficulty in practice. There remains a gulf between the broad macro results that link credit and output, and those results that come from looking at the micro level.

It is also critical for the developing world to find the means for an enterprising spirit to prosper. Increasing evidence shows that land rights are, for

poor farmers, an important element that may promote both equity and efficiency. Obtaining property rights over land in urban areas can also help poor households to gain access to credit, increase labor supply and improve productivity. But unintended negative consequences can also be identified. Emphasis is then placed on the role of social and business networks where contractual enforcement through formal means is imperfect.

All these considerations and others are exposed in the second half of the paper by Besley and Burgess, with important references to the literature.⁷

4. FUNDING THE MILLENNIUM DEVELOPMENT GOALS

4.1. *The Challenge*

A substantial part of the literature of the last decade about the Millennium Development Goals concerned the sources from which the necessary transfer of resources by wealthy countries to poor countries could be drawn. A major reason for concern was the importance of the required transfers. Although a number of countries made public commitments to increase aid as a proportion of national income and there was a noticeable rise since 2001, serious doubts existed as to whether the required amount of financing would be forthcoming.

It was indeed quite substantial, meaning that year after year many donors would have to push up their official development aid (ODA). Given the intentions a sizeable shortfall remained from the cost of the UN Millennium Project. And some intentions would not be realized because of pressures on public budgets in donor countries. The conclusion was thus clear: if the goals were to be achieved within the 2015 time horizon, alternatives to the common ODA had to be considered. Already in September 2000 the UN General Assembly had asked for 'a rigorous analysis of the advantages, disadvantages and other implications of proposals for developing new and innovative sources of funding'.

This request was not ignored. Indeed, proposing innovative taxes for international purpose had been in the air since the 1970s when J. Tobin argued for taxing international currency flows, and again since the 1990s

⁷ Actually, knowing the living conditions of the poor in poor countries is a quite valuable research subject, which would deserve examination in a longer paper (see in particular A. Banerjee and E. Duflo, 2007).

when the idea of taxing environmental externalities was seriously discussed. So, shortly after the UN general assembly, a research group under the leadership of A. Atkinson was organized by the UN from WIDER (World Institute for Development Economics Research – Helsinki). Its report was published in 2004. Simultaneously the UK Treasury worked out estimations of necessary extra funds and a proposal for collecting them (see UK Treasury, 2003). In France under the leadership of J.-P. Landau a group of personalities also published a report in 2004 on new international contributions for development.

4.2. New Sources of Development Funding

In his contribution to this volume J.-P. Landau asks the question: can the Millennium Goals be achieved under the current system? He then explains why the answer is positive: ‘In order to fight poverty and to reach the Millennium Goals we do need some redistribution schemes which, although not exactly along the lines of the ones implemented at the national level, would reproduce some of their basic elements, such as a permanent structure of tax and transfers’.

Atkinson (2006) also concludes that there are many possible alternatives to ODA, each of which could make a significant contribution to funding the Millennium Goals. But, each proposal for alternative sources of finance raises questions. ‘What would be their economic costs? Is there a double dividend from energy tax in that they would contribute to reducing global warming as well as raising development funding? What are the political obstacles to these measures being adopted? Do they require unanimity among the world’s rich countries?’

The two lists of sources precisely examined in Atkinson, ed. (2004) and in Landau (2004) overlap to some extent but are also complementary. For our reflections we can focus on three possible sources:

(1) Global environmental tax, that is tax on goods or services generating environmental costs, such as a tax on hydro-carbon fuels according to their carbon contents, or indirectly via a tax on airline travels.

(2) The ‘Tobin tax’, which would bear on foreign currency transactions, covering a range of transactions to be defined (spot, forward, swaps, derivatives, etc).

(3) The International Finance Facility proposed by the UK Treasury, where there would be a guarantee of long-term development aid, allowing additional money to be leveraged from the international capital markets.

4.3. *Global Public Finance*

In order to address for any specific proposal such questions as those listed above from Atkinson (2006), we can now draw on a new nascent field: global public finance. Today public finance, or public economics, are still commonly taught as meant to be applied in a national context. But the proper context, in order to find out now what could be the impact of tax and government spending, is one of international competition and factor movements. The analytical apparatus has to be reconsidered and is now being reconsidered. Atkinson (2006) argues that it is meaningful to place in this new light two main questions about ways of funding the Millennium Goals.

Firstly, who will pay? i.e. who will bear the ultimate burden of a new tax? Consider for instance a carbon tax. People tend to think immediately of the impact on the fuel and transport costs to be paid by households. But such costs are also paid by productive sectors and passed on to the buyers of their products or services. Eventually a burden may well fall on developing countries: for instance if the tax increases the cost of remittances made by emigrants. In order to figure it all out, global public finance has to determine the ultimate market equilibrium, that is, to use a proper economic model, which has a good chance to be contested, then improved.

Secondly: will there be a second dividend? At first sight there seems indeed to be a bonus, which can be used for financing development: a carbon tax meant to slow down global warming will raise some revenue, the same is true of the tax proposed by Tobin in order to reduce volatility on financial markets. But we also understand that, if the initial objective is well met, the bonus can be small. When looking at raising revenue, we would like instead to tax an activity that is relatively unresponsive to the tax. So, there is a serious risk of overrating the double dividend argument.

4.4. *The Role of Subsidiarity*

Funding the Millennium Goals cannot avoid political considerations, and we saw in section 1.3 how far we now stand from an ideal international justice. Actually, it would be totally unrealistic to entertain the project of a general world system of tax and transfers. But on the specific project concerning us here, we can make progress without unanimity. Flexibility in the conception of the funding system gives it a better chance of implementation. For instance the proposal of an International Financing Facility is not

undermined by the idea that some countries would not participate. That would simply reduce the scale of the operation. And in so far as the scheme offers a new financial product, those not participating may lose out.

Lessons can be learned from the experience of the European Union, where subsidiarity in the administration of common policies has a substantial role. If a global tax were to be introduced in order to fund the Millennium objectives, it would even be conceivable that participating governments agree on their tax liability but retain freedom to decide how the revenue ought to be raised.

* * *

This survey of the literature about the way to reach the Millennium Development Goals has naturally stressed the intellectual side of the challenge. But it should not hide its political side for both rich countries, which have to select the appropriate form and volume of their aid, and for poor countries, which in any case will have to be the main protagonists of their own development.

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INTERNATIONAL JUSTICE AND AID. DO WE NEED SOME
SCHEME OF REDISTRIBUTION OF INCOME AT THE
WORLD LEVEL ALONG THE LINES OF WHAT MOST
COUNTRIES HAVE AT THE NATIONAL LEVEL?

JOSEPH STIGLITZ

Thank you very much. This was described as a round table even though the room is square, and I took the spirit of the round table as an occasion to address spontaneously some of these issues that have actually been covered extremely well by the two previous speakers.

Advanced industrial countries, as pointed out, have made a commitment to provide .7% of GDP to the developing countries. With relatively few exceptions, they have not lived up to that commitment. We talked yesterday about some of the motivations and philosophical foundations of those commitments, such as charity, social justice, political processes related to civil society, and self-interest, including the self-interest based on worries about terrorism. Today, I do not want to go over those issues; what I do want to talk about are three particular questions. First, does that level of commitment make sense? I want to spend a few minutes talking about what Prof. Malinvaud discussed concerning aid effectiveness. Second, what are the optimal institutional arrangements that can facilitate the reliability of the flow of assistance and make it more likely that countries will maintain these arrangements? This really addresses the question that was posed earlier: should there be some kind of tax or institutional framework to ensure that aid commitments are fulfilled? Finally, I want to think more broadly about the different elements of assistance, so that we do not narrow our thinking just to foreign aid as it has conventionally been conceived.

On the first issue of aid effectiveness, I feel somewhat guilty in this respect because much of the literature that Prof. Malinvaud referred to grew out of research at the World Bank from the time when I was the Chief Economist there. I was very critical of it then. But, in the spirit of letting a

thousand flowers bloom, I did not discourage them from publishing the results, although I thought they were very flawed, and I want to explain why. The results are plagued by econometric problems and problems of robustness: if you slightly change the data set, the years or the countries covered, you get different results. We know that there have been important instances of successful aid. I think most people recognise the Marshall Plan made a great deal of difference to Europe. As I have travelled in developing countries, I have also seen some very effective aid programmes that have made a huge difference for the individuals in those countries, and I believe that some of this aid actually adds up, so that it has macroeconomic impacts. The question is, why are so many of the empirical studies looking at the macro effects (and not the micro), casting doubt over aid effectiveness? One of the problems is that, as Prof. Malinvaud pointed out, in order to talk about aid effectiveness you have to look at a long period of time; for instance, if you are giving aid to education, children attending school are not going to be productive members of society for 15 or 20 years. Thus, you have to look at the long-term effects.

The problem is that, prior to the end of the Cold War and the fall of the Berlin Wall, most of aid was not intended for development. It was called 'development assistance', but that was not its true purpose. We gave aid to Mobutu Sese Seko in the Congo, knowing that that money was going to wind up in a Swiss bank account. It did not help development in the Congo, but it did result in Mobutu not turning to the Soviet camp. That was the reason the aid was given, and thus it worked. If you look at aid data today, the United States is targeting substantial amounts of so-called aid right at Iraq. However, if you look at the growth statistics, you will not see Iraq doing enormously well. The delivery of material, mostly in the form of bombs, clearly is not helping Iraq grow, but even the more formal assistance cannot really be thought of as development assistance but more as reparations for damages that have been done. Most of the money is being spent simply for security. Furthermore, other major assistance programmes in the United States are still politically connected. One of the major recipients of US aid is Egypt, which is not based on a development agenda. The same thing is true, actually, of the foreign assistance of other countries, particularly before the end of the Cold War.

There are other reasons why aid has not worked in many cases, including, as Prof. Malinvaud pointed out, the resource curse, and particularly what has come to be called the Dutch disease (the fact that countries with more resources have not done as well as countries with few resources, part-

ly because of the appreciation of the exchange rate; similar effects arise from increased aid flows). Some countries have managed the resource curse well, but in other cases the IMF has imposed macroeconomic policies which completely vitiate the effectiveness of aid. In my book *Globalization and its Discontents*, I described the story of how, at the time, the IMF was insisting that all the aid money given to Ethiopia be put into reserves; this meant that the additional money that was being given in the form of aid was not going to build schools or hospitals but just to build reserves.

Money put into reserves is clearly not going to have the same social or economic effects as money spent for schools, hospitals and other elements. Another complication is posed by the fact that much of the aid was accompanied by conditionalities, or requirements imposed on these countries, that we now know were actually harmful for economic growth and prosperity. Yes, the countries got money, but that money was accompanied by policies which had the effect of slowing down growth and vitiating any benefits that could have come from aid.

Finally, one problem always plagues this kind of analysis; while a few people have tried to deal with it, most of the studies that we have referred to do not. If you conducted a study and asked what the relationship is between people dying and hospitalization, you would find that going to the hospital increases your probability of dying. However, most of us believe that when you have a serious disease, hospitals can help you. This holds true for aid: some of the aid is in response to particular problems or crises that a country faces. Countries facing a crisis get more money, and therefore ascertaining whether that money helped resolve the crisis or made the crisis worse is often very difficult. Anybody who has experienced a crisis, for instance people in Argentina, knows that it was not the money that caused the problem; the conditions that the IMF imposed at the time of the crisis were the cause. This discussion, I think, is useful in highlighting the fact that money has to be spent carefully and that it does not automatically lead to enhanced growth or poverty reduction. However, it also highlights that one has to be very careful in taking seriously the studies that have argued that aid is ineffective.

It is interesting that one of the conclusions reached as a result of many of these criticisms of aid in general is that it should be directed at things like education, and yet studies in the United States that have looked at the economic returns to education almost always have exactly the same kind of econometric problems. It is very hard to show that education leads to higher incomes. (There are a few successful studies that have been done more

recently, but the cross-section studies mostly conclude that it is very difficult to show any evidence that education makes a difference, even though all of us know in our hearts that education is important). This is only a word of caution in using these studies.

I want to turn to the next issue, and that is whether there are ways of ensuring a more regular flow of assistance to the developing countries. Should there be some taxes or a source of revenue that would support development? There has been some reference, such as in Mr. Landau's remarks, to some important initiatives that France and a few other countries have undertaken, in what they call 'innovative approaches' to financing development. There are three of these innovative approaches to which I want to call attention. The first is that, as there are a lot of global natural resources, it makes a great deal of sense to use these to generate revenue for the provision of global public goods, including development, through the efficient management of these global resources. For example, one of the important global resources that needs to be managed are world fisheries. There is a real risk of the depletion of these fisheries, which are a common public good, and right now they are not being well-managed. We know the basic principles of fishery management. We know that, for instance, auctioning off the rights to fish is one of the things being done within countries, but it needs to be done now at a global level. The revenues from the auctioning off of global fishing rights could be used to finance development. We need to use these revenues to create a global development fund.

Another example is the limited space for satellites. Basically, the way that space has been allocated so far is that the United States and a few other countries have just taken it; they have used a treaty framework to appropriate for themselves the very large economic returns to the ability to launch satellites. This is becoming a major problem because there are so many satellites that they may actually start interfering with each other. Again, we can auction off the rights to space, and the revenues from that can be used for global public goods, including global development.

The same could occur with the sea bed. I was at a meeting at the World Economic Forum in Davos, where an oil executive pointed out that one of the silver linings in global warming is that the oil beneath the Arctic Ocean will be less expensive to extract. To the extent that this is true, resources under the ocean ought to be viewed as a global public good, and one ought to auction off these resources to the benefit of the whole world. This is one way to ensure a regular flow of development aid to countries.

The second source of revenues that I want to discuss is, in many ways, related. There are a whole set of global negative externalities, and the standard way that economists recommend for dealing with these negative externalities is the imposition of a corrective tax. The revenues from these corrective taxes could also be used for supporting development. An example would be taxing those people who engage in greenhouse gas emissions which pollute the global atmosphere, or taxing countries that have emissions above certain levels. The revenues could be used as a regular source to support development. Another example that many people in Europe have talked about for a long time are taxes on cross-border short-term capital flows. There is no doubt that these short-term speculative capital flows can add, particularly in the context of developing countries, significantly to global instability, which is bad for growth and also for inequality. Small taxes on these, however, could have a positive effect.

There are other examples, such as the initiative of France and some other countries to have an airlines tax. This tax is what might be called a luxury tax, but it is also a tax on high levels of pollution in the upper atmosphere from the carbon emissions from these jets. The same thing goes for international shipping, where there is a lot of dumping of waste. These taxes are a second set of revenues that could be used.

A third has to do with a proposal that I talk about in my book *Making Globalization Work* and which is an elaboration of an idea that Keynes talked about some 75 years ago: the creation of a global reserve system. Every year, the countries of the world bury somewhere between \$400 and \$600 billion in the ground. In the past, there was a very peculiar system where gold would be dug up from the ground, with very bad working conditions and adverse effects on the environment due to the cyanide used for extracting the gold. Then, after purifying the gold, another hole would be dug, and it would be buried back in the ground. Somebody from Mars looking at this system would say, this is a very peculiar thing that people on Earth do; they would not understand it. We have gotten somewhat better and more efficient, in that now we print little pieces of paper that are then buried in the ground in a very similar way. However, the global reserve system itself is fundamentally inequitable, flawed and unstable. Burying this amount of purchasing power in the ground adds to global deflationary pressures. It also means that the developing countries are lending something like three to four trillion dollars to the United States and, to a lesser extent, to Europe, at low interest rates. They then borrow it back at higher interest rates, so the net foreign aid of the developing countries to the United States is far larger than the aid that

the United States gives to the developing countries. This is clearly a very peculiar situation that needs to be rectified. If you think about global social justice, this system is neither just nor efficient, and it is the cause of a great deal of global instability. The dollar reserve system is fraying, and the only thing worse is that, as it is fraying, the euro is becoming a reserve currency. The history of two-reserve currency systems suggest that this new system may be very unstable, and for Europe it would present real problems, since the trade deficits associated with the capital inflows (as foreign countries buy euro bonds to put in their reserves) will depress the European economy, already marked by high unemployment. The system to which we are moving is worse than the current system. There is a need for a global reserve system. The issuance of these new bank reserves, this new money could be used to help finance development; it would be a regular source of income of significant magnitude, making up all, or at least a significant fraction, of the amounts that have already been committed for assistance by the advanced industrial countries.

I want to talk for a moment about the manner in which aid is given. There is a great deal of debate about tied aid and earmarking sources. In general, public finance economists do not like earmarking and tying. This is an area, however, where it may be desirable to do so; for instance, France has tied the airline tax to aid. The advantage is that people can see that this is a tax that is going for a particular purpose. If a fund is earmarked for health or for education, it is likely to mobilise broader public support. There are a lot of criticisms about aid effectiveness, but no one says we ought to get rid of the military because some of the money is misspent, even though we all know that a lot of our military money is misspent. The fact that some aid is misspent seems to be put forth as a reason for getting rid of it, but having special funds, like the malaria fund or the education fund, may be a good way of engendering popular support.

One form of aid that is particularly important is Aid for Trade; this has become part of the discussion of the World Trade Organization Development Round of trade talks. The fact is that trade liberalisation has not brought the benefits to the developing countries that were promised. Even Europe's very generous Everything-But-Arms initiative, which eliminated all tariffs on the poorest countries, generated almost no new trade in the areas that were liberalised. The reason is that these external barriers to trade are small relative to what are sometimes called the internal barriers to trade. Even if there are no tariffs, if you do not have ports you cannot export your goods. If you do not have roads to bring your goods

to a port, you cannot export. Thus, if you are going to talk about trade, you have to facilitate trade, which means there has to be aid for trade. The Aid for Trade agenda includes trade facilitation (such as improving customs procedures), building infrastructure and providing finance for new enterprises to take advantage of the new opportunities. What is interesting about this agenda is that these could be commitments on the part of other commitments made within the WTO and the development round. Just as countries commit to lower their tariffs, they would also commit to provide a certain amount of aid. In the past, the United States and other developed countries have not lived up to their commitments, but these would be enforceable within the WTO framework. For instance, a specific tax structure could be used for countries that benefit most from trade, i.e. countries that export a great deal to the developing countries, so that they would pay more into this Aid for Trade fund. This fund could be administered by the developing countries themselves, for instance, through the UN Conference on Trade and Development.

I want to spend one minute reminding us that when we think about assistance, we should think not just about aid itself, though that is important, but we should see aid as part of a broader agenda, some of which was talked about yesterday in the letter that Pope Benedict sent to Chancellor Merkel in the context of the G8. For instance, the trade regime is very unfair to the developing countries: the Uruguay Round was so unbalanced that it resulted in the poorest countries of the world, especially sub-Saharan Africa as a region, actually being made worse off. The asymmetries between capital and labour liberalisation have meant that there is more mobility of capital than labour; these asymmetries also result in lower wages and greater inequality around the world. It is important to think about a fair trade regime as part of our commitments to the developing countries.

Miracle drugs have had a very important effect in extending longevity and in improving living standards, but the Uruguay Round, with its intellectual property provisions (called TRIPS), made access to generic medicines more difficult, which is very bad for developing countries. TRIPS was *designed* to make access to generic medicines more difficult, and it succeeded. As a result, it had the effect of condemning thousands of people in developing countries to death. We should have recognised that this would happen when the agreement was signed in Marrakech in the spring of 1994, and it needs to be rectified. Mr. Perigot and I were on the World Commission on the Social Dimension of Globalisation, and one of the conclusions of our Commission was that we need to revisit TRIPS. Unfortunately, in the

bilateral agreements that the United States has been signing, rather than correcting the failures of TRIPS, we have made things worse: it is now more difficult for developing countries to have access to generic medicines. There is a real moral issue here.

The scientific community in the United States is also convinced that TRIPS is bad for American and global science. It was an agreement that was pushed by the pharmaceutical industry of the US and, to some extent, of Europe, and by the entertainment industry; it was not an agreement that was based on what was good for science or for people.

Another part of assistance is debt relief, and one of the important statements in the letter that was read yesterday was that we have to be careful to avoid the recurrence of these kinds of debt problems. Unfortunately, there has been too little discussion of why this is a recurrent problem and, unless we think about that more, the problem of excessive indebtedness will continue. The remarks this morning from Minister Derbez highlighted the nature of the problem, which is that, for the most part, developing countries have to borrow in hard currencies. The consequences of this were seen very clearly in Moldova, one of the former Soviet Unions, which had no debt at the time of its independence. I visited Moldova around 2002 and, at that point, 75% of the government budget was being spent on servicing the foreign debt. The country could not buy oxygen for the hospitals or repair roads; there was a process of de-development. How did this happen? They obviously borrowed too much, but the real problem was that they had borrowed in German Marks, in hard currencies. Their currency was linked to the Ruble, so when the Ruble fell by six fold, in the Russian ruble crisis of 1998, their debt increased in their own currency by six fold. What was a manageable debt became a non-manageable debt.

There needs to be a better way of managing risk. Wall Street and financial markets are very proud about how they have been able to slice-and-dice risk by moving the risk from those who are less able to those who are more able to bear it. However, this has not happened for the most part in the case of developing countries: they still bear the risk of interest rate and exchange rate volatility. This is part of the reason for the Latin American crisis and so many other debt crises around the world.

There are some indications that things are getting a little bit better. In the last two to three years, the amount of borrowing by developing countries in their own currency has increased significantly, as they have become more aware of the problems in borrowing in other currencies. However, the IMF and the international community need to take a better look at how

they can bear more of the risk, and this shifting of risk to those more able to bear it ought to be one of the highest elements on the agenda. Unless that happens, we will find ourselves in a world in which the debt problems arise again. Even when countries borrow moderately, a moderate debt can turn into a very high debt.

Finally, I cannot help but spend a minute responding to the very provocative quotation that Prof. Landau quoted from Robert Lucas, that redistribution has not had any effect on increasing the well-being of people, which I think is outrageous. Now, it is true that if you assume everybody is identical (as Professor Lucas has done in much of his own research), then redistribution in your theoretical models is not going to have any effect, because it is simply moving money from the left pocket to the right pocket. There is no economic theory that could say why that would make any difference, but that is precisely one of the reasons why the models that Lucas and the Chicago School have been exploring for the last 30 years are so flawed and give us absolutely no insight into the way the world works.

Let me first remark that Lucas talks solely about GDP and not general welfare. GDP is not a good summary of general welfare: GDP can go up while most people become worse off. That is what has been happening in the United States. Median income in the United States has been going down for the last five years, even though GDP has been going up year after year. Most Americans today are worse off than they were five years ago. Is that good growth? Is that the kind of growth that society should emulate? I think clearly not.

The second point is that the empirical statement is simply wrong. Among the major successes in growth and development are Taiwan, Japan, Korea and China, all of which began their successful programmes through land reforms, which were major land wealth redistributions. Thus, there is a clear link between land reform and successful growth. In a way, it is almost obvious, especially if you are an economist like Bob Lucas that worries about incentive effects; in most of these countries the form of land tenancy was sharecropping. Workers were paying 50% of their income to the landlord, which is effectively a 50% tax before you begin. If you think taxes discourage effort, then all these people are paying taxes at 50, 60, 70, or 80%. However, land reform eliminated at least that 50% of the tax. The fact is that there are good economic reasons why land reform should have a beneficial effect, and it did. So, the statement empirically is totally wrong. In fact, if you look around the world at the countries that have responded well to globalisation, the countries of East Asia are excellent examples. Dur-

ing their high growth period, they were able to keep inequality low. Not only did they reduce or even eliminate poverty, but they kept the level of inequality very low. Part of their success was based on egalitarian education systems, including providing public education to women, but they had a broader egalitarian agenda. The countries in Europe which have been experiencing, for the most part, the most success in facing the challenges of globalization are the Scandinavian countries: I say success not only in terms of GDP but also in terms of other measures, like the broad human development indicators of the UNDP, including life expectancy and literacy. Among countries with the highest human development indicators are the Scandinavian countries, and those are also countries that are marked by high levels of redistribution and have the highest taxes. I was talking to the former Finance Minister of Sweden the other day. The question was, was Sweden's success in spite of the high taxes. The answer was no, that it was because of high taxes – money that was well spent and provided a strong safety net, allowing those within the country to take risks, which is critical in responding to globalisation.

I think by now the point is clear. Lucas' statement that there are no benefits to be had from redistribution is a dangerous statement, but it is a statement which has no basis either in theory or in historical experience.

My general conclusion is that aid can play a very important role, both in enhancing growth and reducing poverty and inequality, but obviously one has to spend aid well. We have learned a great deal about how to spend it well, but we should also be thinking about systematic ways of generating revenues to make those aid flows more stable and reliable.

SESSION VI

CURRENT INTERNATIONAL TRENDS AND WORLD PEACE

HENRY A. KISSINGER

Thank you very much for this generous introduction and, above all, thank you for inviting me here. For somebody who has had the honor of having audiences with three Popes and to have respected and admired the role of the Church over the centuries, to be able to be in the Vatican with a group dedicated to these purposes means a great deal.

I have been a policymaker, and I have been a professor and I have therefore experienced the different perspectives from which to view international affairs. As a professor, I could choose my subjects, and I could work on them for as long as I chose. As a policymaker, I was always pressed for time, and I had to make decisions in a finite time frame. As a professor, I was responsible primarily for coming up with the best answer I could divine. As a policymaker, I was also responsible for the worst that could happen. As a professor, the risk was that the important would drive out the urgent. As a policymaker, the risk was that the urgent would drive out the important. So how to find the right perspective?

The role of the Church, as Pope John Paul II said to me once, is to stand for truth, and truth cannot be modified according to the contingencies of the moment. I agreed with that as a philosophical statement. The prophet deals with eternal verities. The policymaker lives in the world of the contingent; he or she must deal with partial answers that hopefully are on the road to truth. Contingent answers are always somewhat inadequate; but the attempt to achieve the ultimate in a finite period of time can produce extraordinary disasters. Crusades have caused even more casualties than wars of national interest. Therefore how to balance the road to the ultimate with the needs of the moment is what policymakers have to deal with, and it is from this perspective that I would like to talk about the current international situation as I see it.

The unique aspect of the current international situation is that, for the first time in history, it is global in a genuine sense. Until the end of World

War II, the various continents pursued their histories almost in isolation from each other. There was no significant way, except by trade, that the Roman Empire and the Chinese Empire could interact with each other. The same was true through the centuries that followed with respect to the various empires and institutions in different parts of the world.

For two hundred years, Europe was the dominant element in international affairs. What we consider international relations today really dates back only to the Treaty of Westphalia of 1648. After the suffering caused by religious wars, a new international concept was needed. That international concept had various elements: it introduced for the first time the notion of sovereignty, that countries were supreme within their borders and that no other country had the right to intervene in their domestic affairs. The borders defined the reach of international law. The use of force across borders could be defined as illegal or as aggression.

Then, in the eighteenth century, the sovereign state became identified with the nation. It was a new idea that legitimacy was established by grouping people of a common language in the same political institution. As a result, the international politics that developed were based on a multiplicity of sovereign states. Peace depended on two attributes: first, a certain equilibrium of power; that is to say, no nation should be strong enough to dominate the others; second, the notion of justice of the various states had to be sufficiently comparable, so that they did not solve all their problems by force. These attributes of the European system were later defined as 'international relations'. China never lived in a world of equal states. It was always the most powerful state in its region until it became a subject of foreigners in the nineteenth century. China never had to live in a system of equilibrium with its neighbors and, until the twentieth century, no Asian state participated until Japan emerged.

I have said the international system is now global. It is also instantaneous. In the nineteenth century, it took three weeks for a message to get from London to Vienna. Therefore at the Congress of Vienna, it was not possible to instruct the ambassador by telling him what to say. He had to be instructed in the concepts of foreign policies. This had the enormous advantage that it obliged the ministries to outline their strategic concepts. Today ambassadors or plenipotentiaries are instructed precisely on what to say, which means that at home, people think primarily of the next day or the next week, and they are not obliged by the diplomatic process to conceptualize their foreign policies.

Of course, it had never happened that one could observe what was occurring in real time. All of this accelerates policymaking to a point that

makes it extraordinarily difficult to develop the concepts that are needed at the moment when concepts become more and more important.

The international system is in a state of upheaval, but there are different kinds of upheaval in different parts of the world. One characteristic is that the nation and the state, as we have known it, are in the process of transformation in most parts of the world. So some of what were thought of as universal principles of international relations are changing.

In Europe, the nation state is in the process of being diminished. The European Union is supposed to replace it, but the reality is that Europe is in transition between a past that it has rejected and the future which it has not yet reached.

Until the middle of the twentieth century, the European nation state could appeal to its citizens for great sacrifices on behalf of the nation. Today the European nation state can demand much fewer sacrifices. To be willing to sacrifice, one has to believe in the future as being more important than the present. When the satisfaction of the present becomes a principal aim, the capacity for sacrifice for either domestic or international politics diminishes.

Therein resides one of the deeper causes of disagreement between Europe and America. America is still a nation in the traditional sense and, rightly or wrongly, it can demand sacrifices of its people. For most Europeans now, peace is an overriding objective, and that affects the capacity to conduct traditional foreign policy. I am not attaching value judgements to this. For all these reasons, for the North Atlantic countries, the so-called soft power issues become the dominant issues in their relation to each other and to other nations.

In this manner, globalization has become a dominant issue. A gap is opening up between the economic world and the political world. The economic world runs on globalization, but the peoples of the world live in nations. The impact of globalization is inherently differential; it is in the nature of the market. Those who suffer setbacks as a result expect help from their governments, and governments seek to bring about reform. But there is no real structure for the necessary sacrifices. As a result, governments can lose respect even when the economy is growing. Polls in almost every country show that there is less confidence in governments than there was earlier; that may be due to the quality of the government, but it may also be inherent in the situation.

The Asian states, by comparison, are still nations in the original sense with quite well-recognized international borders which conduct foreign

policy on the basis of a strategic assessment that they make of the role they can play in the world, on the impact they can have on their neighbors and on the consequences they want to bring about by their conduct. The states are larger than the European model. In China, most provinces, or many provinces, have a larger population than the largest European countries. Japan is the second largest economy in the world. Each of these countries is undergoing a transition of its own. Japan, at this moment, is moving from a period when acquiescence of the American leadership role was the condition of its economic growth, and when Japan did not conduct a very active foreign policy, into considering three options: one, to continue the present relationship with the United States; two, to adopt an independent course in elaboration of the national interest; three, moving towards Asia, and even towards China, into some sort of community. At this moment, Japan is still committed to the American relationship, but the discussions beneath the surface are looking at these options in a way that has not happened previously.

Then we have the situation in Korea, which is fundamentally an issue of whether it is possible to bring about the denuclearization of North Korea. The U.S., China, Japan, Russia, South Korea all agree that North Korea should denuclearize yet have so far proved unable to impose their will on a country of 20 million with the most decrepit economy in the world and the most oppressive government. Every step of the way is contentious. The fact remains that if denuclearization is not achieved, the impact on the rest of the world in demonstrating how one becomes a nuclear power is so enormous, that it simply cannot be permitted.

If anyone had told me, during my secret trip in 1971, what the Chinese economy would look like today, I would have thought it was a fantasy. In 1971, China had no consumer industry and no automobiles, no significant heavy industry, no trade with the United States. When we opened to China, one of the moves we made to show the Chinese that we were willing to deal with them was to permit American tourists visiting Hong Kong to buy \$100 worth of Chinese-manufactured goods. Now China is running a huge export surplus. Recently, I made a speech in China in which I said, 'The rise of China is inevitable'. And that is true. We must get used to that proposition. There is nothing we can do to prevent China from continuing to grow. Nevertheless, I received some letters after my speech asking, 'Are you implying that America is on the decline?' My answer is, 'No, I am not saying America is on the decline, but the outcome of the rise of China depends importantly on how we handle international affairs from here on in'. First,

China has enormous problems of its own. At any moment, there are 100 million Chinese on the road, looking for jobs, coming from the countryside into the cities. The cities require a new infrastructure. The interior of China is at the level of the least developed countries. The coast of China is at the level of the most advanced countries. It has never before happened that a country could develop in this manner. That is the big challenge to the Chinese. This is why for the next decade or so, they will not engage in international adventures.

At the same time, the influence of the Chinese, because of their economic capacity, their political skill and their growing military strength in the surrounding countries is going to grow. It is a twofold challenge for Western strategy: one, to remain engaged in Asia; two, to see whether the generation of Chinese that is now growing up can develop a sense that the United States and the Western world are potential partners rather than permanent adversaries. That will determine how China will use its strengths in ten or fifteen years from now. It is also the fundamental challenge that we face in that relationship.

It is partly a cultural problem. American history dates back 200 years. That is shorter than the history of most individual Chinese dynasties. Americans are convinced that they have the best governmental system in the world. But the Chinese think that they have managed 4,000 years of history before America ever existed, and therefore they react neuralgicly to American lectures on how they should reform themselves. Americans are very pragmatic. They think every problem has a solution and that that solution can be achieved in a very brief period of time. By contrast, the Chinese think in a more historical, long-term manner. So how to mesh the long-range thinking of the Chinese with the practical thinking of America is one of our big tasks in the decades ahead.

In the long term, the challenge of Asia may be the most important. In the short term, the challenge of the Middle East is the most dangerous. The Middle East is in the position of Europe in the seventeenth century before the Treaty of Westphalia. The state has no firm foundation because almost all states were created after World War I by foreign countries to suit their own interests. The nation has even less meaning because its borders do not coincide with ethnic realities and so, therefore, the Middle East is organically in turmoil. When a religious ideology of a fundamentalist nature is added to that mix, dialogue collapses because dialogue must be based on the premise that there is some objective criterion, like reason, while fundamentalism recognizes only one truth.

The religious wars of the seventeenth century were ended by exhaustion. The challenge of our times is whether these can be ended by reason before a catastrophe or by exhaustion afterwards. But reason requires a Western presence and incentives to bring about some kind of equilibrium.

Two issues confound the international community on the Middle East above all others: Palestine and Iraq. The argument that the Palestinian issue is the key to Middle East peace is only partially valid. The issue of radical Islam transcends the Palestinian issue. It is important, therefore, that an outcome on Palestine be clearly achieved by moderate leaders rather than radical pressure. In some respects, the conditions for this are favorable. There is consensus about the outcome (even in Israel): the 1967 borders, except for the settlements around Jerusalem, a demilitarized Palestinian state with its capital in the Arab part of Jerusalem, return of refugees only to the Palestinian state. What is lacking are governments in both Israel and among the Palestinians that are strong enough to bring it about. The United States, the European Union and moderate Arab states need to cooperate to develop a plan and then conduct the negotiations to implement it.

The Challenge of Iraq is Far More Complex

Optimists and idealists posited at the beginning that a full panoply of Western democratic institutions can be created in a time frame the American political process will sustain. Reality is likely to disappoint these expectations. Iraq is a society riven by centuries of religious and ethnic conflicts; it has little or no experience with representative institutions. The challenge is to define political objectives that, even when falling short of the maximum goal, nevertheless represent significant progress and enlist support across the various ethnic groups.

Western democracy developed in homogeneous societies; minorities found majority rule acceptable because they had a prospect of becoming majorities, and majorities were restrained in the exercise of their power by their temporary status and by judicially-enforced minority guarantees. Such an equation does not operate where minority status is permanently established by religious affiliation and compounded by ethnic differences and decades of brutal dictatorship. Majority rule in such circumstances is perceived as an alternative version of the oppression of the weak by the powerful. In multiethnic societies, minority rights must be protected by structural and constitutional safeguards. Federalism mitigates the scope for potential arbitrariness of the numerical majority and defines autonomy on a specific range of issues.

Four key objectives for Iraq should be: (1) to prevent any group from using the political process to establish the kind of dominance previously enjoyed by the Sunnis; (2) to prevent any areas from slipping into Taliban conditions as havens and recruitment centers for terrorists; (3) to keep Shi-ite government from turning into a theocracy, Iranian or indigenous; (4) to leave scope for regional autonomy within the Iraqi democratic process.

However it was started, whatever was done unwisely, what is our immediate problem? The outcome in Iraq will shape the next decade for American foreign policy. A debacle would usher in a series of convulsions in the region as radicals and fundamentalists moved for dominance, with the wind seemingly at their backs. Wherever there are significant Muslim populations, radical elements would be emboldened. As the rest of the world related to this reality, its sense of direction would be impaired by the demonstration of American confusion in Iraq. A precipitate American withdrawal would be almost certain to cause a civil war that would dwarf Yugoslavia's, and it would be compounded as neighbors escalate their current involvement into full-scale intervention.

A total collapse of a Western presence may make negotiations impossible. The challenge is to maintain an equilibrium sufficient to convince all the parties to negotiate a standstill. There have to be three levels: First, there has to be a negotiation between the various parties in Iraq. Secondly, there should be a negotiation between the neighbors of Iraq and the permanent members of the Security Council and Egypt, as a major interested party, about the international status of what comes there. And thirdly, there should be a negotiation including all of these countries, plus countries with a large Muslim population, like Indonesia, India, Pakistan and countries that have a big interest, like Japan and Germany, that are not permanent members of the Security Council, to embed a stabilized Middle East into an international system.

The lesson everybody needs to learn is that nobody can achieve all his objectives, but anybody who tries to achieve all of his objectives will produce a chaotic situation in which he cannot even achieve his minimum objective.

Globalization

Many thoughtful observers rely on economic growth and the new information technology to move the world more or less automatically into the new era of global well-being and political stability. But this is an illusion.

World order requires consensus, which presupposes that the differences between the advantaged and those disadvantaged who are in a position to undermine stability and progress, be of such a nature that the disadvantaged can still see some prospect of raising themselves by their own effort. In the absence of such a consciousness, turbulence, both within and among societies, will mount.

The world's leaders – especially in the industrialized democracies – cannot ignore the fact that, in many respects, the gap between the beneficiaries of globalization and the rest of the world is growing, again both within and among societies. Globalization has become synonymous with growth; growth requires capital; and capital seeks the highest possible return with the lowest risk, gravitating to where there is the best trade-off between risk and return. In practice, this means that, in one form or another, the United States and the other advanced industrialized countries will absorb an overwhelming percentage of the world's available investment capital.

Multinational companies based in the United States or Europe emerge increasingly as the engines driving globalization. For them, the rush to size has turned into a goal in itself, almost compulsively pursued, because the ability to drive up the stock prices of their company is becoming the standard by which chief executives are increasingly judged. As executives turn from being long-range builders into financial operators driven by shareholder value determined in daily stock market quotations, the vulnerability of the entire system grows, its long-term vitality could be weakened and, even more so, its resilience in times of crisis.

The globalized world faces two contradictory trends. The globalized market opens prospects of heretofore unimagined wealth. But it also creates new vulnerabilities to political turmoil and the danger of a new gap, not so much between rich and poor as between those in each society that are part of the globalized, internet world and those who are not. The impact of these new trends on the developing world is profound. In economies driven by a near imperative for the big to acquire the small, companies of developing countries are increasingly being absorbed by American and European multinationals. While this solves the problem of access to capital, it brings about growing vulnerabilities to domestic political tensions, especially in times of crisis. And within the developing countries, it creates political temptations for attacks on the entire system of globalization.

In the process, the typical developing country's economy bifurcates: one set of enterprises is integrated into the global economy, mostly owned by international corporations; the rest, cut off from globalization, employs

much of the labor force at the lowest wages and with the bleakest social prospects. The 'national' sector is substantially dependent on its ability to manipulate the political process of the developing country. Both kinds of companies pose a political challenge: the multinationals, because they seem to withdraw key decisions affecting the public welfare from domestic political control; the local companies, because they generate political pressures on behalf of protectionism and in opposition to further globalization.

The social world reflects this two-tiered system: globalized elites – often living in fortified suburbs – are linked by shared values and technologies, while the populations at large in the cities are tempted by nationalism, ethnicity and a variety of movements to free themselves from what they perceive to be the hegemony of globalization, frequently identified with American domination. The global internet elite is completely at ease with the operation of a technologically based economy, while a majority, especially outside the United States, Western Europe and Japan, neither shares this experience nor may be prepared to accept its consequences, particularly during periods of economic hardship.

In such an environment, attacks on globalization could evolve into a new ideological radicalism, particularly in countries where the governing elite is small and the gap between rich and poor is vast and growing. A permanent worldwide underclass is in danger of emerging, especially in developing countries, which will make it increasingly difficult to build the political consensus on which domestic stability, international peace and globalization itself depend.

Let me turn finally to a totally new level of international structure: for the first time, there are now universal issues that cannot be dealt with on a regional basis and to which the balance of power is no answer. Allow me to begin with one that my personal fate has obliged me to deal with, namely the issue of nuclear proliferation. If I were to define what issue concerned me most when I was in government, it was the issue of what I would do if the President ever said he had no other recourse except nuclear weapons. The reason it preoccupied me is because, in the nature of the job, I knew better than most people what the consequences would be. On one level, I thought nobody has a moral right to make a decision involving the death of tens of millions. But on another level, I knew that if this is proclaimed as our attitude, we will turn the world over to the people who have no hesitation to commit genocide. I never had to resolve that issue because there was only one other nuclear country, the Soviet Union, which, however much it was a rival, calculated the costs of nuclear war in a comparable way. Now,

if you have fifteen nuclear countries, and every leader has to make his or her own calculations, and if these countries do not have the intelligence systems and the technological ability to protect their weapons, then we will live in a world in which some catastrophe becomes nearly inevitable. It is an accident of history that Iran has become the test case, after which it is impossible to conceive that nuclear proliferation can be stopped. This issue is graver than the situation in Iraq. Its solution has one aspect that the West can undertake by itself. Two leading Republicans and two leading Democrats who have held high office in the United States – George Shultz, myself, Senator Sam Nunn and former Democratic Secretary of Defense William Perry – co-authored an article a few months ago, in which we said that the nuclear countries need to make visible sacrifices in their nuclear weapons if they want to ask other countries to give up nuclear weapons. But I would say this is an overriding issue.

Looking at the energy world, when demand rises faster than supply, it is inevitable that conflicts must develop if it is attempted to be dealt with on a non-general basis. And on environment, countries like China and India are, in a way, right if they point out that we had a head start in which the world was polluted and now we are trying to stop them, but, on the other hand, it does not change the fundamental issue.

The German philosopher, Emmanuel Kant, wrote an essay in the eighteenth century, in which he said someday there will be universal peace. The only issue is whether it will come about by human insight or by catastrophes of such a magnitude that we have no choice. He was right then, and he is right today, although some of us may add that it may take some divine guidance and not just insight to solve the problem.

COMMENT BY INSULZA ON KISSINGER

JOSÉ MIGUEL INSULZA

Thank you for your kind introduction.

I have to begin with an excuse. I am making these comments without previous warning and without a written paper to refer to. These are some instant reactions to what one of the international scholars I have most admired in my professional life has just said, and I am a little overwhelmed by this responsibility.

I think we can all share two very comprehensive and sensible ideas that open Dr Kissinger's presentation: if you are going to deal with the challenges of the present, you have to look at history and look at the long perspective, but always balance these views with a certain notion of urgency for the problems of today. If we just look at the long-time future and do not address the instant problems we have today, we might not get there. It is true that the world is also global in this sense: the problems we face today are of such magnitude that they compromise the future of all mankind.

We have spoken of globalization or *mondialisation* many times before and have referred to recent large confrontations as 'world wars' (the Second much larger than the First). But for the first time in history it is real that everything depends on everything else. And the fact that it is instantaneous, as Dr Kissinger pointed out, that several of the processes that are taking place now, such as global warming or nuclear war, were not present before with the size and urgency they have today, as threats to the whole world, makes this era very global.

There may be some trends towards protectionism and other issues may still seem regional, but this global nature of world politics is not going to change.

I also agree that some of the basic orientations that were addressed by the Peace of Westphalia into the future and lasted for centuries have changed now. Among them are the notion of sovereignty and the nation

state. Now, I think that we must consider something that Dr Kissinger said about the formation of the nation state: there is a process of transition from a sovereign country to a sovereign state or a nation state, and this process is not universally completed. On the contrary it is still a challenge in several countries and regions of the world.

Nation state is a European notion; it was born, as he said, when the geographical borders coincided with ethnic or religious borders, under which most people were more or less unified under at least one of these characteristics. That is what really permitted us to speak about nation states, and it was true in all Europe except in one place: the Balkans, in which the borders did not coincide properly with ethnic and religious divisions; that is why its troubles remained until very few years ago and we cannot be sure that they will not come back.

As Neal Ferguson has said recently, some of the most lethal conflicts of the last years, such as Rwanda and other places in Southern Africa, and in Iraq, are of this nature. They take place in countries or in geographical places where there is very low homogeneity among the people who live in them and therefore, as Dr Kissinger insinuated, (though he did not put it as a fatality), the ethnic and religious issues that prevent the formation of a nation state, are going to have to be addressed and solved before we have stability in those countries.

That is precisely the main problem in Iraq, which was considered in the Gulf War fifteen years ago, and was neglected in 2003. That is why a negotiated solution is still pending in Iraq, in which the neighbouring countries first, and then the main Muslim countries should be called to play a role. I very much believe in a negotiated solution for Iraq, in a conference for Iraq, with all the countries, to which the border countries should be called, and in a second moment all the main Muslim countries. I agree with that, but it may not be enough: the Kurds are going to remain there, and the Shiite majority will remain there and the Sunni minority will remain there and the issues will be arranged for some years but will not permanently. As long as ethnic and religious divisions persist to a degree that many people think they are worth dying for, there will not be a unified Iraq. In many places of the world, especially in Asia and Africa we deal with similar situations that delay or prevent the formation of nation states as such.

It is true that the Pacific is becoming the centre of the world, as has been that was prophesised for the last thirty or forty years, after Japan became an economic superpower, and even more now with the rise of

China and the Asian tigers. But I would like to make a couple of comments on this. First, I disagree with the view that never before a nation had risen so fast as China has in recent times. In fact this did happen before and probably at a faster pace, in the United States in the half century after the Civil War, in which the expansion (economic, geographical, and political) seemed endless. Leo Huberman has defined this era in his book 'We, the People', in two masterful chapters titled in a manner that clearly conveys this idea of endless progress: 'Money, Machines and Men' and 'More Money, More Machines, More Men'. This cycle finally ended, but the expansion continued abroad and placed the US on the road to where it is now. The US, a self proclaimed liberal nation, joined the international power came instead of subverting it, because that was now in its interest.

The same might happen to China in the near future, but this does not necessarily pose a geopolitical threat. In his works on détente Dr Kissinger called our attention to the possibility of reaching understanding with the new subversive power, the Soviet Union, precisely because as soon as the USSR became a central power, the preservation of world order was also in its interest. Major powers, he said and wrote, are more interested in preserving the system that exists than in trying to destroy it. I think that the same may be true of China in the future, as this nation becomes a central power in the international system.

How soon that will happen depends of another aspect that has to be considered. I cannot imagine China becoming a world power with a larger number of poor than any other place in the world. There are still 700 million Chinese poor. The need to promote an internal development that takes the majority of that population out of poverty will rise also, and it will be placed as a condition by the same leadership that will want to play a more conservative role in world politics. And certainly an inward development will strengthen China more, but it will delay a little bit its coming to world power.

India will face a similar problem. Its rise to central power will have to confront the fact that, together with its growing presence in the world of modern technology, they have the same rate of malnutrition as Sub-Saharan Africa. Sub-Saharan Africa, coupled with a rate of illiteracy of 49%. So at some point they will have to deal with those problems too. And probably that will give way also to a generation of leadership interested in preserving peace and in working towards a more humane society.

About the Middle East, I must be very frank. Some of the problems have to do with this lack of coincidence between borders and ethnic or religious identification, or with the lack of state consistency in some countries. But we cannot avoid recognizing that by far the main issue in the Middle East is the Palestinian. Before President Bush Sr. confronted Iraq, before Saddam Hussein, the major problem was already there and it lies in the absolute unwillingness of western powers to force Israel back to its 1967 borders. It is true that forty years ago, the Arabs were not willing to accept Israel and they went to war twice for that. But now this situation has changed: many in the Arab world would accept a solution that guarantees Israel's right to exist, as long that it exists in its pre 1967 borders. As long as the powers that maintain an influence in Israel are not willing to understand this simple truth and allow and sponsor the formation of a really viable Palestinian state, with the Palestinian people living in it, there will be no permanent peace in the Middle East.

As for the nuclear matter, which is the last one I am going to address, I still believe in the need to preserve and strengthen the Nuclear Non Proliferation Treaty, that brave effort that has been successful for forty years. At the moment in which the NPT was signed, there were over 25 countries in the world that had the technology to develop uranium enrichment. They still have that capability, but the non proliferation regime has permitted to keep the nuclear club in a small and predictable number of nations. Of course there has been a major failure, which is that super nuclear powers have failed to live up to their promises of negotiating a 'genuine' nuclear disarmament or reduction. The treaty inherently carried different obligations, something highly irregular in international instruments, where all sovereign states are supposed to be treated equally. But in this Treaty they agree to be unequal: the countries that did not have nuclear weapons agreed not to create them, while the nuclear powers agreed not to transfer technology and to engage in meaningful negotiations. They began doing that in the time when Dr Kissinger was Secretary of State, but they did not continue on that path. That has not helped strengthen the non proliferation regime; so it is going to be hard work to get it back in line. But to at least begin to make it possible, to at least slow down nuclear proliferation, everyone, beginning with the nuclear superpowers, has to take their obligations more seriously.

Of course, this kind of strategic reasoning has its limitations. In the end, the real solutions lie in the governments' ability to bring about solutions to the problems of inequality, injustice, violence, environmental destruction

that continue to plague the world at the beginning of the 21st Century. Several years ago, Henry Kissinger said in an interview that the big powers can be compared to two persons in a cellar, holding 10,000 matches in their hands, with a floor drenched in gasoline. Of course, he said, it is very important to reduce the number of matches, but the main question is how to dry the floor. Putting an end to them, through negotiation, cooperation and solidarity is the only real path to permanent peace.

EN LA MISMA BARCA

BELISARIO BETANCUR

Agradezco la invitación de nuestra Academia para hacer un breve comentario, sobre el tema tratado por el Profesor Kissinger, más desde la experiencia personal que desde los libros especializados, o sea más como alguien que es testigo de la historia y que ha tenido el privilegio de mirar de cerca el trabajo de quienes, desde la política mundial, han permitido e impulsado la construcción de una nueva sociedad capaz de responder a los desafíos del siglo XXI.

1. LOS VISIONARIOS

Estamos en el año en que se celebran los 40 años de la publicación de la Encíclica *Populorum Progressio* de Su Santidad Paulo VI, sobre el tema que nos reúne en estas jornadas, Encíclica que ha llamado la atención de los estudiosos porque interrogó a todos y produjo decisiones que cambiaron el rostro de la política.

El mundo de entonces vivía bajo el imperio la “guerra fría”. Los dirigentes eran estadistas visionarios que no han encontrado todavía la justipreciación que merecen. Bien se sabe que la historia paga y castiga con tardanza, pero una mirada retrospectiva no deja duda sobre la grandeza de aquellos estadistas, incluso de la de aquellos que a la sombra de los jefes de estado pensaban, trabajaban, imaginaban, tenían ideas para poner en marcha el carro de los cambios.

Con nosotros han estado algunos de ellos, el Profesor Kissinger y el inolvidable Karol Wojtyla, Juan Pablo II; y muchos otros que las generaciones posteriores sacarán del olvido. Las personalidades que he mencionado, desde cuando estaban en posiciones de secundariedad, eran considerados insustituibles, porque tenían la sapiencia de saber señalar la ruta acertada del futuro.

Por eso quiero unir la Carta Encíclica de Paulo VI, el libro *Diplomacia* del Profesor Kissinger, el trabajo *Persona y Acto* de Wojtyla y *Perestroika* de Gorbachov, porque reconozco en ellos la materia de la que esta hecha la parte fértil del camino que estamos recorriendo al inicio del siglo XXI. Y son esas las ideas que sirven de contrapunto a otras que se están abriendo paso y constituyen la otra orilla, que se desborda a menudo en el pragmatismo y el relativismo denunciados por el actual Pontífice.

2. EL IMPERATIVO DE LA SOLIDARIDAD

El tiempo que vivimos no es insólito. Se adivinaba que venía, que traería problemas casi insolubles. Se sabía que las ideologías se marchitarían; se sabía que las grandes elaboraciones doctrinales mostrarían la fragilidad de su contextura; se sabía que no basta predecir para superar las dificultades; pero sobretodo se sabía que los problemas concretos de las personas, no darían plazo cuando se levantara la voz de quienes guiarían la demanda por respuestas urgentes.

Es frecuente oír que en 1968 el mundo cambió. Lo cierto es que desde la reunión de Helsinki en los años 1974 y 1975, se escuchó la voz de quienes llamaron la atención sobre el futuro de la civilización. Fue la voz de quienes colocaron el imperativo de la caridad y de la justicia en las relaciones entre los pueblos y las naciones, como condición para ganarse la justicia. Es la misma voz de quienes identificaron amor con generosidad. Y se quedaron cortos quienes quisieron revivir la filantropía, hasta cuando llegaron los que siguiendo el espíritu social cristiano – entre ellos Wojtyla – otorgaron a la solidaridad la expresión de la caridad, sin llegar a agotarla ni a sustituirla.

La solidaridad y la justicia son las que hacen posible el reingreso de la política en la temática del *bien común*, que dicta los lugares focales de la política mundial.

3. EL CORAZÓN DE LA POLÍTICA

Cuando se repasan las campañas políticas y los programas de los partidos, se percibe claramente que lo fundamental está orientado a plantear la satisfacción de las necesidades básicas que garantizan la supervivencia. Defensa de la vida – vale decir, seguridad –, alimentación, salud, vivienda,

vestido; aquellas que conducen hacia la calidad de la vida, como son la educación (con el componente de la capacitación) y el puesto de trabajo. Estos, mas los temas de la cooperación, la interdependencia y la justicia, y de cómo se interprete el libreto de las relaciones internacionales, constituyen el corazón de la política.

Del Profesor Kissinger, por ejemplo, aprendemos que mientras no se aleje el peligro de quienes trabajan con el delirio del terrorismo, no habrá la paz necesaria para dedicarnos con ahínco a construir nuevas oportunidades. El peligro de una guerra fría de grandes proporciones y de orden asimétrico, puede regresar. *El bien común*, la solidaridad y la justicia desaparecen en lo sustancial, cuando las “guerras frías” adoptan la vestimenta de la supervivencia de las civilizaciones a las que hay que sacrificar la supervivencia de los individuos.

De Wojtyla hay que rescatar en toda su dimensión, que la voluntad de construir solidaridad es el antídoto esencial de un mundo que aspira a globalizarse.

Lo anterior indica que es preciso ir de la mano del Pontífice, quien quiere ayudar en la superación del “relativismo”, guiar en ese proceso como lo ha anunciado y lo está haciendo con el rescate de *Populorum Progressio*. Existe en el mundo político, entre los intelectuales de ayer y de hoy, la necesaria madurez para comprenderla, para no reaccionar precipitadamente repitiendo que el Papa ha tomado un camino arduo pero no equivocado.

4. EN LA MISMA BARCA

Este mundo “globalizado” o al menos en proceso de estarlo, comprende que el aumento de la pobreza, de los analfabetas funcionales, la marginación, la exclusión, el peso de las migraciones externas e internas que se mueven como un nuevo nomadismo; la destrucción del ambiente, las vacilaciones sobre el clima, el agua, sobre el destino de la tierra; el consumismo, el hedonismo y unos valores que han perdido su fuerza congregante, está maduro para asumir por miedo a perecer, las enseñanzas de aquella Encíclica celebrada pero olvidada.

El sociólogo francés Alain Touraine se preguntaba recientemente, “¿Podremos vivir juntos?”. Eso solo será posible cuando la solidaridad y la justicia reinen en las relaciones entre los pueblos. Se trata de establecer de nuevo prioridades y una escala entre ellas, que nos lleven a cumplir primero con lo que es imperativo realizar.

Una obra de Naciones Unidas de hace varias décadas, planteaba el problema del desarrollo sostenible y hablaba de nuestro futuro común, con una convicción que hoy nadie niega. Estamos en la misma barca o en la misma nave espacial; es preciso recordar que en el mundo de hoy es insuficiente no hacerle el mal a nadie, porque existe la obligación de hacer el bien a todos aquellos que tienen necesidad de avanzar hacia formas más ciertas de supervivencia. Es preciso entender que en política también en cuanto a la justicia y la solidaridad entre personas y pueblos, los pecados de omisión a menudo son más graves que los de acción.

Populorum Progressio llega de nuevo con toda su fuerza, para indicar que los caminos de la globalización, conducirán a la destrucción si no van acompañados de valores, de nuevas formas de ayuda al prójimo y entre las naciones. Por ello es preciso derrotar el relativismo, más aún, abrirles el camino a formas concretas de cooperación entre las naciones, es cierto, pero básicamente en el orden internacional. Más caridad y más justicia – oportunas – son el único método preventivo para, conservando y acrecentando la paz, darle oportunidad real al desarrollo.

5. LA *CENTESIMUS ANNUS*

El tema de la caridad y la justicia en las relaciones internacionales ha sido siempre importante, pero ahora adquiere un significado mayor, dada la creciente interdependencia entre las naciones y dados los avances del proceso de globalización. Su Santidad el Papa Juan Pablo II en la Encíclica *Centesimus Annus* de 1991, hizo un llamado a la comunidad internacional para buscar mejor distribución de los beneficios de la globalización. Por su parte, el Papa Benedicto XVI ha preparado otra importante Encíclica, *Deus Caritas Est*, que tiene certeras implicaciones sobre el tema para el cual hemos sido convocados, el cual adquiere rango más significativo con las reflexiones de personalidades tan relevantes en el mundo actual, como los señores Gorbachov y Kissinger.

Una de las preguntas básicas que se nos han formulado, es la relacionada con la necesidad de impulsar una alianza general a fin de alcanzar la caridad y la justicia en un mundo globalizado. Pienso que una forma parcial de responder este interrogante, es la de examinar en qué medida *Las metas de desarrollo del Milenio* se están cumpliendo y qué pasos adicionales se requerirían para garantizar que en el año 2015 los resultados sean positivos y satisfactorios. Este es buen momento para reflexionar sobre el tema,

ya que hemos recorrido la mitad del camino entre el año 2000 cuando se formularon las metas y el año 2015. Haré referencia especial a América Latina que es la región que conozco mejor.

6. LAS METAS DEL MILENIO

La formulación de las metas ha concentrado la atención de la comunidad internacional sobre problemas críticos de la humanidad como la pobreza extrema, el hambre, el acceso a los servicios públicos, la salud y el desarrollo sostenible. Estas metas están basadas, como antes dije, en principios morales consistentes con la doctrina social de la Iglesia. Las metas son concretas y su grado de cumplimiento puede ponderarse mediante el uso de indicadores cuantitativos.

¿Qué puede afirmarse sobre los avances en el cumplimiento de las metas? Veamos algunos casos.

6.1. *Pobreza Extrema*

La globalización ha permitido a cientos de millones de personas salir de la pobreza extrema en los últimos 25 años. No obstante, en los países de África al sur del Sahara y en varios países de América Latina, el progreso ha estado por debajo de las expectativas. Una alta tasa de crecimiento y un buen manejo de las políticas macroeconómicas, constituyen condiciones necesarias pero no suficientes para el logro de un proceso acelerado de reducción de la pobreza. Se requieren, además, programas de inversión social que lleven beneficios a los grupos más vulnerables, y no como dádivas paternalistas sino como un imperativo histórico y aún como requisito para una buena cuenta de resultados.

Permítanme una referencia al caso de Colombia. En los últimos 4 años mi país logró reducir la tasa de pobreza extrema del 22% de la población total (42.5 millones de habitantes) al 12%. Este un logro elocuente ha sido posible gracias a la aceleración del crecimiento económico, en un contexto de estabilidad de precios; y a programas sociales bien estructurados, como el de *familias en acción*, en el cual el estado está aportando recursos a un gran número de familias con problemas de desnutrición y con dificultades de acceso a la educación.

Chile es otro país que muestra resultados interesantes y el propio Brasil ha avanzado en programas sociales bien estructurados y bien focalizados.

En el Africa se registran casos de economías dinámicas, pero varios países todavía se encuentran lejos de cumplir con las metas.

Si se cumplen las metas del milenio, más de 500 millones personas habrán salido de la pobreza extrema entre el año 2000 y el año 2015. Al mismo tiempo, cientos de millones de personas podrán pasar el día sin sentir hambre.

Según lo han señalado analistas como el Profesor Jeffrey Sachs, el mundo cuenta con los recursos financieros y los conocimientos técnicos para cumplir estas metas. Lo que hace falta es mayor solidaridad de la comunidad internacional (varios países no están cumpliendo con el compromiso de transferir el 0.7% de su PIB como ayuda externa) y mejores esquemas de gobernabilidad. Todavía hay países que no han adoptado de manera efectiva la lucha contra la pobreza en sus estrategias de desarrollo; otros se enfrentan a conflictos internos y a graves problemas de corrupción. La movilización de recursos a nivel interno y externo, es un gran reto. En este contexto los conceptos de equidad y justicia de que habla el Papa Benedicto XVI, tienen un profundo significado.

6.2. *La Educación*

La inversión en capital humano es fundamental para llevar una vida digna y para permitir a millones de personas su participación en una economía globalizada, en la cual el conocimiento tiene cada vez más importancia. Se registra un progreso significativo en la universalización del acceso a la educación primaria, aun cuando en el sur del Asia y en los países africanos al sur del Sahara, todavía hay un largo camino por recorrer. Existe también un grave problema con la calidad de la educación, ya que en muchos países la formación de los maestros es deficiente y la utilización de nuevos métodos de enseñanza y de tecnologías informáticas es todavía muy limitada. En el caso de América Latina la educación primaria se ha venido reforzando; pero hay que trabajar más en la educación secundaria y en la educación superior.

Se requiere una gran alianza entre los sectores público, privado y académico, para superar estos retos. Se necesitan marcos jurídicos estables y títulos de propiedad. El economista peruano Hernando de Soto ha encontrado que los pobres en muchos países, no tienen acceso al crédito por falta de títulos y esto no les permite desarrollar su capacidad empresarial. En el campo del microcrédito hay experiencias muy valiosas como lo ha venido mostrando el Profesor Muhammed Yunus, Premio Nobel de la Paz.

Muchos de los pobres en el mundo están vinculados al sector agrícola. Ellos requieren asistencia técnica, educación, acceso al crédito y obras de infraestructura física y social. Entidades como el Banco Mundial están ampliando sus programas en este frente vital de la lucha contra la pobreza; pero se requiere mayor apoyo de la comunidad internacional incluyendo la liberalización de los mercados agrícolas mundiales. Estados Unidos, la Unión Europea y Japón siguen aplicando aranceles y subsidiando a sus agricultores, lo cual causa grandes distorsiones en los mercados y restringe el acceso de los productos de los países en desarrollo.

7. LA IMPORTANCIA CRITICA DE LA SALUD

Las enfermedades tropicales y enfermedades como la malaria y el sida, han movilizado grandes recursos de la comunidad internacional. Se registran actos filantrópicos de vasto alcance, como los impulsados por la Fundación Bill Gates. Todo esto es muy positivo pero hay que tener en cuenta que los países deben invertir más en la formación de médicos y en la dotación de centros de salud y de hospitales. Como lo señala Laurie Garrett en la Revista *Foreign Affairs* (Enero/Febrero 2007) falta coordinación en el uso de estos recursos y faltan estrategias mejor diseñadas, para atacar no solamente determinadas enfermedades sino para atender todo el gran campo de la salud pública.

8. VIVENCIAS

Por otra parte, a pesar de que el número de conflictos internacionales ha disminuido en comparación a la época de las dos guerras mundiales del siglo XX, todavía subsisten conflictos que retrasan el desarrollo y afectan a millones de personas. El Profesor Kissinger ayudó a terminar la guerra de Vietnam y hoy en día ese país goza de un acelerado proceso de desarrollo económico y social. El expresidente Gorbachov facilitó la unificación de Alemania y lideró una transición pacífica de la antigua Unión Soviética con evidentes beneficios para toda la humanidad. Su trayectoria le mereció el Premio Nobel de la Paz y el respeto y la admiración universal.

En síntesis, si la Comunidad Internacional se comprometiera más a fondo con el cumplimiento de las metas del milenio, se podrían lograr avances más impactantes. En este contexto el Papa Benedicto XVI y la Igle-

sia Católica, juegan un papel de primer orden en persuadir a los líderes de las naciones, como lo está el profesor Kissinger, de que hay imperativos morales que deben servir de marco de referencia para la adopción de estrategias de desarrollo más efectivas y más equitativas.

La humanidad se alienta y fortalece al oír estas cadencias llegadas desde la experiencia, el prestigio y la razón. Se escuchan coros de gratitud en los espacios.

SESSION VII

SOLIDARIDAD, JUSTICIA Y COOPERACION GLOBAL: UNA MIRADA DESDE AMERICA LATINA Y EL CARIBE

JOSÉ MIGUEL INSULZA

Agradezco la oportunidad que Uds. me brindan al recibirme en esta prestigiosa Academia, para este diálogo sobre un tema tan relevante como el de la caridad y la justicia entre pueblos y naciones. Reconozco que mi experiencia académica y política es muy distinta de la mayoría de los participantes en este evento, pero creo que ese es justamente el objetivo del diálogo. Como plantea el Prof. Juan Llach en su muy completa Introducción General, el propósito de la Academia en esta XIII Sesión Plenaria es “invitar a muchas personas de fuera de la Academia, con diferentes roles y especialidades, a participar activamente en nuestro trabajo... para tener una amplia visión de nuestro mundo”.

Intentaré entonces dar una visión de algunos temas desde el particular ángulo de la realidad de América Latina, que es aquella que he conocido principalmente a lo largo de mi vida política y académica y actualmente como Secretario General de la Organización de Estados Americanos.

La situación de América Latina se asocia naturalmente a muchos de los temas de injusticia, violencia y desigualdad que aquejan al mundo en esta era de la globalización. Este mundo contradictorio, como nunca plétórico de capacidades y oportunidades brindadas por la ciencia y la tecnología y al mismo tiempo impotente políticamente para acercar esas ventajas de la humanidad a los seres humanos que carecen de ellas, se refleja también en nuestra región. A partir de unas notas acerca de esta sociedad global intentaré luego exponer algunas ideas acerca de lo que puede y no puede hacer el derecho y el orden internacional para superar esa paradoja. Finalmente procuraré mostrar las particularidades de esa realidad en América Latina y los grandes obstáculos que es necesario superar para enfrentarla adecuadamente.

1. LAS PARADOJAS DE NUESTRA ERA

Las grandes paradojas del Siglo XX han sido expuestas muchas veces: el Siglo que vivió una expansión de la idea democrática y de los derechos humanos es a la vez el siglo del holocausto, de los genocidios y de la mayor guerra que conozca la humanidad; el siglo de los grandes progresos científicos es también el de las mayores amenazas para la supervivencia de la especie humana.

Jamás la humanidad había progresado tanto y tan rápido en la ciencia y la técnica. Esos grandes avances científicos han significado para los hombres aumentar en la mayor parte del mundo la esperanza de vida, hasta el punto que el crecimiento exponencial de la población mundial no sólo tiene su origen en un aumento de la natalidad, sino sobre todo de la supervivencia.¹ Hoy día los adelantos de la tecnología facilitan la vida de los seres humanos de un modo nunca visto y el progreso de la medicina le permiten condiciones de sanidad suficiente como para disfrutarlos. Las distancias se han acortado y las comunicaciones ponen a todos los seres en contacto inmediato sin importar cuán alejados se encuentren unos de otros. La velocidad del cambio es asombrosa. La Internet tiene menos de quince años de existencia y parece que estuviera con nosotros desde siempre, como antes el fonógrafo en sus distintas formas, la energía eléctrica, el cine o el automóvil.

Junto al progreso material ha existido también un progreso cultural importante: las ideas de libertad, democracia y derechos humanos inspiran hoy la organización de numerosos Estados y la acción política de muchos millones de hombres y mujeres. Si en los siglos anteriores el individuo reconocía tutela del Estado y su soberanía a cambio de la seguridad que éste le brindaba, hoy ese contrato social se ve modificado – no completamente superado, porque ambas cosas no son incompatibles – por la demanda creciente de ciudadanía política, civil y social, que se exige a cambio del reconocimiento de legitimidad que el ciudadano confiere a su autoridad.

También el contrato social se modifica por la interdependencia. El Estado ya no es completamente soberano, en la medida en que no está, por sí solo, en condiciones de proporcionar a sus ciudadanos los bienes públicos que requiere para su supervivencia y bienestar. Existen bienes públicos que son por naturaleza internacionales. Todos los países deben participar nece-

¹ Baste citar como ejemplo sólo un caso, el de México, que con más de 103 millones de habitantes es uno de los países más poblados de nuestra región y en donde la tasa de crecimiento media anual descendió desde 3.0% en la década 1950-1960 a 1.0% en el quinquenio 2000-2005, en tanto que la esperanza de vida aumentó desde 36.2 años en 1930 a 75 años en la actualidad.

sariamente de la vida internacional, para buscar allí la solución a temas que no tienen solución dentro del marco de sus propias fronteras. La cooperación internacional en temas que van desde el comercio al calentamiento global, y desde el enfrentamiento de la delincuencia a la necesidad de coordinar la actividad mundial en materia de transporte y comunicaciones, generan nuevo Derecho y crean nuevas condiciones para el desenvolvimiento de los individuos y los Estados.

Y sin embargo, todo el enorme progreso que la humanidad ha experimentado en el conocimiento, la ciencia, la técnica y la cultura, no permite ocultar algunos de sus también inmensos fracasos. Permítanme mencionar tres de ellos en los que se muestra más flagrantemente la paradoja entre las grandes capacidades que el ser humano ha desarrollado para su mejor bienestar y la incapacidad de aplicarlas efectivamente para ese fin:

1. No hemos sido capaces de erradicar, ni siquiera de disminuir, la violencia de nuestras vidas. Hemos conocido las mayores guerras de la historia universal, hemos conocido el holocausto y el genocidio, hemos sido víctimas del odio y el fundamentalismo y el crimen ha aumentado incluso en las sociedades más desarrolladas. Todo tipo de armas, nucleares y convencionales, cortas y largas, legales e ilegales, se acumulan en nuestras sociedades para la guerra y para el delito, aumentando la sensación de inseguridad de los habitantes de nuestros países.

2. Tampoco hemos sido capaces de eliminar la extrema pobreza en que se debate aún una porción importante de la población mundial. Mas de un tercio de ella vive en la pobreza, muchos sin recibir alimentación suficiente, sin agua potable, sin alcantarillado, sin electricidad y sin acceso a salud ni educación. La población de los países más pobres tiende a aumentar a un ritmo mucho mayor que en el mundo desarrollado, sin que sus economías crezcan a los mismos ritmos. Nuestro crecimiento no ha reducido la brecha entre ricos y pobres. Al contrario, ella va en aumento, tanto entre individuos como entre países.

3. Finalmente los hombres no han sido capaces de detener el deterioro del medio ambiente. Calentamiento global, contaminación del aire, el agua y el territorio, deterioro de la infraestructura, falta de alcantarillado y agua potable en las ciudades del mundo en desarrollo, frecuentes epidemias sanitarias, incluso muchas catástrofes llamadas naturales, pero provocadas por la mano del hombre, van destruyendo de manera cada vez más acelerada el hábitat del ser humano. Simultáneamente y en la medida que la vida moderna exige un consumo cada vez mayor de combustibles y otros bienes contaminantes, los factores de contaminación se acumulan sin que se asuman siquiera los costos de restaurar lo destruido.

Nunca antes la humanidad tuvo tanta responsabilidad sobre el futuro de la tierra y nunca tuvo más posibilidades técnicas de hacer lo que se debe. Esta capacidad de conocer y de predecir científicamente contrasta, sin embargo, con su incapacidad de actuar para mejorar la realidad y prevenir el futuro.

La paradoja se extiende más allá. Los conocimientos científicos nos permiten imaginar formas muy claras de mejorar en cada uno de los aspectos. Hoy sabemos de antemano lo que ocurrirá si el mundo persiste en determinadas conductas, pero simultáneamente parecemos incapaces de hacer lo necesario para evitar el catastrófico fin por la vía de políticas públicas u otras iniciativas.

Un solo ejemplo para ilustrar: el caos y la inseguridad en que se debaten hoy muchas ciudades del mundo en desarrollo, en las cuales conviven de manera inestable la miseria de las barriadas, el deterioro de los centros históricos y la opulencia de las zonas residenciales exclusivas, fue pronosticado hace más de cincuenta años. Instituciones científicas del más alto nivel, con el patrocinio de gobiernos e instituciones internacionales de gran importancia, como el Banco Mundial y la ONU, han venido llamando la atención sobre el drama ambiental, económico y social de las ciudades. Pero las políticas públicas formuladas a partir de todo ello nunca se han implementado. El lucro y el individualismo se han impuesto para hacer las ciudades cada vez menos habitables, mientras la ciencia y la técnica muestran cómo podrían mejorar la calidad de vida de sus habitantes.

Demás está recalcar la injusticia que toda esta situación significa. Si existen tantos millones de pobres y países tan atrasados en el mundo no es porque no haya conocimientos ni recursos para remediar su situación, sino porque los mayores aumentos de la riqueza se van concentrando cada vez más en los países más ricos. Los efectos de la violencia, sean la guerra o el crimen, también afectan de manera desproporcionada a los países más pobres y a sus poblaciones más vulnerables. En cuanto a la destrucción del ambiente, un reciente informe de Naciones Unidas sobre el calentamiento global nos ahorra comentarios: mientras la mayor cantidad de recursos destinados a combatir el calentamiento global va dirigido a mitigar sus efectos en los países desarrollados, esos efectos parecen afectar de manera muy superior al mundo en desarrollo.²

² "Poorer Nations Will Bear Brunt as World Warms". Informe del Panel Intergubernamental sobre el Cambio Climático, reportado en el New York Times de 1 de Abril de 2007. El mundo desarrollado produce dos tercios del dióxido de carbono que genera el efecto

2. EL SISTEMA INTERNACIONAL Y SUS LÍMITES

Los tres fracasos de nuestra era tienen en común el signo fundamental de la injusticia, pero también el de la impunidad: ninguno de ellos está efectivamente regulado por el derecho internacional y en muchos casos tampoco los Estados nacionales han sido capaces de regularlos en su derecho interno. Los tres dan cuenta, por ello, de una incapacidad creciente de la política, de los sistemas políticos y del sistema internacional en particular.

Esta situación de impunidad es, por otra parte, constitutiva por sí misma de una nueva paradoja: la falta de leyes y normas que regulen los temas más apremiantes de nuestra era se verifica en un contexto en que, como nunca antes en la historia de la humanidad, proliferan las leyes y los reglamentos internacionales.

En efecto, contrariamente a lo que muchos piensan, el Derecho Internacional se ha expandido enormemente con el proceso de globalización. Es más: no podría haber globalización sin Derecho Internacional. El transporte marítimo y terrestre, la circulación de aviones por el espacio aéreo de otros países – incluso a veces países que son calificados como adversarios³ –, las normas que rigen el uso de los océanos y las que regulan las telecomunicaciones, son sólo algunos de las decenas de ejemplos posibles de regímenes internacionales regidos por acuerdos o tratados internacionales que son respetados sin excepción.

Por cierto que este proceso encuentra base en una situación de conveniencia mutua: todos los gobiernos saben que respetar los acuerdos en estas y otras materias es algo que va en su propio beneficio. Pero también es verdad que existe una práctica cotidiana de cooperación internacional

invernadero y sus consecuencias en términos de deterioro ambiental, alza de mareas, inundaciones, sequías, etc., se sienten directamente en el mundo menos desarrollado. El gasto en energías alternativas en los países más desarrollados debería reducir los efectos negativos de su uso en los países en desarrollo; sin embargo no existe una cantidad igual de recursos destinados a esos países para la recuperación de aquello que ya se ha deteriorado y que sí se aplica a los países desarrollados. En definitiva, lo que se ha perdido en el mundo desarrollado podrá recuperarse; lo que se ha perdido en el mundo en desarrollo por efecto de la contaminación generada en el mundo desarrollado, no se recuperará jamás.

³ Cuando un latinoamericano aborda un avión norteamericano de línea en Miami rumbo al Sur, sabe que dentro de pocos minutos volará sobre la isla de Cuba, país que no tiene relaciones diplomáticas con Estados Unidos; sin embargo, sabe también que ese paso está permitido y protegido por normas internacionales que ambos países respetarán escrupulosamente.

que genera la estabilidad que es necesaria para que el régimen se fortalezca y se haga más estable la situación regulada por él.

En suma, si estos regímenes son de respeto universal, es porque están contruidos en torno a intereses comunes que son plenamente compatibles. Algo distinto ocurre, sin embargo, en el plano de los intereses económicos y de poder generados por el egoísmo o cuando existen fundamentalismos que niegan la posibilidad del entendimiento humano. Estas distintas formas de egoísmo dan lugar a la confrontación, a la destrucción o a la marginación de unos seres por otros, dentro de los Estados o entre ellos.

Adicionalmente, la transnacionalización de la economía y de la información, así como la uniformidad cultural que ellas crean, ejercen nuevas tensiones sobre el derecho que no siempre se resuelven adecuadamente. Se trata de situaciones nuevas que el derecho nacional no es capaz de enfrentar, por la misma naturaleza del hecho enfrentado. Como por otra parte el derecho internacional no se mueve a la misma velocidad con que avanza la obsolescencia del derecho nacional, terminan generándose vacíos de incertidumbre, conflictos e impunidad. Un ejemplo claro y dramático de este fenómeno es la acción del crimen organizado, ya sea en relación al narcotráfico, al lavado de dinero, a la piratería intelectual o al tráfico de personas. Todos estos delitos tienen un carácter transnacional y una envergadura creciente. En todos ellos se verifica, además, que la velocidad de movimiento de los delincuentes es mucho mayor que la de los Estados, cuya propia soberanía constituye un lastre que les dificulta actuar con la agilidad o con la presteza necesarias para construir y ratificar tratados eficaces en la persecución transnacional del crimen.

Así pues, no obstante todo el derecho internacional que existe actualmente, aún es necesario avanzar en áreas cruciales. Para evitar la opción entre subordinación y destrucción, necesitamos un mundo regido por el derecho internacional.

Es verdad que existen avances importantes en la dirección debida y que ellos se han producido ya sea por la internacionalización o la ampliación consistente de derechos nacionales, como en el caso de los derechos humanos, o por la creación directa de nuevo Derecho Internacional como respuesta a nuevos fenómenos tales como la comunicación global, la Internet y otros. Pero para alcanzar a cubrir todos los problemas de la civilización contemporánea y para poner fin a todas las injusticias es necesario más y mejor Derecho. El problema en este punto no es la capacidad de entender los problemas, sino la decisión política de avanzar en normas y acuerdos que los regulen y aplicarlos. El problema, en suma, es que no se ha impues-

to aún la noción de que superar las injusticias que todavía laceran el cuerpo de la humanidad no sólo es un imperativo moral sino la única vía para que esa misma humanidad no se vea finalmente abatida por la violencia, la miseria y la destrucción de su medio ambiente.

Las excusas para avanzar hacia una civilización capaz de regular los elementos que pueden causar su propia destrucción son muchas y casi todas emanan de los países poderosos. En su más reciente versión, esa mezuquina tendencia ha buscado refugio en el principio de la libertad de elección y ha tendido a expresarse en la práctica del unilateralismo. En el mundo en desarrollo sabemos bien que esos conceptos suelen estar ligados a la arbitrariedad y al intervencionismo.

La globalización requiere normas y es preciso reconocer en ese plano importantes avances. Hoy se acepta, por ejemplo, que los derechos humanos tienen una proyección universal y deben regir por encima de la soberanía de las naciones. Pero es preciso reconocer también que, en el mundo en desarrollo existen importantes resistencias a aceptar legislaciones supranacionales por temor a que ellas sean aplicadas unilateralmente. Nunca las violaciones unilaterales de derechos humanos por parte de una gran potencia han sido condenadas, por ejemplo, en la Comisión de Derechos Humanos de Naciones Unidas, mientras si lo ha sido las cometidas por naciones pequeñas. Por cierto, es bueno que ellas se condenen en cualquier parte, pero también es indispensable que las naciones centrales del sistema, aquellas para las cuales el sistema fue construido en primer lugar, prediquen con el ejemplo. Mientras subsista en las naciones poderosas la tentación de excluirse de acciones multilaterales en aras de proteger los intereses individuales o de intervenir sobre otros en defensa de valores propios, esa desconfianza persistirá.

Permítanme aquí recordar una vieja historia:

En el Libro V de las Guerras del Peloponeso, Tucídides relata la negociación que tuvo lugar entre los representantes de Atenas, la gran potencia, y de Milo, la pequeña isla que ella deseaba someter.

Los atenienses comenzaron por exigir de Milo una completa rendición y sumisión, con todas las consecuencias que la sumisión, en aquellos tiempos, traía consigo. Los representantes de Milo replicaron prestos que ellos no se consideraban beligerantes con relación a Atenas y que, como tales, podían garantizarle a la gran potencia su permanente neutralidad. En definitiva, Atenas no debería ver en Milo, jamás, a un enemigo.

Contestaron los atenienses entonces que la neutralidad no era suficiente. Que aceptarla significaría, a los ojos de sus enemigos, un signo de debilidad. Milo, en consecuencia, no tenía más alternativa que someterse o perecer.

Relata el historiador que, llegado ese momento, los embajadores de Milo no pudieron sino exclamar consternados: “pero esto no es justo”. Entonces los griegos respondieron con una verdad que hasta ahora impera, por desgracia, en el ámbito de las relaciones entre poderosos y débiles: *La justicia está reservada sólo para los iguales.*

Para hablar de gobierno global o incluso de gobernabilidad global es indispensable romper con ese precepto. Pugnamos por una justicia para todos. Queremos ser considerados como iguales. El camino para lograrlo, el único, es el de la ley internacional. Pero el de una ley que dé garantías a todos por igual y que sea respetada por todos de igual manera. Un régimen en que no todos se rigen por las mismas normas o en que la o las potencias dominantes actúan al margen del sistema que las mismas crearon, es un sistema condenado al desorden y al caos.

Esa perspectiva está aún muy distante y en tanto cambian las condiciones, es posible avanzar de manera realista, ampliando la cooperación internacional, en lugar de intentar el camino de la imposición o el unilateralismo. Tal vez esta idea parezca demasiado limitada, pero hay que considerar que, en el clima de desconfianza actual, es la única posibilidad de ir abriendo camino a mayores entendimientos.

Existen muchos campos en los que es posible avanzar en la dirección correcta. Permítanme enumerar sólo algunos:

1. Se debe universalizar la adhesión al Protocolo de Kyoto, así como revisar y profundizar su contenido, adecuándolo a la necesidad de reaccionar frente a la inminencia del desastre que desea evitar y ante la aparición de nuevas amenazas que aumentan ese riesgo.

2. La ayuda a los países más pobres debe aumentarse sustantivamente y sin más dilación, a objeto de evitar una tragedia humana de la que nunca terminaremos de arrepentirnos. Del mismo modo, deben establecerse medidas efectivas de facilitación del crecimiento económico y la integración al comercio global de los países en vías de desarrollo.

3. Una vía eficiente para alcanzar este último fin, así como para promover en general la integración mundial sobre bases más justas, es la conclusión de la Ronda Doha en su acepción original de Ronda del Desarrollo.

4. En este mismo plano, el deterioro de la gobernabilidad financiera internacional, que suele tener como efecto crisis recurrentes cuyos efectos más desastrosos casi siempre son experimentados por los países más débiles, exige una reforma muy profunda de las instituciones financieras internacionales. Estas instituciones han fracasado repetidamente durante los últimos años, demostrando sobre todo una lamentable falta de objetividad

y sensibilidad frente a las necesidades de los países menos desarrollados, lo que las ha llevado a una pérdida de credibilidad que hace aún más imperiosa su adecuación a las realidades del presente.

5. Con relación al régimen de no proliferación de armas atómicas, es preciso extender los tratados regionales y fortalecer el Tratado de No Proliferación. Existe sólo una forma de hacerlo, que demanda voluntad política de los principales implicados: el inicio, por parte de las potencias nucleares, del proceso de desarme paulatino al cual se comprometieron en el Tratado. Una actitud de ese tipo desarmaría moralmente a quienes – Estados o movimientos – pretenden expandir el riesgo de la proliferación de armas nucleares y constituiría la reserva moral necesaria para impedírselo.

6. Un esfuerzo semejante de control debe hacerse con relación a las armas convencionales. Ya existen avances importantes en lo concerniente a la desactivación de minas antipersonales y al control del tráfico ilegal de armas convencionales. Pero hay que propender a un mayor desarme y hacer efectiva la normativa que castiga a los que trafican con Estados que actúan al margen de la legalidad internacional.

Debe quedar claro que no estoy abogando por un gobierno mundial. Sé bien que no es posible, en pocos años, pasar de un régimen regido por el unilateralismo y la defensa del interés propio a una suerte de república global regida de manera democrática. Es más, en las condiciones actuales un gobierno global, mirado desde la perspectiva de los más débiles, no pasaría de ser una forma de dominación hegemónica.

Por ello creo que aún cuando la globalización ha creado fuertes límites para el sistema político estatal en que está organizada gran parte de la humanidad, no es posible descartar el sistema de Estados en favor de una entelequia que, no teniendo normas ni acuerdos claros, puede derivar solamente en el dominio de los fuertes contra los débiles.

Por lo que abogo efectivamente es por un régimen de justicia internacional que sea capaz de abordar con realismo los problemas más acuciantes de nuestra realidad presente y que eluda la tentación ateniense, permitiendo por el contrario que todos sean iguales ante la Ley. El origen de ese régimen, en mi opinión, sólo puede encontrarse en la cooperación internacional, esto es en la capacidad de las naciones para resolver sus problemas en conjunto en aquel ámbito geográfico o político que ellas mismas elijan. Esta cooperación entre los Estados, en el mundo de la globalización, puede alcanzar prácticamente a todos los ámbitos, incluidos aquellos que dicen relación con aquellos problemas que, hasta ahora, representan el fracaso de nuestra civilización: la violencia, la pobreza y la destrucción del medio ambiente.

3. LOS MAYORES PROBLEMAS DE AMERICA LATINA

He procurado ofrecerles una visión, desde el mundo en desarrollo, de las principales carencias y desafíos de nuestra civilización en el momento presente. Permítanme ahora mostrar cómo afecta esa realidad global a América Latina y qué hacemos en nuestra región para enfrentar nuestros problemas.

La región de América Latina y el Caribe pertenece al mundo en vías de desarrollo, aunque tiene un nivel económico y social bastante mejor que el de África y de gran parte de Asia y su ingreso per cápita está cerca del promedio mundial. Los fracasos de nuestra civilización, sin embargo, forman también parte de su realidad, creando una sensación de injusticia que se hace hoy más patente, cuando la región está creciendo y su democracia progresa, pero sus carencias siguen afectando a muchos millones de sus habitantes.

3.1. *Pobreza y desigualdad*

Hace más de una década, el entonces Presidente del Brasil Fernando Henrique Cardoso, señaló refiriéndose a su país: “Brasil no es un país pobre, sino un país injusto”. La frase ha sido repetida muchas veces, porque no sólo refleja de manera sintética la realidad brasileña, sino la de toda nuestra región, haciendo que el examen de esa realidad sea interesante cuando se habla de caridad y justicia entre los pueblos y entre las naciones.

América Latina no es, de manera alguna, el continente más pobre de la tierra. En realidad, su ingreso promedio se parece al ingreso promedio de la población mundial y posee recursos naturales y humanos para dar una mejor existencia a todos sus hijos. Sin embargo, alrededor de 100 millones de latinoamericanos durmieron la pasada noche sin haberse alimentado suficientemente durante el día. Es verdad que si se miran estadísticas mundiales, América Latina y el Caribe no aparecen en los peores lugares en el triste listado de la pobreza; que hay países de nuestro continente que obtienen mejores calificaciones que muchos países africanos en los índices de desarrollo humano, que nuestra mortalidad infantil no es tan infamante y que nuestra desnutrición no es tan deshonrosa. Sin embargo, probablemente ello ocurra solamente porque nuestros países son naturalmente mucho más ricos. De ahí que, tan acuciante como la pobreza misma en nuestro continente, sea el hecho que no exista ni una sola razón que pueda explicar porqué hay cien millones de indigentes y doscientos millones de pobres mal viviendo en un continente rico.

CEPAL reporta que aproximadamente un 40% de la población de América Latina – más de 200 millones de personas – son pobres, la mayoría de los cuales pertenecen a familias monoparentales encabezadas por una mujer. De entre ellos casi la mitad son extremadamente pobres o indigentes, esto es no alcanzan a satisfacer sus necesidades básicas con los ingresos que logran obtener, menos de un dólar al día. En Haití, el país más pobre de nuestra región, el 55% de la población sobrevive con menos de un dólar diario de ingreso.

Es mucha pobreza e inaceptable en una región que es rica en recursos. La misma CEPAL ha estimado que para alcanzar en 2015 las Metas del Milenio en materia de pobreza, la región debería incrementar su producto por habitante, en promedio, a una tasa de 2.9% anual. Ello significa que la gran mayoría de nuestros países cumplirá con la meta. Sin embargo, esta estimación promedio impide ver importantes diferencias. Así, la propia CEPAL estimaba en 2004 que los países con mayores niveles actuales de extrema pobreza, superiores al 30% – Haití, Bolivia, Nicaragua, Honduras, Guatemala, Guyana – debían aumentar su producto por habitante a una tasa de 4.4% promedio anual durante los siguientes 11 años para alcanzar esa meta. Es decir, la brecha de pobreza entre nuestros países se va ampliando, dejando atrás un conjunto de países que no conseguirán los niveles requeridos de disminución de la pobreza.

A la desigualdad entre los países se une la desigualdad entre las personas. El 20% más pobre del continente lleva a sus hogares entre un 2.2% del ingreso nacional en Bolivia y un 8.8% en Uruguay, en circunstancias que el 20% más rico se apropia de porcentajes que van desde el 42,8% en Uruguay al 64% en Brasil.

La encuesta *Latinobarómetro 2006* revela que el 61% de las personas que en la región tienen sólo educación básica o menos, tienen padres con el mismo grado de educación y que sólo el 9% de personas cuyos padres tenían ese nivel de educación, habían accedido a la educación superior. Quien nace en un hogar pobre o de padres con escasa educación tiende a permanecer igual.

En nuestra región, por otra parte, pobreza y desigualdad están asociadas a discriminación. Una gran mayoría de los indígenas son pobres, también lo es un número importante de afro americanos. Un número desproporcionado de hogares pobres en la región, por otra parte, es encabezado por una mujer. La pobreza tiene color y tiene género en América Latina y el Caribe. Ello hace el problema aún más hiriente y negativo y más urgente la necesidad de su solución.

Y se trata de una situación no sólo injusta, sino que también progresivamente insostenible. La frustración causada por el contraste entre la pobreza, la desigualdad y la exclusión, de una parte, y el crecimiento económico realmente experimentado, así como el mejoramiento de la calidad de vida prometido por las elecciones democráticas pero no materializado, de otra, sientan las bases para una futura situación de conflictos y turbulencias en la región.⁴ La democracia debe ser capaz de entregarle mucho más a la gente, no sólo porque la pobreza actual en nuestra región es moralmente inadmisibles, sino porque además, de persistir, se convertirá en una amenaza seria a nuestras posibilidades de desarrollo futuro debido a los déficits de educación, ahorro y capacidad de emprendimiento que, entre otros lastres, trae consigo.

Una disminución de la desigualdad debería significar igualmente un mejoramiento sustantivo en esta materia. La misma CEPAL ha sido enfática en señalar que una mejor distribución del ingreso potenciaría el efecto de la expansión económica en la reducción de la pobreza, estimando que una reducción de sólo 5% en el valor del coeficiente de Gini permitiría que se redujera el crecimiento anual necesario para alcanzar las Metas del Milenio de Naciones Unidas en materia de eliminación de la pobreza, desde el 2.9% en que la estimaba en 2004 a un 2.1%.

Para enfrentar con éxito el desafío de la pobreza en América latina, se requiere tener presente que ésta está determinada por múltiples factores – como la desigualdad y la discriminación – muchos de ellos económica, social o culturalmente estructurales. Ya no se puede creer, como ocurría décadas atrás en algunos de nuestros países, que la pobreza era un problema que se iba a resolver de manera natural en la medida en que nuestras economías crecieran. Es verdad que la solución de la pobreza está ligada al crecimiento económico (el año pasado América Latina creció fuertemente y la pobreza disminuyó en doce millones de personas), pero es igualmente cierto que también y primordialmente deberán comprenderse y atacarse los factores estructurales que generan los problemas de pobreza si se quiere que esa solución sea estable.

⁴ Rodrigo Rato, Director Gerente del Fondo Monetario Internacional, señaló en una reciente entrevista: “Existen niveles de pobreza que no sólo son dramáticos desde un punto de vista social y humano, sino que además crean un impedimento serio al crecimiento macroeconómico. Eso es lo que genera inestabilidad política, porque la combinación de democracia, crecimiento y desigualdad lleva a la gente a cansarse de esperar”.

Finalmente, es importante recordar que la pobreza está ligada a otros procesos que repercuten en el tejido social de América Latina y el Caribe. El aumento desmesurado de la migración de poblaciones de los países con más problemas de pobreza y empleo hacia otros países de la región, hacia Estados Unidos y hacia Europa ha generado cambios en la economía y la sociedad de los países de origen y de destino. Los principales flujos se producen hacia Estados Unidos, país que recibe hoy algo más de un 20% del total de las migraciones en el mundo.

La migración hacia Estados Unidos provocada por la pobreza es principalmente la que tiene origen en México y Centroamérica (que son los principales países de origen de la inmigración legal e ilegal),⁵ como lo muestran los informes sobre remesas del Banco Mundial. Muchos de los más pobres de países como Perú, Paraguay, Ecuador o Bolivia, van a otros países de América del Sur o a Europa. En Argentina hay más de un millón de paraguayos y cerca de un millón de bolivianos.⁶ En España los ecuatorianos son el segundo grupo inmigrante, después de Marruecos, mucho más cercano. Las migraciones de otros países a Estados Unidos y Europa tienen también un fuerte componente de fuga de cerebros. Más de la mitad de los graduados caribeños con grado universitario vive en el exterior y en el caso de algunos países, como Haití y Grenada, la cifra alcanza a más del 80%.

Las remesas son la primera fuente de divisas para la economía de todos los países centroamericanos y de casi todos los del Caribe y en el caso de México ya compiten con el petróleo y el turismo, al tiempo que disminuyen el desempleo. Pero provocan problemas sociales de gran envergadura, como la separación de las familias, al tiempo que son víctimas de discriminación en muchos de los países a los cuales llegan.

Nada parece indicar que las principales acusaciones que se lanzan en los países receptores en contra de los migrantes tengan base alguna. Las tasas de desempleo en Estados Unidos y España, por ejemplo, no parecen variar significativamente por la presencia de inmigrantes. Al contrario, el

⁵ La cantidad de inmigrantes de América Latina a Estados Unidos ha dado origen a una nueva categoría racial en el Censo de este país. Bajo el rótulo de "hispanic" deben registrarse todos aquellos que proceden de América Latina, sin perjuicio de su color u origen étnico (que también deben registrar). La cantidad de latinos convierte a Estados Unidos en el cuarto país de mayor población latina en el mundo, casi a la par con España.

⁶ Otro caso especial es el de la República Dominicana, muchos de cuyos ciudadanos viven en Estados Unidos, pero en la cual vive una cantidad cercana a los 800.000 inmigrantes haitianos.

estado con mayor porcentaje de aumento de inmigrantes en Estados Unidos (Carolina del Norte) es también uno de los estados de más bajo desempleo; y las estadísticas sobre crimen muestran que los inmigrantes no cometen más delitos que los nacionales del país, en proporción al número de habitantes. Pero las diferencias culturales, raciales y culturales de los migrantes provocan problemas y tensiones sociales agudizadas por el racismo y el egoísmo de muchos.

3.2. *Violencia*

América Latina no ha sufrido grandes conflictos militares durante el Siglo XX, al menos no de la envergadura de los ocurridos en los demás continentes. Hace pocos meses celebramos el 40 Aniversario de nuestro Tratado de Proscripción de las Armas Nucleares (Tratado de Tlatelolco) que todos nuestros países han observado. Con el término de las confrontaciones internas que fueron provocadas o inspiradas por la Guerra Fría es posible decir que en general, con la sola lamentable excepción de Colombia (donde sin embargo la violencia ha tenido una reducción en los últimos dos años), América Latina es hoy un continente de paz.

Pero nuestras tasas de criminalidad están entre las mayores del mundo. El nuestro es un continente que enfrenta problemas serios de delincuencia, organizada y no organizada, con los cuales no se puede seguir conviviendo. Cierto es que ha disminuido la violencia política que, hace no muchos años atrás, flagelaba a nuestra población; que tenemos mucho menos violencia política que en otras regiones del mundo, dentro de los Estados y entre los Estados. Pero también es cierto que esa violencia ha sido substituida por el delito: por las pandillas, el narcotráfico, el crecimiento del crimen urbano, el lavado de dinero y otras muchas formas que éste adopta hoy en día. Varios países de América Latina y el Caribe están en la lista de aquellos que tienen el mayor promedio de homicidios en el mundo, con tasas que pueden llegar hasta 30 homicidios por cada cien mil habitantes. Con un 8% de la población mundial, la región registra el 75% de los secuestros que se producen globalmente. En ciertas ciudades de América Central y América del Sur grupos de delincuentes controlan ya no solamente la delincuencia sino el conjunto de la vida de algunos barrios.

La mayor parte de la violencia y de los delitos en nuestra región está vinculada al tráfico de drogas y al crimen organizado, cuyo crecimiento ha sido impulsado por una combinación de alta densidad de población en áreas urbanas, pobreza persistente y desigualdad del ingreso. La explosión de vio-

lencia ocurrida en Sao Paulo en mayo del 2006 fue la primera expresión masiva de los adversos efectos de la combinación de pobreza, drogas y violencia. En esa ciudad, una de las pandillas más grandes del mundo organizó un ataque de cinco días a la infraestructura urbana, con el resultado de 272 personas muertas, 91 de las cuales eran oficiales de policía. En algunos países de Centroamérica las bandas organizadas de jóvenes son superiores en número a la policía y tanto esta región como el Caribe se han convertido en terreno de tránsito de la droga y refugio de organizaciones criminales.

Se trata de una lacra social que no sólo degrada y daña física y moralmente a las personas sino que acarrea consigo un alto costo económico. El Banco Interamericano de Desarrollo estima que el costo de la delincuencia, incluyendo el valor de propiedad robada, se eleva aproximadamente a 16.8 billones de dólares, equivalente al 15% del PIB de América Latina. Esta estimación incluye el impacto de la delincuencia no sólo en la seguridad de las personas y propiedades sino también en la productividad, las inversiones, el empleo y el consumo.

Uno de los delitos más graves, menos reconocido hasta ahora, es la trata de personas. El número de niños, mujeres y esclavos que son traficados en nuestra región, en el interior de los países o a través de las fronteras es vergonzosamente alto, infamemente alto. Y es tan elevado porque un porcentaje igualmente alto de la población – entre quince y veinte por ciento – carece de identidad. No está inscrita en un registro ni tiene documento alguno que la identifique. Para ellos no existe un pedazo de papel en que conste su nombre o siquiera su existencia y son, por ello, objeto fácil y permanente de todo tipo de delitos perpetrados por bandas de criminales organizadas expresamente para ese fin.

3.3. *Deterioro ambiental*

América Latina y el Caribe enfrentan tasas muy altas de deterioro ambiental, en rápido crecimiento. Elemento clave de esta degradación es el crecimiento de la población, unida a las más altas tasas de desigualdad. Las evidencias muestran que los pobres enfrentan el mayor peso de la degradación ambiental.

Los problemas del medio urbano, especialmente la contaminación del aire y del agua y los sistemas inadecuados de alcantarillado continúan teniendo un fuerte impacto sobre millones de personas que viven en nuestras ciudades. Un reciente informe de la Organización Mundial de la Salud confirma que la degradación ambiental es una causa creciente de una can-

tividad de enfermedades. Alrededor de un cuarto de las enfermedades a nivel global es causado por la exposición a un medio ambiente contaminado, mientras la cifra aumenta a un tercio para los niños menores de cinco años.

La región ha sido bendecida por una de las más ricas dotaciones de recursos naturales y diversidad biológica del planeta y se ha convertido en un modelo en el apoyo de áreas naturales protegidas. Sin embargo, a pesar del compromiso político hacia las áreas protegidas, la pérdida de bosques nativos – que albergan la más alta concentración de biodiversidad – continúa acelerándose. De acuerdo a un reciente informe de FAO, en 2005 casi 40 millones de hectáreas fueron despejadas en América Latina, lo cual representa la más alta tasa de pérdida forestal producida en cualquier lugar del planeta.

Hay otras formas de degradación de los recursos naturales, como por ejemplo la del 30% de los arrecifes de coral – que albergan la mayor concentración de biodiversidad marina – que están severamente dañadas y en riesgo de colapsar. La creciente frecuencia e intensidad de los desastres naturales y el reconocimiento del vínculo que existe entre estos eventos climáticos extremos, plantean enormes riesgos a la región, especialmente a los países del Caribe y Centroamérica.

Esta descontrolada degradación ambiental puede terminar por afectar la fortaleza de las instituciones democráticas. Es difícil sostener una democracia cuando 140 millones de personas carecen de acceso adecuado a servicios sanitarios, cuando 75 millones de personas no cuentan con agua potable limpia o cuando 80 millones de personas respiran contaminantes más allá de lo considerado aceptable por la Organización Mundial de la Salud.

La gran mayoría de los afectados por el aire sucio y el agua sucia son también las comunidades más pobres de la región, dañados por décadas de injusticia y exclusión. También son los más expuestos a la violencia y el crimen. El conjunto de esta base de la sociedad configura una mezcla explosiva de miseria, inequidad y desesperanza que explica muchos de los fenómenos políticos anteriores y recientes de América Latina. Estas formas de injusticia y la incapacidad de resolverlas están en la base de la falta de fe en la democracia y del surgimiento de caudillismos como fórmulas mágicas de solución a una injusticia que ya no espera.

4. CRECIMIENTO Y DESAFÍOS

Con todo, la situación actual de América Latina y el Caribe presenta un conjunto de elementos favorables que permiten pensar que, de mantenerse y profundizarse, es posible revertir los aspectos negativos y dar a la región

un nuevo impulso hacia una posición de mayor justicia y desarrollo. Estas tendencias favorables dependen aún de factores externos, como la actual situación favorable de la economía mundial; pero también requieren un esfuerzo interno que es principalmente político y tiene que ver con la extensión de la democracia y los derechos humanos y la profundización de la gobernabilidad externa.

Según estimaciones de la Comisión Económica Para América Latina y el Caribe de Naciones Unidas (CEPAL),⁷ el Producto Interno Bruto regional creció un 5,3% durante 2006, lo que representa un aumento de 3,8% por habitante. Se trata del cuarto año consecutivo de alza y del tercero por sobre 4%, lo que a su vez contrasta muy favorablemente con el crecimiento promedio de 2,2% anual experimentado entre 1980 y 2002. Para 2007 se espera una ligera desaceleración que llevaría al PIB regional a un crecimiento en derredor del 4,7%, pero aún en esa circunstancia el período 2003 – 2007 habrá concluido con un alza acumulada cercana al 15%.

Según la misma CEPAL, la región experimentó además un aumento de 8,4% en el volumen de sus exportaciones durante el año pasado, a lo que se sumó una mejoría en los precios de los principales productos de exportación que se tradujo en un alza de más de 7% en los términos de intercambio con respecto al año anterior. Del mismo modo la mayoría de los países registró un descenso de la inflación, que bajó de un 6,1% (promedio ponderado) en 2005 a un 4,8% en 2006.

Este buen rendimiento económico ha hecho sentir parcialmente sus efectos en otras áreas y particularmente en una de mucha sensibilidad regional: la pobreza. Efectivamente, de acuerdo a cifras de la propia CEPAL, basadas en encuestas directas de hogares en 18 países de América Latina más Haití, durante el último año el número de pobres habría disminuido de 209 millones a 205, lo que representaría una baja desde el 39,8 de la población en 2005 al 38,5 en 2006. El número de indigentes, a su vez, habría disminuido en dos millones (de 81 a 79) lo que representaría una variación desde el 15,4 al 14,7 por ciento. La importancia de los avances en este terreno se torna aún más relevante si las cifras de 2006 son comparadas con las de 2002, año en que los pobres se elevaban a 221 millones y los indigentes a 97, por lo que durante el período se habría reducido en 16 millones el número de pobres y en 18 millones el número de indigentes. Los últimos cuatro años, en consecuencia, han sido también los de mejor desempeño social regional en los últimos veinticinco años.

⁷ *Balance Preliminar*, diciembre de 2006.

El mejoramiento de la situación económica se ha visto acompañado de una mayor estabilidad política y un fortalecimiento del sistema democrático. En el período reciente no se han presentado situaciones de crisis y, por el contrario, la mayor parte de los países de la región han renovado sus gobiernos a través de elecciones legítimas, con buena participación y resultados aceptados por todos.

Sólo entre diciembre de 2005 y diciembre de 2006 se realizaron trece elecciones presidenciales, lo que lo convierte en el año en que más elecciones presidenciales ha habido en toda la historia de América Latina y el Caribe. Si se considera adicionalmente que en la región sólo veintiún países tienen régimen presidencial, lo anterior significa que la mayoría tuvo elecciones en un solo año; y todas ellas – incluso aquellas con resultados tan estrechos que provocaron ciertas tensiones o dificultades en el momento de reconocerlos – estuvieron marcadas por el signo de la normalidad democrática. Durante el año, además, se realizaron doce elecciones legislativas, dos referendos y una elección de Asamblea Constituyente.

Para percibir la verdadera importancia de esta situación democrática, es menester compararla con lo que ocurría en la región pocas décadas atrás, cuando no había entre esos veintiún países trece que tuvieran democracia, y mucho menos elecciones limpias y competitivas en las que pudiera vencer la oposición y el gobierno estuviere dispuesto a entregar la conducción del país a sus adversarios.

La recuperación de los principios y de la práctica de la democracia ha tenido, a su vez, efectos en la percepción que los propios latinoamericanos tienen de ésta. Así, la encuesta regional anual conocida como *Informe Latinobarómetro* muestra, en su versión 2006 dada a conocer el 9 de diciembre pasado, que el porcentaje de la población de América Latina que opina que “la democracia puede tener problemas, pero es el mejor sistema de gobierno”, se elevó a 74% en promedio en 2006, lo que contrasta con lo que ocurría cinco años antes, en 2002, cuando sólo un 68% de la población pensaba de esa manera. Y contrasta mucho más vigorosamente aún con la respuesta entregada a otra encuesta realizada por *Latinobarómetro*, esta vez en 2004, que mostró que ese año, en promedio, los latinoamericanos opinaban en un 55% de los casos que no les importaría sufrir un gobierno no democrático si éste resolvía los problemas económicos de su país.

Todo eso llama a ser optimista, más aún si se considera que durante los quince años anteriores hubo dieciséis gobiernos que no terminaron su mandato. Pero este optimismo debe ser acompañado de una extrema cautela, porque es preciso reconocer que persisten en la región una serie de importantes incertidumbres. Las he agrupado en torno a cuatro grandes temas.

4.1. *El desafío del crecimiento*

El crecimiento está en la base de las posibilidades de mejorar en todos los otros planos. Algo importante de tener en consideración en nuestra región, que ha crecido a un ritmo menor que cualquier otra región del mundo en los últimos veinticinco años. Las economías emergentes de Asia, el Oriente Medio, Europa Central y del Este, así como los “países recientemente industrializados” de Asia, siguen superándonos en este terreno y también el mundo desarrollado. Por contraste con el crecimiento en otras regiones, hay países en América Latina que no han crecido nada y aún otros, como Haití, que incluso han disminuido sostenidamente su ingreso por capita en los últimos veinte o treinta años.

¿Por qué esta debilidad? En mi opinión existen por lo menos siete razones que explican la fragilidad de nuestro crecimiento. En primer lugar, la persistencia de sectores financieros débiles que impiden a nuestros países beneficiarse de oportunidades de inversión más lucrativas. En segundo término, la ausencia de un sistema energético regional bien definido, que elimine las inseguridades sobre el abastecimiento de energía en la mayoría de nuestros países. Tercero, un nivel muy insuficiente de comercio intraregional, que recientemente se ha visto agravado por tendencias a elevar el proteccionismo. Cuarto, los bajos niveles de ahorro e inversión que son característicos de la abrumadora mayoría de nuestros países. Quinto, la ausencia de sistemas tributarios eficientes que permitan a los países de América Latina y el Caribe incrementar sus actuales niveles de recaudación relativamente bajos. Sexto, la baja calidad del gasto público en nuestros países. Séptimo, la aún más baja competitividad regional, puesta de manifiesto por el *Global Competitiveness Report* de 2006, en el que los únicos países de la región que se sitúan entre los primeros cincuenta (entre ciento diecisiete) son Chile (27) y Barbados (31).

La superación al menos relativa de algunas de estas insuficiencias será determinante para saber si es posible mantener ese crecimiento por un período prolongado, o si tal crecimiento se debe solamente a circunstancias externas y, en consecuencia, se desvanecerá apenas el ciclo económico internacional haya cambiado de signo.

Somos conscientes, por otra parte, que la superación de esas insuficiencias nos podrá permitir crecer a un ritmo más acelerado. No nos garantiza, sin embargo, que ese mayor crecimiento vaya a beneficiar a los más necesitados de entre los habitantes de nuestra región y que, por el contrario, simplemente contribuya a aumentar las desigualdades ya existentes. Es

preciso recordar a este respecto que no es la primera vez que democracia y crecimiento coinciden en nuestro continente; que a principio de los años noventa ya tuvimos una situación semejante – con una democracia que entonces renacía entre nosotros- y que en esa oportunidad las esperanzas de millones de latinoamericanos y caribeños se vieron frustradas.

Y la tendencia actual al respecto no puede dejar de ser preocupante. Por ejemplo, estudios de la misma CEPAL sobre el cumplimiento de las metas del milenio nos muestran que los países más pobres de nuestro hemisferio son los que van quedando rezagados en su cumplimiento y que por lo tanto es bastante probable que en el futuro se extienda la brecha entre ellos y los países más ricos. Es posible constatar, por otra parte, que incluso en aquellos países de mayor crecimiento no se ha visto un mejoramiento sustantivo de la distribución del ingreso o una disminución importante de la pobreza, no obstante que la pobreza efectivamente haya disminuido en el último año de manera sensible en toda la región.

También soy consciente de que no ayuda a lograr el objetivo del crecimiento el clima de incertidumbre que, respecto de las políticas económicas y públicas, se crea muchas veces en nuestros países. Contrariamente a lo que muchos creen, el capital – es decir los recursos de inversión necesarios para el crecimiento- no es atraído exclusivamente por la perspectiva de la ganancia, que ciertamente tiene que existir, sino también por la estabilidad política, la seguridad y la certeza de las reglas del juego. Si quienes pueden invertir en nuestra región en emprendimientos de largo plazo sienten que su inversión puede ser amenazada por cambios en las reglas del juego o por la corrupción o la delincuencia, ciertamente no invertirán, lo que significa que desperdiciaremos esos recursos. Por el contrario, los únicos recursos que en esas condiciones podremos aspirar a recibir serán aquellos de corto plazo o especulativos que la mayor parte de las veces no dejan beneficio alguno a nuestros países.

Muchos de los países citados en estudios recientes como actores de la sociedad del futuro, gozan en la actualidad de menos democracia y muestran peores índices que los nuestros en materias tan relevantes como pobreza y analfabetismo. Buena parte de los países que son visualizados como base de la industria del futuro tienen hoy centenas de millones de pobres y en países que actualmente son sostenedores de la industria mundial del software la mitad de la población es analfabeta. Uno de los grandes “milagros” económicos de nuestros días tiene hoy niveles de desnutrición equivalentes a los del África subsahariana. Sin embargo, son sistemas estables que ejercen reglas del juego claras y que están disponibles para permane-

cer dentro de las actualizaciones de la globalización. Esas son las características que garantizan su condición de actores del futuro.

En nuestro caso, lamentablemente, no es esa la imagen que ofrecemos. Experimentamos la realidad de unas economías estables, pero acompañada de la percepción de que en muchos casos esa estabilidad no está garantizada debido a la falta de consenso respecto de sus instrumentos. Por ello es que no puede dejar de llamar la atención favorablemente que, al analizar los pronósticos previos a las últimas elecciones presidenciales habidas en la región, se pueda distinguir como común denominador la afirmación de que cualquiera hubiese sido su resultado no se habría modificado la política económica del país correspondiente. Y se trataba de elecciones en países tan determinantes de la economía regional como Brasil y México. Esa es la seguridad que nuestros países deben ofrecer si quieren captar los recursos que necesitan para desarrollar su infraestructura o su energía; si buscan captar las inversiones de largo plazo que requieren para asegurar un crecimiento estable. La seguridad de que nuestras economías son estables porque nuestras políticas básicas también lo son.

4.2. *Los límites de la integración*

El proceso de integración regional y subregional presenta un panorama muy diverso en distintas partes del hemisferio. El CARICOM, por ejemplo, enfrenta hoy día la discusión acerca del tránsito desde el mercado único hacia la economía común y en América Central cada día se hacen mayores progresos en materia de integración en un sentido amplio que incluye, además de los temas económicos, temas migratorios y de otro tipo. El NAFTA, por su parte, es hoy una realidad que nadie puede negar y en las elecciones recientes en Canadá y México no se escuchó siquiera una voz que clamara por volver atrás en ese terreno; más bien al contrario, lo que se pudo oír fueron proposiciones para perfeccionar el sistema.

Así pues, el problema y el desafío, en este caso, competen especialmente a América del Sur donde es posible identificar una tendencia negativa en los últimos años, un cierto decaimiento de las políticas reales de integración.

Lo cierto es que en América Latina se ha ido cíclicamente de una pesimista comparación con Europa a eufóricas declaraciones relativas a la inminencia de una integración "aquí y ahora", sin que se visualice una efectiva disposición ni de sacar las enseñanzas que derivan de la experiencia europea ni de avanzar realmente en un proceso integrador. Todo ello resulta aún más lamentable si se considera que este hemisferio, y sobre todo el Sur del

hemisferio, comenzó a hablar de integración mucho antes que Europa para quedar luego tremendamente atrasado con relación a ésta.⁸ Un fenómeno cuya única explicación parece ser que, a diferencia de Europa, en Sur América se ha optado siempre por detener el proceso ante cualquier escollo – grande o pequeño – que se haya encontrado en el camino y esas detenciones, en no pocas oportunidades, han llevado a dramáticos retrocesos.

Por contraste, si observamos a la Unión Europea podremos constatar que se trata de un proceso de integración que nunca se ha detenido. Ha sido criticado y duramente en muchos países de la Unión, ha tenido altos y bajos, ha atravesado por enormes problemas pero siempre ha seguido adelante. Nuestra historia en cambio, como he señalado, es una historia de avances y retrocesos cuya única explicación razonable es que, a diferencia de Europa, nosotros hemos tendido a eludir los verdaderos problemas que trae consigo un proceso integrador.

El primero y quizá principal entre esos problemas es, querámoslo o no, el de la reticencia ante la “supranacionalidad”, o si se prefiere la resistencia a ceder soberanía para alcanzar la integración. Y si algo demuestran todas las experiencias exitosas en este terreno es que no puede haber una integración real sin una cesión igualmente real de soberanía.

Todos los temas comerciales son potestad de la Unión Europea y no de sus países miembros. ¿Contamos con algo parecido en América Latina? Por cierto que no y ni siquiera soñamos con tenerlo. En una región en la que ni siquiera tenemos mecanismos de solución de controversias, existe una mucha menor disposición – sobre todo en el Sur – de entregar a alguna entidad supranacional atribución alguna en materia económica o comercial.

El segundo gran problema es que aparentemente se cree que, por ser la integración económica una situación en la que todos han de ganar, nadie

⁸ La agenda de la *Primera Conferencia Internacional Americana*, realizada en Washington entre octubre de 1889 y abril de 1890, consideraba temas que hoy todavía se discuten entre nosotros, tales como la formación de una liga aduanera entre todos los Estados del continente o una legislación común relativa a temas sanitarios y a propiedad intelectual, patentes y marcas de fábrica y también otros que no han vuelto a discutirse ni parece probable que se discutan en el futuro, como la adopción de una moneda común. Por otra parte acordó, entre sus Recomendaciones a los Gobiernos, otorgar concesiones favorables al desarrollo de operaciones bancarias interamericanas y “muy especialmente las que sean conducentes al establecimiento de un Banco Internacional Americano”. El Banco Interamericano de Desarrollo finalmente fue creado... pero en 1959 ¡sesenta y nueve años más tarde!

tendrá que pagar por ella. Se trata sin duda de un error, pues no habría habido integración europea si algunos países no hubiesen aportado el dinero necesario para financiarla. Es más: no habría habido integración europea si desde los años cincuenta y hasta hoy día, algunos países no hubieran estado dispuestos a pagar ingentes sumas de dinero para financiar los costos que, para la agricultura de otros países, tenía esa integración. Y, así como financiaron ese esfuerzo en materia agrícola, los mismos países financiaron un amplio conjunto de otras materias de presupuesto común europeo, teniendo siempre en consideración que ese gasto presente iba a redundar en enormes beneficios futuros.

Guardando las distancias, no hay mucha diferencia entre esa situación y la de América del Sur hoy día. También entre nosotros hay países grandes y pequeños y países que cuentan con más recursos que otros. Y si no existe disposición a replicar de alguna manera esos “Acuerdos Diferenciados” en que no todos contribuyen o se benefician en la misma proporción, no se va a llegar muy lejos en materia de integración efectiva.

El tercer problema dice relación con una suerte de obsesión maximalista respecto de la integración. La obstinación con que se plantea que, desde un inicio, ésta debe ir “desde el Río Grande hasta la Tierra del Fuego”. Lo cierto es que, en Europa, un acuerdo que hubiese ido desde el Báltico hasta las Islas Griegas no habría prosperado jamás: la integración europea es lo que es porque ha avanzado en forma paulatina. Y justamente por ello es que, entre nosotros y no obstante sus dificultades, son tan promisorios los acuerdos subregionales: el MERCOSUR o la Comunidad Andina son más reales y generan más esperanza que la ilusión de unificar, de una vez, al conjunto del continente. Esperando las condiciones para alcanzar esa integración “de una vez” sólo se puede terminar en la condición de una flota que marche a la velocidad del barco más lento; una situación que únicamente sirve para que todo el continente termine rezagado. Por el contrario, es mi firme convicción que los países que estén dispuestos a avanzar más rápido deben integrarse entre sí a la mayor velocidad posible. Y debe tenerse consciencia de que, para avanzar rápido, inevitablemente se deberá enfrentar temas aún más complejos, como el de la integración de las políticas económicas porque ciertamente es muy difícil, sino imposible, lograr la integración entre países que no lleven adelante políticas similares. En suma, para integrarse los países tienen que tener algo o mucho en común; se trata de un factor que también nos muestra la integración europea: que la integración ocurre entre países que son afines antes de integrarse.

4.3. *El desafío de la democracia*

Ninguna de las situaciones que podrían calificarse como efectivamente críticas vividas por América Latina en los últimos años fue provocada por revoluciones o golpes militares o tuvo una raíz ideológica, sino que se originaron en momentos de descontento popular que terminaron por expresarse de manera tumultuaria. Tal descontento está bastante extendido entre la gente común, que observa, con una impaciencia creciente la ineficiencia y a veces también la corrupción de sus gobiernos, no obstante que ellos hayan sido generados democráticamente o que gobiernen con estricta observancia de la Constitución y las leyes.

La política no es sólo materia de ideas o valores sino también, y mucho más importante, de resultados que sean benéficos para el pueblo. Y es allí en donde algunos de nuestros gobiernos y algunas de nuestras elites políticas han fallado, porque para hacer un buen gobierno no basta con sentir y comportarse como un demócrata: el verdadero desafío es mantener la estabilidad de la democracia, proveyendo al mismo tiempo a los ciudadanos de todos aquellos beneficios y soluciones a sus problemas que esa misma democracia les promete. Eso es lo que yo entiendo por gobernabilidad: un tema que concierne a la eficacia y a la eficiencia de los gobiernos y que, como acabo de decir, en mi juicio es la condición necesaria para abordar luego la superación de todos nuestros restantes desafíos.

El primero de ellos es ser conscientes de que la ampliación de la democracia y sus instituciones son justamente las primeras obligaciones de un gobierno democrático. Para ello son un requisito imprescindible la participación y el consenso. Por el contrario, la exclusión y a veces la represión del adversario son un seguro camino para el debilitamiento de las instituciones democráticas. Esta obligación no siempre es tenida en consideración por nuestros gobernantes que, con alguna frecuencia y sin importar su historial democrático previo, no bien adquieren el favor de la mayoría caen en la tentación de buscar formas de ampliación de sus potestades o de prolongación de sus mandatos más allá de sus límites originales. Al actuar de esta manera estos gobiernos, aunque hayan sido electos democráticamente, no gobiernan de manera democrática pues no cumplen con el primer deber de un gobierno democráticamente electo: ejercer el poder de la misma manera democrática, ampliando la libertad mediante la inclusión, la transparencia y la participación.

Debo anotar que no se trata de un fenómeno que afecta sólo a nuestra región pues, como ha señalado Fareed Zacharia,⁹ existen en la historia muchos casos de gobiernos que han sido electos por una clara mayoría y luego, casi siempre con el apoyo complaciente de esa misma mayoría, han suprimido la libertad de expresión, limitado la libertad de prensa y en general de disidencia, han promovido o tolerado la discriminación y han violado los derechos humanos. Se trata de gobiernos que han sido electos democráticamente pero que no han gobernado de manera democrática. El tema, por cierto, ha abierto una discusión teórica – de la que el propio Zacharia no ha sido ajeno – entre quienes sostienen que basta que un gobierno se constituya democráticamente para que su legitimidad esté garantizada y quienes afirman que para legitimarse democráticamente los gobiernos deben además practicar un ejercicio democrático del poder del que están investidos.

La Organización de los Estados Americanos tiene una posición sólidamente consolidada sobre este punto, expresada en su Carta Fundamental y reafirmada en la Carta Democrática Interamericana aprobada por los cancilleres de las Américas en septiembre de 2001. En esta última se establece: “son elementos esenciales de la democracia representativa, entre otros, el respeto a los derechos humanos y las libertades fundamentales; el acceso al poder y su ejercicio con sujeción al estado de derecho; la celebración de elecciones periódicas, libres, justas y basadas en el sufragio universal y secreto como expresión de la soberanía del pueblo; el régimen plural de partidos y organizaciones políticas; y la separación e independencia de los poderes públicos”. Y agrega: “Son componentes fundamentales del ejercicio de la democracia la transparencia de las actividades gubernamentales, la probidad, la responsabilidad de los gobiernos en la gestión pública, el respeto por los derechos sociales y la libertad de expresión y de prensa”.

La implementación plena de esta Carta Democrática es indispensable para la creación de un clima de democracia estable en la región. Es la vía para garantizar a todos, a los ciudadanos en primer lugar y al entorno internacional luego, de que estos países no sólo realizan elecciones democráticas, sino que también son capaces de mantener una institucionalidad estable, en que las políticas, las leyes y las formas de gobierno no varían.

⁹ “Rise of Illiberal Democracies”, *Foreign Affairs*, 1997.

Dentro de esta institucionalidad, la separación clara de los poderes públicos y, en especial, la independencia del Poder Judicial y de los organismos de control público es indispensable. La falta de acceso a la justicia es una de las principales frustraciones de los ciudadanos en América Latina. También es preocupante la tendencia a usar la judicatura para fines políticos, sea por parte de los gobiernos para fortalecer su poder o de sus adversarios para atacarlos indebidamente.

Por otra parte, los sistemas mediante los cuales las autoridades son electas suelen no considerar la necesidad de mayorías estables y, por el contrario, crean condiciones inestables que se mantienen sólo mientras los gobiernos son exitosos. La debilidad de los partidos y otras organizaciones intermedias tiende a acentuar el problema. Como los partidos no son representativos y por lo general no gozan de una gran disciplina interna, las mayorías cambian frecuentemente y no es posible conformar coaliciones políticas estables. La debilidad del sistema convierte a la lucha por el poder en el único elemento constante, dejando poco espacio al compromiso y a la toma de decisiones de largo plazo.

Por ello, una condición de la gobernabilidad en nuestra región es la generación de sistemas políticos que permitan una participación amplia y faciliten la formación de coaliciones sólidas y gobiernos mayoritarios. Esto, a su vez, demanda de los partidos políticos una mayor representatividad popular y la capacidad de participar en la formación de esas mayorías.

4.4. *El Desafío de la gobernabilidad*

América Latina y el Caribe tienen hoy democracias elegidas por voto secreto y universal de todos sus ciudadanos. Debe ahora avanzar mucho más hacia la forja de democracias institucionalmente estables, dotadas de efectivo balance de poder, control interno y ejercicio pleno de la ciudadanía política, civil y social.

Los gobiernos deben gobernar democráticamente, pero también deben ser capaces de gobernar realmente. Dicho de otra manera, para ser eficaz en su cometido, un gobierno electo democráticamente debe tener el poder y las condiciones de regir de manera efectiva en su país. Esto dice relación con el estado de derecho y también con el fortalecimiento de las instituciones políticas y los sistemas de representación y, particularmente, con la existencia de instituciones públicas permanentes que sean realmente respetadas. El crecimiento, la generación de empleo, la entrega de certezas para la inversión de capitales, la integración, los problemas de pobreza, discri-

minación y delincuencia, son todas cuestiones que pueden ser solucionadas con la aprobación y aplicación democrática de políticas públicas eficaces, eficientes y en las que debería considerarse la opinión, la participación y los derechos de todos. Para estar a la altura de esa empresa, sin embargo, los gobiernos de América Latina deben todavía satisfacer algunos requisitos y desarrollar algunas capacidades que se constituyen en requisitos y condiciones de la gobernabilidad.

Este es un problema de difícil superación en América Latina y el Caribe, pues muchos países de la región no están en condiciones de exhibir leyes básicas o instituciones formalmente capaces de sacar adelante políticas públicas. Muchas veces esas instituciones son ineficientes, demasiados “politizadas” o simplemente no son respetadas. Un poder judicial independiente, un Contralor General con poderes suficientes, un sistema impositivo justo y transparente y una fuerza policial eficiente y no corrupta son algunas de las instituciones que, en nuestras democracias, suelen existir en el papel pero no en la realidad.

Un segundo requisito de la gobernabilidad es hoy, más que nunca, la transparencia y la probidad en el ejercicio de la función pública. Sólo unos pocos países de nuestra región escapan a una historia de mal gobierno y aprovechamiento de la función pública para beneficio personal. Debo declarar que creo que en esta materia se ha progresado significativamente en los últimos años y a ello no ha sido ajena la implementación de la Convención Interamericana Contra la Corrupción, cuyo seguimiento corresponde a la OEA. Pero también es un hecho que subsisten aún focos graves de corrupción que, de no ser corregidos a tiempo, corren el riesgo de extenderse al conjunto de las instituciones en varios países.

El problema de la corrupción es también de imagen; una vez que la población se ha formado la convicción de que sus autoridades son corruptas, toma mucho tiempo convencerla de que esas prácticas han sido superadas. La opinión pública tiende a ver más corrupción de la que hay y la razón de ello es muchas veces la falta de transparencia y rendición adecuada de cuentas en la actividad gubernamental. Por eso hablamos en conjunto de probidad y transparencia. La autoridad debe estar siempre sometida a escrutinio público y ser capaz de dar cuenta también pública de todas sus actividades a través de mecanismos serios, técnicamente eficaces y apartados de la lucha política cotidiana.

Un tercer requisito de la gobernabilidad es que, para ser eficaces en su cometido, los gobiernos deben estar dotados de los instrumentos necesarios. Algo que tampoco ocurre satisfactoriamente con relación a buena par-

te de los gobiernos de la región, que vieron disminuir significativamente los medios institucionales o materiales con los que antaño podían enfrentar buena parte de los problemas a los que debían dar solución como parte de su mandato esencial. El fenómeno se explica por la reducción, exagerada en muchos casos, del tamaño del Estado.

Uno de los efectos de las reformas de los años noventa en muchos países del mundo en desarrollo fue la desaparición de los aparatos estatales gigantes, lo que constituyó un cambio positivo toda vez que la mayoría de esas estructuras estatales estaban a cargo de actividades productivas costosas, ineficientes o que podían ser manejadas mucho mejor por el sector privado. Sin embargo, bajo la consigna importada de que el Estado era parte del problema y no de la solución, una nueva noción, la de “gobierno pequeño”, sustituyó a la de Estado pequeño y terminó convertida en una cuestión de principios. Sobre esa base se desmantelaron y empobrecieron servicios contribuyendo así a aumentar el número de pobres e indigentes y reduciendo la calidad de la atención que el Estado debe a sus ciudadanos y que ellos esperan y exigen.

La desaparición de estas actividades gubernamentales, sin ser substituidas por nada que cubriera las necesidades que ellas atendían, ha generado una sensación de gran inseguridad en las personas, al grado que justamente desde hace una década muchas encuestas están mostrando que una parte muy significativa de la población vive con altos grados de incertidumbre. Según la encuesta de *Latinobarómetro* que he citado antes, más de dos tercios de los latinoamericanos están preocupados por la posibilidad de perder su empleo en los próximos doce meses. La misma incertidumbre la tienen con relación a la posibilidad de lograr acceso a algún sistema de salud y, lo que es aún peor, muchos tienen la sensación de que si bien quizás sus hijos puedan gozar algún día de esos beneficios, ellos no los conocerán jamás.

Hoy está claro que el Estado es muy parte de la solución y que muchos de los problemas que nos afectan, especialmente la reducción de la desigualdad, la provisión de mejores servicios de educación, salud, agua potable y oportunidades de empleo, depende de la formulación de políticas públicas destinadas a ampliar y fortalecer la cohesión social. Depende también de la presencia, en el aparato del Estado, de funcionarios públicos dotados de competencia profesional para el cumplimiento de sus tareas. A la representación política que ejercen los mandatarios popularmente electos, debe unirse un servicio civil del Estado capaz de mantener la continuidad y eficacia de la función pública. Convertir la administración pública en un simple premio para los vencedores de las elecciones es un vicio que tam-

bién se practica en el mundo desarrollado, pero que debe ser erradicado para alcanzar los niveles de eficiencia que nuestra gobernabilidad requiere.

Uno de los mitos vinculados al “gobierno pequeño” es que disminuye las posibilidades de corrupción; y digo mito porque no ha sido esa la experiencia de muchos países del hemisferio durante los últimos años. De una parte porque ni los Estados ni los gobiernos – grandes o pequeños – son la única fuente o espacio de corrupción: el sector privado es también fuente, espacio y víctima de la corrupción, como han mostrado muchos escándalos corporativos en los últimos años en nuestro continente y fuera de él. Por otro lado, se debe constatar que si bien el Estado puede haber disminuido su importancia como productor directo de bienes y servicios, ha aumentado su capacidad de hacer concesiones y asignaciones de recursos al sector privado, actividades en las que pueden llegar a establecerse asociaciones indebidas entre el dinero y la política.

Lo cierto es que, en materia de corrupción, el tamaño de los Estados y de los gobiernos no importa. Sí es importante, en cambio, la existencia de leyes y normas que proporcionen una adecuada respuesta a la necesidad de separar el dinero de la política; que regulen el lobby; que limiten y hagan transparente el financiamiento de las campañas políticas; que establezcan la obligatoriedad para la declaración de ingresos, propiedades e intereses de los servidores públicos y que permitan también la transparencia de los sistemas de adquisición de bienes y servicios por parte de los gobiernos. Sin elementos de ese tipo, operando de manera permanente y acompañados de un eficiente sistema de contraloría de las actividades públicas, siempre existirá la posibilidad que funcionarios de gobiernos – grandes o pequeños – sean objeto de las presiones y la influencia del dinero.

Quiero concluir esta muy larga presentación con una nota de optimismo respecto del futuro de América Latina y el Caribe, cuya situación he presentado a veces con tintes de extrema crudeza. Hemos salido hace pocas décadas de situaciones de extrema represión y conflicto. Enfrentamos hoy los tremendos desafíos de fortalecer nuestra democracia, asegurar el crecimiento, reducir la pobreza y la desigualdad, proteger nuestro medio ambiente y mejorar nuestra seguridad. Son desafíos pendientes, en mayor o menor medida, en el mundo entero. Creo sinceramente que nuestra región tiene los medios para lograr superarlos antes que otras, en la medida en que sus líderes sean capaces de forjar los consensos necesarios para ello y en que en la comunidad internacional se imponga una lógica efectiva de cooperación internacional.

INTERNATIONAL JUSTICE, INTERNATIONAL LAW AND WORLD PEACE

VITTORIO POSSENTI

1. LA SITUAZIONE GLOBALE

Il documento preparatorio per la XIII Assemblea Plenaria della Pontificia Accademia delle Scienze Sociali evoca fondamentali problemi che affliggono la convivenza internazionale e che pongono serie sfide all'attuazione di carità e giustizia nelle relazioni internazionali e al processo di globalizzazione: il riemergere del nazionalismo, le immigrazioni di massa, le notevoli differenze di sviluppo economico (ed educativo) e in numerosi casi l'incidenza di gravi povertà; la crisi del multilateralismo e la crescita del bilateralismo, la presenza di molti focolai di guerra tra Stati ed entro gli Stati, e la minaccia del terrorismo.

Il titolo suggerito per questo intervento è ampio e consente vari orientamenti. Desidero collocarmi soprattutto sul versante della politica, svolgendo riflessioni sul sottofondo politico della presente situazione, sulla fragilità del sistema internazionale, e le sue difficoltà di *governance* e di globalizzazione. Successivamente mi concentrerò sul diritto internazionale e sulla questione della pace, tenendo nello sfondo la relazione del prof. J.M. Insulza.

A partire dal 1945 si è cercato di costruire istituzioni internazionali capaci di regolare i diversi aspetti di un mondo uscito sconvolto dalla seconda guerra mondiale. A sessanta anni di distanza ci troviamo dinanzi ad un panorama diversificato in cui, senza negare i guadagni ottenuti, *quattro* punti meritano la massima attenzione per i rischi di involuzione presenti:

I) la crisi dell'ordine multilaterale basato sulle Nazioni Unite che comporta lo stallo del movimento verso istituzioni politiche mondiali. Da alcuni anni sono aumentati i fenomeni di instabilità e di complessità in specie nell'ambito internazionale, ed è cresciuta la tentazione dell'unilateralismo. Il suo rafforzarsi non aiuta a percepire che per sconfiggere il terrorismo globale sarebbe necessario rafforzare le istituzioni multilaterali e il rispetto

del diritto internazionale, che viceversa hanno ricevuto seri danni per i noti eventi degli ultimi anni. Dall'11 settembre 2001 si è verificata una divergenza tra la questione della sicurezza nazionale e quella dei diritti umani, nel senso che vari Stati privilegiano la sicurezza a spese dei diritti;

II) il mancato conseguimento degli obiettivi di sviluppo dell'Onu e i tangibili rischi che i *millennium goals* proiettati al 2015 vengano elusi. Sinora non è stato possibile eliminare l'estrema povertà che affligge una quota notevole della popolazione mondiale;

III) i crescenti problemi nella regolazione degli scambi globali e conseguente aggravamento delle disuguaglianze globali;

IV) l'inerzia nei confronti dell'ambiente e dei pericoli derivanti dal riscaldamento globale.

Nei casi II) e III) una globalizzazione economica lasciata in mano all'ortodossia neoliberista subordina le decisioni pubbliche alle esigenze di un'integrazione capitalistica globale che indebolisce gli individui più vulnerabili, e lascia scoperta la prospettiva di una protezione efficace dei diritti sostanziali, quali il diritto alla vita, alla libertà dalla fame e dalla sete, servizi igienici di base, educazione, diritto al lavoro.

Per quanto concerne quest'ultimo, le analisi sulle tendenze evolutive in tema di globalizzazione evidenziano due fondamentali implicazioni per i sistemi nazionali di diritto del lavoro, che esponiamo con le parole del giurista Adalberto Perulli.

“La prima implicazione attiene ai rapporti fra economia e Stato e riguarda l'eclisse del controllo statale-nazionale sulla regolazione del mercato: questa denazionalizzazione dell'economia, che già Schmitt collocava nell'ambito della progressiva separazione della sfera pubblico-statale dall'ambito privato, viene enfatizzata nell'attuale contesto dall'espansione incontrollata dei mercati finanziari e della stessa produzione industriale, in grado di svincolarsi dagli ordinamenti dei singoli Stati nazionali in mancanza di reali forme di governo della dinamica concorrenziale sopranazionale ... La denazionalizzazione delle attività economiche viene sfruttata dalle imprese, specie multinazionali – in larga parte influenzate, nelle scelte di localizzazione produttiva, dalle differenze regionali nei costi del lavoro e nei programmi di sicurezza sociale ... Questo potente attore non statale presente sulla scena globale compromette, da una parte, l'utilità e l'efficacia delle regole di diritto interno – in quanto le strategie produttive e l'attività dell'impresa non sono strutturate secondo le frontiere del diritto nazionale –; d'altra parte obbliga gli Stati ad una apertura sempre maggiore dei mercati al fine di facilitare il commercio, attirare capitali stranieri e beneficia-

re della presenza di questi attori sul proprio territorio. La dispersione geografica permette alle imprese transnazionali di approfittare della frammentazione delle competenze statali e di mettere gli Stati nazione in concorrenza, manipolando le norme nazionali sul conflitto della legge cercando di essere sottomesse al diritto nazionale più favorevole ai loro interessi.

Ciò innesca il secondo dei rammentati processi: la 'destatualizzazione' e 'decostruzione' degli ordinamenti giuslavoristici, collegata ad una più generale tendenza alla destatualizzazione del diritto e all'emergenza di un'ordine giuridico capitalistico post-statuale, di matrice transnazionale e di fonte privatistico-contrattuale. Questo processo di destatualizzazione del diritto e di affievolimento della capacità di controllo dello Stato nazione nel campo delle politiche macroeconomiche e sociali, si realizza sullo sfondo di emergenti strutture di governo sovranazionali che dovrebbero avere il compito di garantire il rispetto dei diritti sociali fondamentali, i quali tuttavia sono in discussione nell'ambito degli Stati nazionali – dove sono nati e cresciuti –, mentre e sempre più dichiarati ma affatto praticati nello spazio giuridico sopranazionale. Il punto meriterebbe ben altro approfondimento, ma, per comprendere la crisi del diritto internazionale su questo punto basti pensare che i 3/5 dei 177 paesi membri dell'OIL ratificano meno di/delle convenzioni OIL, e più di 1/5 ne ratifica meno di 20; senza contare i gravi problemi legati all'ineffettività delle norme ratificate".¹

Riprendendo la decisione assunta dall'assemblea generale dell'Onu dell'8 settembre 2000 nella dichiarazione del millennio, numerosi osservatori chiedono la riforma dell'Ecosoc, il Consiglio economico e sociale delle Nazioni Unite, trasformandolo in un vero e proprio Consiglio di sicurezza che abbia competenza sulle crisi ambientali, sociali, biologiche che travagliano il mondo, sulla base di una rappresentanza combinata fra grandi potenze economiche, paesi demograficamente significativi e membri eletti dall'assemblea generale dell'Onu, e con poteri analoghi a quelli attribuiti al Consiglio di sicurezza già esistente. Esso cercherebbe di (ri)costruire su scala globale una prospettiva di insieme che si è fortemente deteriorata e spesso decomposta in quadri settoriali e nazionali. Occorre che la *global governance* sia indirizzata non solo verso gli interessi dei paesi ricchi, ma tenga conto dei Paesi in via di sviluppo (PVS), senza di ciò questi svilupperanno grave sfiducia verso i metodi di *governance* intesi come vincoli imposti dai forti sui deboli.

¹ A. Perulli, "Diritti sociali e libertà economiche", in AA.VV., *Governance globale e diritti umani*, a cura di M. Nordio e di V. Possenti, Diabasis 2007, in corso di stampa.

2. LA GLOBALIZZAZIONE POLITICA E LE DIFFICOLTÀ DI GOVERNANCE

2a) Dei quattro punti appena enunciati mi soffermerò sul primo, che forse più di ogni altro è nodale e mette in luce la responsabilità della politica. Non dimentichiamo che i rapporti politici sono entro larghi limiti una costruzione sociale e non un elemento naturale. La storia della globalizzazione non è meramente economica, non lo è stata nel passato, e la sua vicenda futura ne accentuerà la dimensione politica. Paesi sono l'alta velocità di svolgimento dei mercati e dell'economia e la carenza di *global governance* politica, d'istituzioni politiche multilaterali idonee a generare bene comune per tutti e non vantaggi per pochi, e a distribuire in maniera adeguata i beni pubblici essenziali per ogni uomo. Persiste e forse si aggrava una *profonda dissimmetria* tra globalizzazione economica e globalizzazione politica: la prima corre, la seconda ristagna e perfino regredisce. D'altro canto il sistema delle Nazioni Unite non è o non è più all'altezza della sua Carta in vari ambiti, in primo luogo per la grave difficoltà a far rispettare la proibizione sull'uso discrezionale della forza da parte degli Stati membri.

Orbene, se molti – politici, studiosi, operatori internazionali – hanno diagnosticato le gravi crisi cui saremmo andati incontro e avanzato proposte di soluzioni rimaste disattese nonostante la crescente potenza e ricchezza dei mezzi a disposizione dell'umanità, devono esistere fattori fondamentali che sono stati trascurati o sottovalutati nelle fasi della diagnosi e della terapia. Per quest'ultima da più parti si fa riferimento ad un rinnovamento del "contratto sociale" tra Stato e cittadini ed alla sua estensione all'ambito internazionale, dove peraltro è più difficile individuare le parti contraenti. A mio avviso il contratto sociale può funzionare all'interno dello Stato entro un certo tipo di scambio: lo Stato o l'autorità politica riconoscono ai cittadini beni, diritti, garanzie e i cittadini riconoscono come legittima l'autorità.

Tuttavia, almeno sino a quando non intervengano radicali cambiamenti nella struttura del sistema internazionale e della sovranità, questo scambio politico difficilmente può operare oltre lo Stato nella società internazionale e mondiale. Cito due motivi. A) Esistono beni pubblici che oltrepassano lo Stato e che questo *da solo* non può rendere disponibili ai suoi cittadini, come è il caso della pace, della libertà dalla fame e dalla sete, della lotta alla criminalità mondiale, di quella al riscaldamento globale, del dovere di garantire un ambiente accettabile; B) questi ed altri beni globali possono forse essere resi disponibili mediante accordi tra Stati, ma solo entro una certa misura perché, in assenza di una istanza di decisione sovraordinata o di un Terzo al di sopra delle parti, tenderà fatalmente a prevalere lo interesse dei più forti:

inoltre gli accordi tra gli Stati, oltre ad essere difficili e faticosi, risultano per loro natura mutevoli e soggetti tanto a progredire come a regredire.

Un ulteriore fattore di debolezza consiste nel grado di inclusività, che nella situazione mondiale attuale ben difficilmente può includere tutti. Di conseguenza l'esigenza di una giustizia globale o universale – almeno su pochi e fondamentali punti – rimane inadempita. Argomenti analoghi valgono per la questione della pace e della guerra: spesso la guerra è la forma più acuta di ingiustizia contro l'uomo.

2b) La globalizzazione è iniziata all'incirca col XVI secolo, mentre la *governance* è per tanti aspetti di là da venire. Chiamo "globalizzazione" l'esistenza di "comunità di destino sovrapposte", nel senso che siamo connessi gli uni agli altri in maniera crescente nel lavoro, nelle culture, nell'ambiente, nelle comunicazioni, negli scambi commerciali. Viviamo inevitabilmente fianco a fianco.² La globalizzazione quale fenomeno multidimensionale e dunque non assimilabile soltanto al momento economico, stimola a rendere effettivi principi universali quale l'uguale rispetto per chiunque, diritti umani, Stato di diritto e democratico-sociale.

La globalizzazione appare un fenomeno ambivalente che, mentre introduce vincoli alle politiche statuali, estende la responsabilità della politica in un duplice senso: si amplia l'area delle decisioni politiche e si ingrandisce la loro portata e incidenza. Spesso si va quasi immediatamente dal locale al globale se consideriamo il riverberarsi di eventi locali a livello globale. D'altro lato esigenze di politica globale comportano il parziale superamento fra interno ed estero. La sfera d'azione della politica è dunque cresciuta, ma in maniera disordinata e senza che esistano sedi e istituzioni planetarie di regolazione e controllo, garanti in ultima istanza dei diritti umani e degli scopi globali della società mondiale in via di faticosissima e contrastata formazione. Per questi scopi politici ultimi non sono sufficienti strutture di *governance* regionali e/o continentali, ma appunto mondiali. Tali strutture non sono richieste soltanto dall'agenda dei diritti umani e della pace, ma pure da una vasta serie di problemi sistemici a livello mondiale quali il terrorismo internazionale, il traffico di droga e di armi, il flagello dell'Aids e della malaria, le crescenti disuguaglianze globali.

2c) La nuova situazione esige una *governance* globale. Quella che accade faticosamente sotto i nostri occhi, rappresenta qualcosa di più di un semplice sistema di cooperazione interstatale; appare come un siste-

² Cfr. D. Held, *Governare la globalizzazione*, Il Mulino, Bologna 2005, p. 7.

ma multidimensionale, pluristratificato, con molti attori, ossia come una *governance* pluralistica e per ora priva di centri unitari sovraordinati. Essa punta o dovrebbe puntare al superamento del concetto di ordine internazionale stabilito nel 1648 dal trattato di Westfalia, che esprimeva un ordine basato sull'esclusiva sovranità statale entro un territorio delimitato. Dalla sovranità westfaliana prese origine la frammentazione del sistema politico mondiale, quale conseguenza dell'assunto che il sistema statale debba assicurare come preconditione della sua esistenza e legittimità la protezione e sicurezza dei *suoi* membri e in genere solo di essi. Un paradigma ormai incongruo e poroso nel senso che i confini degli Stati sono costantemente attraversati e contestati da forze, agenzie, istituzioni, gruppi, imprese che si muovono su una scacchiera più ampia che valica i confini nazionali.

È possibile che entro alcune decine d'anni nasca un mondo di Stati semisovrani nel quale essi non scompariranno, ma dovranno condividere il loro potere con numerosi altri protagonisti non-statali. La sovranità sarà non poco indebolita dal grande e crescente flusso di persone, idee, inquinamenti, beni, posta elettronica, virus, droga, ecc, che metteranno quasi al tappeto uno dei suoi pilastri, ossia la capacità di controllare ciò che attraversa i confini. Stiamo andando verso una nuova situazione della sovranità: una semisovranità o anche una sovranità condizionata, in cui con maggiore urgenza si porrà il problema dei vari livelli di decisione sino a quelli più alti che spesso andranno creati.

3. IL RUOLO DEL DIRITTO INTERNAZIONALE

Nel quadro della globalizzazione e della pace centrale è il ruolo del diritto internazionale, nonostante le periodiche crisi di effettività cui è soggetto. Le vicende storiche insegnano che l'edificazione della pace non può prescindere dal rispetto di un ordine etico e giuridico, il cui scopo complessivo si riassume nella sua instaurazione. Riposando su accordi, trattati e atti di cooperazione che fanno progredire i rapporti fra i popoli, delimitando rigorosamente lo *jus ad bellum* degli Stati e prevedendo adeguate sanzioni per i trasgressori, il diritto internazionale si pone come un'essenziale guida per tutti, sì da poter essere considerato un codice di comportamento per la famiglia umana, una regola della legge sotto cui vivere in armonia e spirito cooperativo. Nel diritto internazionale, che non è inferiore a quello della legalità statale, risalta il criterio costitutivo

del diritto: dare a ciascuno il suo, rendendogli ciò che gli è dovuto in vera giustizia, evitando che prevalga la legge del più forte o del più ricco, ma sostituendo la forza del diritto al diritto della forza.

Rivolgendosi al corpo diplomatico accreditato presso la Santa Sede, nell'incontro del 12 gennaio 1991 Giovanni Paolo II individuava nel diritto internazionale uno strumento di prim'ordine per il perseguimento della pace: "Il diritto internazionale è un mezzo privilegiato per la costruzione di un mondo più umano e più pacifico. È esso che permette la protezione del debole contro l'arbitrarietà del forte. Il progresso della civiltà umana si misura spesso col progresso del diritto, grazie al quale si può realizzare la libera associazione delle grandi potenze e delle altre nell'impresa comune che è la cooperazione fra le nazioni". Come è agevole intuire, il diritto internazionale non si presenta con i caratteri di un freddo formalismo e tecnicismo, ma è espressione di valori morali e di giustizia in vista della pace e del bene comune come bene di tutti e per tutti, di modo che esso è un patrimonio comune dell'umanità acquistato al prezzo di enormi sacrifici, un *corpus* in cui si esprime il bisogno di governo della società mondiale.

Nell'epoca presente il diritto internazionale, che per secoli è stato un diritto della guerra e della pace, sta evolvendo sempre più apertamente verso un diritto della pace, sensibile alla giustizia e alla solidarietà.

Evoluzione del diritto internazionale ed emergenza della persona con i suoi diritti

Sin dai tempi antichi si è cercato di stabilire patti che evitassero lo scatenamento puro e semplice della violenza e che consentissero di risolvere pacificamente le controversie sorgenti fra le varie comunità politiche. Questo processo che interessa largamente la storia politica dei popoli, ha subito una forte accelerazione con la nascita dello Stato moderno dal XVI secolo in avanti, quando filosofi e teologi si posero come teorici della società internazionale e elaboratori del diritto internazionale, che trovò e trova il suo fondamento nel diritto naturale e nello "*jus gentium*" (diritto delle genti). In questo cammino hanno preso forma con forza ed estensione crescente principi universali che sono anteriori e superiori al diritto interno degli Stati, e che tengono in conto l'unità e la comune vocazione della famiglia umana.

Nel XX secolo, dinanzi alla catastrofe delle due guerre mondiali che hanno visto un abisso di violenza quale forse mai l'uomo conobbe, è continuato il cammino del diritto internazionale entro un quadro ormai mutato per l'infittirsi delle relazioni internazionali e per la crescente consapevolezza che esso non è più solamente un diritto fra Stati, ma un diritto che tocca le singole persone attraverso le definizioni internazionali dei diritti del-

l'uomo. Queste rimontano quasi come a prima radice alla Dichiarazione universale dei diritti umani, un passo fondamentale nel cammino verso l'organizzazione giuridico-politica del mondo.

Sulla base della convinzione che ogni essere umano è uguale in dignità e che le società devono adeguare le loro strutture e istituzioni a tale presupposto, sorsero largamente i movimenti per i diritti umani, capaci di costituire un'espressione privilegiata della storia contemporanea. Andò così formandosi un *diritto internazionale dei diritti umani* come corpo organico di dottrine e regole che, innestando un ordinamento non territoriale sull'antico ordinamento territoriale del diritto statale interno, introduce un criterio di giudizio e di valutazione soprastatale, un'istanza più alta che i poteri dei singoli Stati sono chiamati a onorare. In tale "nuovo" diritto si esprime concretamente l'idea di "bene comune universale" (cfr. l'enciclica *Pacem in Terris*, IV). Il suddetto movimento operò e non di rado ottenne il rovesciamento di regimi totalitari e dittatoriali.

La crescita del diritto internazionale nel senso accennato significa che esso non costituisce un prolungamento della sovranità illimitata degli Stati o una protezione dei loro interessi. Anzi richiede che gli Stati siano pronti a cedere quote della loro sovranità in ordine al perseguimento della sicurezza e del bene comune universale. Ciò anche significa che il vero cuore dell'ordine internazionale non sono solo o tanto gli Stati, ma l'uomo coi suoi diritti e doveri. I valori umanistici o personalistici trascendono gli Stati e anzi domandano loro di adeguare le loro leggi e la loro mentalità a questo quadro fondamentale.

Nel diritto internazionale, basato su patti e accordi liberamente sottoscritti, risalta per vigore e importanza il criterio del *pacta sunt servanda*, cardine e presupposto di ogni rapporto fra parti contraenti, la cui violazione precipita tutti in una condizione di anarchia e di illegalità, con durevoli ripercussioni negative. È inoltre giustificato affermare che con la Dichiarazione universale del 1948 e col movimento per i diritti umani al rispetto dei patti si è aggiunto quale criterio direttore del nuovo diritto internazionale quello dell'*humana dignitas servanda est*.

Del diritto internazionale fanno parte gli accrescimenti concernenti il diritto internazionale umanitario e gli importanti tentativi per organizzare una giustizia penale internazionale quale espressione della coscienza morale e giuridica delle nazioni. Essi sono sfociati nella recente creazione della Corte penale internazionale, un passo positivo nel processo di istituzionalizzazione giuridica mondiale. Con l'allargamento dei suoi membri e l'efficacia della sua azione tale Corte potrà costituire un'istanza sopranazionale

dinanzi a cui i violenti e gli ingiusti siano chiamati a render conto delle loro azioni, spesso compiute nella speranza di una piena impunità. In sostanza è civiltà giuridica rafforzare e rispettare le istituzioni giuridiche.

Diritto internazionale di pace

Del diritto internazionale è espressione il diritto della guerra e della pace, inteso come un tentativo di porre un argine e delle regole a un elemento così profondamente irrazionale e violento quale è la guerra: esso cerca di regolare il cosiddetto *jus ad bellum*, ossia il diritto di dichiarare guerra che gli Stati rivendicano come espressione della loro "sovranità". Sotto questo aspetto il diritto internazionale si presenta con le vesti della forza che trattiene lo scoppio della guerra o che, una volta scoppiata, la limita e la "umanizza": non dobbiamo infatti dimenticare l'evoluzione della guerra moderna verso la forma terribile della guerra totale, in cui si mira all'annientamento dell'avversario, spesso inteso solo come criminale da punire con ogni mezzo.

La questione della guerra è ormai, in base alla Carta dell'Onu liberamente accettata dagli Stati membri che così rinunciano alla guerra come mezzo atto a risolvere le controversie, nelle mani del Consiglio di Sicurezza delle Nazioni Unite. Il divieto all'uso della forza, salvo nei casi autorizzati dal Consiglio di Sicurezza e stabiliti dalla Carta, si pone come regola di diritto internazionale cogente. In dissonanza con essa sta la dottrina della guerra preventiva.

4. DA WESTFALIA AL 1948

Noi abbiamo bisogno di un mutamento profondo, uno *structural change* che s'intravede per ora da lontano, che conduca dal sistema westfaliano basato sugli Stati sovrani e accordi fra loro, da cui sono nate tanto le Società delle Nazioni quanto l'Onu, ad un sistema che lasci da parte le sovranità. Il sistema uscito da Westfalia può essere riassunto in cinque elementi: 1) solo gli Stati sono i soggetti del diritto internazionale, mentre popoli, nazioni, etnie, associazioni volontarie non possiedono alcuna soggettività giuridica; 2) conseguentemente la fonte del diritto internazionale non sta in alcuna istanza superiore agli Stati ma solo negli eventuali trattati bilaterali o multilaterali sottoscritti dagli Stati; 3) nel trattato di Westfalia non era prevista alcuna giurisdizione obbligatoria che potesse accertare

la violazione del diritto internazionale, né alcuna forza di “polizia” che potesse sanzionarne le violazioni; 4) gli Stati possiedono piena uguaglianza giuridica formale, sono formalmente su un piede di parità e 5) hanno il diritto di ricorrere alla guerra.

Il sistema Onu ha mutato dopo tre secoli questo quadro facendo corrispondere al punto 1) un allargamento dei soggetti del diritto internazionale, a 2) principi generali dell'ordinamento giuridico internazionale sovraordinati agli Stati e per essi vincolanti come *jus cogens*, fra cui secondo non pochi giuristi il divieto dell'uso della forza per la soluzione delle controversie, e a 5) la limitazione esclusiva dello *jus ad bellum* solo alla legittima difesa con l'aggiunta che tale diritto di difesa non è illimitato ma vale sinché il Consiglio di Sicurezza non intervenga (art. 51 della Carta dell'Onu che qui si riporta: “Nessuna disposizione della presente Carta porta detrimento al diritto naturale di legittima difesa, individuale o collettiva, nel caso in cui un Membro delle Nazioni Unite sia oggetto di un'aggressione armata, sino a che il Consiglio di Sicurezza abbia preso le misure necessarie per mantenere la pace e la sicurezza internazionale”. È utile aggiungere il dettato dell'art. 42: “Se il Consiglio di sicurezza ritiene che le misure previste all'art 41 siano inadeguate o che esse si sono rivelate tali, può intraprendere, mediante forze aeree, navali o terrestri, ogni azione che giudica necessaria al mantenimento o al ristabilimento della pace e della sicurezza internazionale. Questa azione può comprendere dimostrazioni, misure di blocco e altre operazioni eseguite dalle forze aeree, navali o terrestri di membri delle Nazioni Unite”).

Tuttavia dal punto di vista della effettualità politica i due sistemi attualmente si compenetrano nel senso che la logica statutale del 1648 continua a prevalere in molti casi, e la transizione al nuovo sistema non decolla su punti centrali. Il rafforzamento del nuovo modello è soggetto a gravi tensioni e passi indietro, non solo perché la logica della sovranità continua a prevalere su quella mondialista.

5. IL QUADRO DELL'INTERNAZIONALISMO LIBERALE

Gli sviluppi della Dichiarazione del 1948 e del sistema mondiale dei diritti umani tendono a mutare *il significato dell'autorità politica*: da autorità legittimata dal controllo di un territorio ad autorità garante e promotrice di valori e diritti fondamentali, che nessuno Stato può cancellare. Uno sviluppo che trova nella questione dei crimini di guerra un tema il cui rilievo non ha fatto che crescere dopo le decisioni assunte dai tribunali interna-

zionali di Norimberga e di Tokyo alla fine della seconda guerra mondiale. Questi stabilirono che se le leggi dello Stato sono in conflitto con le norme internazionali che proteggono valori umani fondamentali, l'individuo è tenuto a trasgredire le leggi dello Stato.

Questi ed altri eventi segnano una tappa nel cammino verso il superamento della classica figura della sovranità westfaliana verso un nuovo ordine che si può chiamare quello della *sovranità internazionale liberale*: un termine appropriato nel senso che estende alla sfera internazionale la visione liberale di porre limiti al potere politico e all'attività di governo, e pensa l'ordine internazionale entro il paradigma di un multilateralismo cooperante entro le norme che, regolando lo *jus ad bellum* e il quadro dei diritti umani, circoscrivono l'uso del potere coercitivo. Esse sostituiscono la sovranità classica con regole internazionali che dichiarano i diritti umani fondamentali e la loro tutela come nuova base per la legittimazione del potere, soprattutto se la tutela viene intesa alla luce delle dichiarazioni, protocolli e convenzioni che sono emersi nel contesto mondiale dal 1945 in avanti.

Adottando uno sguardo retrospettivo si scorge la distanza che intercorre fra la concezione classica e statocentrica della sovranità e la situazione attuale in cui emerge timidamente un nuovo schema dei limiti del potere politico. La *good governance* politica dell'attuale sistema internazionale liberale è stabilito in base all'esistenza di standard di diritti umani e del loro rispetto, e la legittimità dello Stato e dell'autorità politica è in misura crescente misurata in rapporto al grado di tutela dei diritti e all'esistenza di accettabili livelli di democrazia, monitorati da agenzie internazionali. S'intravede qui l'alba di un nuovo ordine costituzionale internazionale, con cambiamenti che trasformano il contenuto e gli obiettivi delle decisioni politiche, nel senso che lo Stato non è più l'unico livello di competenza giuridica e politica. Ciò non significa la fine dello Stato, ma forse la rigorizzazione della logica liberale tesa a delimitarne la importanza e il raggio di azione. Nel sistema della sovranità internazionale liberale non vi è opposizione tra diritto internazionale e regolazione nazionale, ma tentativo plurale di loro regolazione mediante un insieme di istituzioni sovrapposte e talvolta sovraordinate. Naturalmente non mi nascondo che l'internazionalismo liberale attuale, spesso guidato da *élites* neoilluministiche, opera una selezione ingiusta dei diritti umani, lasciando da parte il diritto alla vita e lo statuto della famiglia da un lato, mentre dall'altro non sembra in grado di mettere in piedi un controllo internazionale effettivo dei diritti umani.

La sovranità è costretta a rimodellarsi sotto la spinta di una serie di problemi di carattere transnazionale che richiedono nuove forme di *governan-*

ce regionale e globale. Appariscenti fenomeni travalicano lo Stato e a lungo andare possono ridurlo a un guscio vuoto: la globalizzazione del commercio, della finanza, della produzione, della comunicazione, il trasferimento dei sistemi tecnologici e la pervasività della tecnologia, i problemi ecologici e militari che non sembrano risolvibili né entro lo Stato nazionale, né mediante accordi fra Stati sovrani. Stiamo andando verso una “politica interna del mondo” che non può essere gestita coi vecchi metodi. Lo stesso principio di non-ingerenza che ha costituito un cardine della forma-Stato e del diritto internazionale per secoli, è risultato in parte svuotato dalla politica dei diritti umani perseguita negli ultimi decenni. Questi eventi fanno ritenere che la concezione classico-moderna della sovranità come una forma di potere politico indivisibile, perpetua, dominante su un territorio e priva di vincoli, sia in via di superamento nel senso che i sistemi politici nazionali vengono limitati da norme internazionali e creati nuovi livelli di responsabilità e *governance*. I cambiamenti dell’ultimo cinquantennio sono andati nel senso di delimitare il potere politico, ponendo in crisi la corrispondenza tra territorio, sovranità, spazio politico e democrazia, sotto la spinta di forze che operano su scala continentale e mondiale e che attraversano agevolmente i confini nazionali.

Questi mutamenti rimangono tuttavia incerti e insufficienti. Il nuovo sistema in formazione fatica molto a gestire problemi che concernono tutti e a dare un assetto adeguato a beni comuni fondamentali, quali ad es. quelli che da alcune decine d’anni prendono il nome di “patrimonio comune dell’umanità”, in cui traluce qualcosa dell’idea tipica delle grandi religioni mono-teistiche basate sul creazionismo, ossia che i beni della terra e del cosmo sono destinati in uso comune. Si tratta di un tema grandioso, attualmente discusso anche in rapporto ai problemi bioetici ed antropologici, e che ha condotto l’Unesco a definire il genoma umano come patrimonio comune dell’umanità. Emergono questioni che richiedono nuovi livelli di cooperazione tra gli Stati, i popoli e settori della società, e la crescita di un nuovo senso di responsabilità transnazionale per i beni comuni globali e gli scopi globali, ma anche sanzioni, mezzi di pressione per indurre i recalcitranti ad adeguarsi. Su questi aspetti l’ordine internazionale liberale incontra i suoi limiti.

6. IL CAMMINO DEL MULTILATERALISMO

Intanto da varie parti si richiama l’importanza di un approccio multilaterale. Una sua ripresa appare necessaria e benvenuta nell’epoca della glo-

balizzazione, in cui inevitabilmente viviamo e in cui dobbiamo imparare a vivere fianco a fianco. Francisco de Victoria scriveva nel XVI secolo: *totus mundus est quasi una respublica*, a significare già allora l'unità reale della famiglia umana.

Una rinascita del multilateralismo accadrebbe dopo un periodo in cui in vari campi è prevalso, talvolta perfino selvaggiamente, l'approccio unilaterale, non di rado accoppiato a quello bilaterale largamente praticato forse anche allo scopo di ostacolare la soluzione multilaterale. Il multilateralismo e la strada della cooperazione internazionale sono evocati più volte nella relazione del prof. Insulza con accenti efficaci e condivisibili e non posso che associarmi. La prospettiva di un cooperante multilateralismo economico, sociale, istituzionale, ecologico, politico va ripresa e incrementata, e già sarebbe un enorme risultato compiere in tal senso passi avanti dopo un'epoca in cui le istituzioni multilaterali, quali ad es. l'Onu o sotto altri aspetti il FMI, hanno subito gravi crisi. La ripresa e l'aggiornamento nelle nuove condizioni storiche del progetto multilaterale uscito dalla seconda guerra mondiale appare un passo indispensabile.

Lo scienziato sociale e politico ha peraltro anche il compito di richiamare l'attenzione sull'altro lato della medaglia, mettendo in campo una certa dose di presbiopia che in faccende così straordinariamente complesse non è superflua. In altre parole la cooperazione multilaterale tra Stati può raggiungere risultati positivi ma presenta due enormi difetti: 1) essendo su base volontaria e pattizia, la cooperazione può cessare in qualsiasi momento facendo prevalere le ragioni del singolo Stato o addirittura quelle dello scontro su quelle dell'incontro cooperante. Fa parte di questo dilemma la difficoltà a sanzionare la ingiustizia; 2) anche se la cooperazione non fosse soggetta a crisi ricorrenti, vi sono scopi globali, beni globali ed obiettivi globali che molto difficilmente possono venire assicurati in modo soddisfacente dall'approccio multilaterale.

In tale approccio il carattere globale ed unitario dello scopo deve confrontarsi con una forte "contraddizione", ossia con la sostanziale frammentazione delle sedi di decisione politica. Vince dunque l'anarchia che è legata strutturalmente al profondo disordine del sistema internazionale: anarchica è infatti la situazione di coloro che cercano di vivere insieme senza governo comune. In merito si può chiedere se il sistema dell'equilibrio degli Stati (*balance of powers*) che manifesta chiare affinità col multilateralismo, sia in grado di gestire il terribile problema della proliferazione nucleare. Il fatto sconcertante è che né il sistema di equilibrio della guerra fredda, né quello dell'egemonia di un'unica superpotenza hanno risolto il problema.

Se poniamo mente al tema della giustizia internazionale nei suoi vari aspetti, che naturalmente non sono solo economici, non possiamo non considerare l'ingiustizia come un esito che può accompagnare spesso le nostre decisioni. Ma come sanzionare l'ingiustizia? Opportunamente il prof. Insulza osserva che nelle presenti condizioni del sistema internazionale non solo vi è ingiustizia, ma spesso l'impunità per chi la commette. Raramente esistono istanze superiori sanzionatorie, e violazioni unilaterali dei diritti umani da parte di grandi potenze non sono state condannate dall'Onu e relativa commissione sui diritti umani. Si ripresenta l'eterna domanda: *quis judicabit?* Chi porrà regole che collochino tutti sullo stesso piano dinanzi alla Legge, e chi avrà il potere di castigare i devianti? Molte ingiustizie, non escluse quelle sociali ed economiche, non sono sanzionate da nessuno, in quanto non esistono le istanze idonee.

7. GLI ATTORI NON-STATALI

Un aspetto notevole del processo in atto è rappresentato dagli attori non-statali e dal loro inserimento con diritti e doveri nell'ordine internazionale in formazione, almeno per il fatto che le loro azioni hanno conseguenze sul godimento dei diritti di tutti. Fra i principali attori non statali si annoverano, oltre alle grandi istituzioni finanziarie internazionali quali il Fondo monetario internazionale, la Banca Mondiale, le società multinazionali il cui potere cresce velocemente seguendo la globalizzazione e che proprio per questo possono esercitare un'azione positiva o negativa, ma che sinora rimangono soggetti privati non direttamente vincolati dalle norme sui diritti umani. Innovative proposte suggeriscono che occorra che la *governance* inerente a queste grandi espressioni sia posta nella prospettiva dei diritti umani, e non viceversa i diritti nella prospettiva delle esigenze di questa o quella posizione di *governance*. Sono i diritti a dare fondamento alla *governance* e non viceversa, mentre accade che le istituzioni finanziarie e probabilmente le multinazionali preferiscano specifiche politiche di *governance* a politiche fondate sui diritti umani. "Organizzazioni quali il Fondo monetario internazionale sviluppano politiche in materia di *good governance*, ma non in materia di diritti umani".³ Occorre mutare il quadro, assegnando riconoscimento, il che comporta

³ Ph. Alston in Ph. Alston e A. Cassese, *Ripensare i diritti umani nel XXI secolo*, EGA, Torino 2004, p. 77.

ovviamente responsabilità e doveri, ai vari attori collocati al di fuori della schema statale. Si tratta di gettare un ponte tra il diritto internazionale economico (*lex mercatoria*) e norme dei diritti umani.

È saggio riconoscere i progressi compiuti nel campo dell'elaborazione normativa sui diritti, aggiungendo però che il nervo scoperto del sistema è rappresentato dal controllo internazionale sull'effettivo rispetto delle carte sui diritti, un campo in cui il monitoraggio non ha sinora dato risultati soddisfacenti. Uno dei motivi del risultato è che il "fronte della battaglia" è sin troppo vasto per cui l'efficacia del procedimento si indebolisce: in effetti le prospettive sui diritti nel XXI secolo sono alquanto preoccupanti e tangibile il rischio di nuove esplosioni di violenza a livello locale e internazionale.⁴ Forse la via da seguire sta nel concentrare l'attenzione su pochi diritti fondamentali (alla vita, a non essere torturato, al cibo, al lavoro, a non essere discriminato, ecc.), tali da poter anche essere soggetti ad efficaci meccanismi di supervisione, che prevedano la punizione dei devianti e, nei casi di gravi violazioni e atrocità su larga scala, il ricorso a tribunali penali internazionali e all'uso della forza. Dietro questa posizione sta l'assunto che i diritti umani siano ormai un *bonum commune humanitatis* da salvaguardare e promuovere, e tale da richiedere un meccanismo collettivo coercitivo per reagire a gravi violazioni dei diritti.

8. L'ANARCHIA DELL'ORDINE INTERNAZIONALE E LA MANCANZA DEL TERZO

La strada di far regredire l'unilateralismo e di far avanzare il multilateralismo è da perseguire con saggezza e perseveranza, ma è *insufficiente*: è solo l'abbozzo di una soluzione nel senso che in vari casi, specialmente di grande e decisiva importanza, non è adeguata all'ampiezza e portata dei problemi. E questo non solo perché non possiamo considerare lo Stato-nazione il punto d'arrivo dell'organizzazione politica della umanità. La questione del multilateralismo e di un governo globale multilivello, responsabile del bene comune planetario, pongono con nuova forza un tema che si è posto varie volte nel corso del pensiero politico moderno e con particolare vigore nella Dottrina sociale della Chiesa nel XX secolo: la questione di edificare una *società politica mondiale e correlativi livelli di autorità politica mondiale*. Preferisco quest'ultimo termine a quello forse più ambiguo di

⁴ Cfr. A. Cassese, "Ripensare i diritti umani. Quali prospettive per il nuovo secolo?", in Ph. Alston e A. Cassese, p. 84.

“governo mondiale”, verso cui il prof. Insulza mostra legittime perplessità, in specie verso la possibilità che un tale governo mondiale sia solo l’espressione di un’egemonia dei pochi sui molti e i deboli. Per quanto sempre più improbabile, l’idea di un super-Stato mondiale va allontanata, anche per l’effetto omologante e livellante che eserciterebbe sulle culture e comunità che devono mantenere le loro originalità.

Oltre al fatto che la cura degli scopi globali non trova sinora un’istanza politica sovraordinata e stabile, ma è affidata, quando lo è, a meccanismi bilaterali o multilaterali a composizione variabile e senza una prospettiva realmente universalistica, la strutturale insufficienza in cui versa il sistema internazionale si manifesta nella questione della pace dove manca un Terzo reale sopra le parti.

La pace internazionale non può essere assicurata finché Stati e nazioni cercano di vivere insieme senza un’autorità comune, la cui istituzione richiede il superamento della sovranità statale, che finora si è espressa in modo apicale nello *jus ad bellum*. La funzione più gelosa, il volto cupo della potenza, con cui essi hanno inteso la loro sovranità risiede appunto in tale diritto. Finché non sarà sottratto agli Stati questo tremendo diritto non vi sarà la pace internazionale intesa come assenza di guerra. Non si tratta certo di imporre questo processo dall’alto (chi vi riuscirebbe?), ma di raggiungerlo camminando insieme e arrivando a conferire alla società mondiale, riepilogata in un Onu molto diverso da quello di oggi, le quote di sovranità necessaria. Dico diverso, perché attualmente l’Onu registra le decisioni degli Stati e in specie di quelli più potenti: nessun vero superamento della sovranità è in realtà accaduto sulle cose più decisive. Nonostante questi limiti strutturali, l’esistenza di una Onu precaria è molto meglio che niente Onu.

Siamo lontani da forme di globalizzazione politica planetaria e di passaggio a poteri pubblici di pari livello garanti della pace e dei diritti umani, perché non esiste un “Terzo sopra le parti”. Per esprimerci col linguaggio di N. Bobbio, non è avvenuto “il passaggio del Terzo fra le parti al Terzo sopra le parti ... Per essere efficace nel dirimere i conflitti tra le parti, il Terzo deve disporre di un potere superiore alle parti. Ma nello stesso tempo un Terzo superiore alle parti per essere efficace senza essere oppressivo deve disporre di un potere democratico, ovvero fondato sul consenso e sul controllo delle stesse parti di cui deve dirimere i conflitti”. E più avanti conclude: “Esiste allo stato attuale delle parti in campo dei rapporti internazionali un Terzo? No, non esiste ... Manca l’unico Terzo che potrebbe far uscire definitivamente la società internazionale dallo stato polemico, il Terzo al di

sopra delle parti”.⁵ Nel momento in cui ci si ponga nella prospettiva della società politica mondiale, tale “Terzo al di sopra delle parti” non può essere pensato se non come un’ autorità politica planetaria.

9. LA QUESTIONE DELLA PACE E L’AUTORITÀ POLITICA MONDIALE

Il paradigma “hobbesiano” basato sulla sovranità, il ricorso alla forza, il potere, ritenuti capaci di generare unità, non funziona poiché non ci protegge dal male politico effettivo e dalla guerra di tutti contro tutti, per combattere e oltrepassare i quali era sorto all’inizio della modernità. Non pare funzionare neanche dal punto di vista della scuola del realismo politico, intesa come “la machiavelliana e hobbesiana consapevolezza che la dialettica di conflitto, rischio e protezione definisce nell’essenziale la natura funzionale della politica”,⁶ perché l’organizzazione del mondo in Stati non riesce ad offrire alcuna universale protezione e in tal modo fallisce il suo scopo. D’altra parte l’ottenimento della sicurezza, cuore centrale dell’idea di Stato Leviatano concepito da Hobbes, può essere raggiunta oggi in maniera reale solo se gli Stati si uniscono e mettono in comune risorse, tecnologia, intelligence, autorità. Il terrorismo internazionale e le “guerre asimmetriche” mostrano che essi non hanno più il monopolio della forza; neppure l’attuale superpotenza può fare da sola.

I fattori sinora richiamati fanno da corona alla domanda vitale: la guida *politica* globale che ci è necessaria deve muoversi entro un quadro di internazionalismo liberale che pone limiti al potere, o entro un quadro cosmopolitico che punta alla formazione di una società mondiale e alle corrispondenti autorità politiche? La differenza tra internazionalismo e cosmopolitismo o planetarismo consiste in un carattere strutturale: essere cioè pluralistica e al massimo confederale la struttura dell’autorità politica nel primo caso, disposta secondo sussidiarietà e federale nell’altro.⁷ E se vale la seconda alternativa, quale tipo di cosmopolitismo: quello kantiano esposto in *Per la pace perpetua. Progetto filosofico* (1795) o quello maritai-

⁵ N. Bobbio, *Il terzo assente*, ed. Sonda, Milano 1989, p. 8s, p. 217 e p. 223.

⁶ D. Zolo, *Cosmopolis. La prospettiva del governo mondiale*, Feltrinelli, Milano 1995, p. 105.

⁷ Secondo U. Beck l’approccio cosmopolitico significa che in un mondo di crisi globali e di pericoli generati dalla civiltà le vecchie distinzioni tra dentro e fuori, nazionale e internazionale, noi e gli altri perdono il loro carattere vincolante e che per sopravvivere vi è bisogno di un nuovo realismo politico, cfr. *Lo sguardo cosmopolita*, Carocci, Roma 2005.

niano di *L'uomo e lo Stato* (1951)?⁸ L'enciclica *Pacem in Terris* di Giovanni XXIII (11 aprile 1963) fornisce la risposta di cui vi è bisogno.

La globalizzazione politica e la Pacem in Terris. La globalizzazione politica venne introdotta e studiata con anticipo dalla *Pacem in Terris*. L'enciclica, sebbene non usasse i termini di *globalità* e di *globalizzazione*, divenuti di uso comune più tardi, guardava verso la famiglia umana, la sua globalità di natura e di destino, e chiedeva un'azione planetaria per la pace e i diritti ad opera di poteri pubblici globali in un processo di mondializzazione politica assolutamente necessario, di cui l'Onu è solo una tappa. Mentre la globalizzazione è un processo, la globalità indica un dato umano essenziale, ossia che tutti apparteniamo all'umanità, che l'umanità è di per sé globalizzata poiché tutti insieme formiamo lo stesso genere umano. Dobbiamo costruire attraverso un'intelligente globalizzazione quella globalità che siamo per dato di natura e di origine; e possiamo criticare certi aspetti dell'attuale processo di globalizzazione proprio a partire dalla globalità quale carattere originario dell'essere uomini, in ugual modo appartenenti all'umanità.

In proposito lo scopo politico supremo è la globalizzazione politica, ossia la costruzione di una società politica grande quanto il mondo, guidata da un'autorità politica di pari livello secondo le regole della giustizia, della solidarietà e della pace. È la strada cui guardano la Dottrina sociale della Chiesa (si pensi nel XX secolo al magistero di pontefici come Benedetto XV, Pio XII, Giovanni XXIII, Paolo VI, Giovanni Paolo II) e testi come *L'uomo e lo Stato* di Maritain. Una strada forse più compiuta di quella del globalismo giuridico neokantiano (Kelsen, Bobbio, Habermas). La prima linea assegna al diritto un notevole peso, ma ritiene che la leva fondamentale debba passare per il gioco reciproco di *autorità* e *bene comune*: si tratta di concetti vitali e decisivi per l'intera sfera politica, per quanto da tempo negletti e spesso totalmente assenti negli sviluppi scientifici che concernono l'obiettivo della globalizzazione e della pace mondiale, col risultato di recare un grave danno alle relative teorie, sino a raggiungere la condizione di un vero e proprio fallimento scientifico.⁹ Questa considerazione assume il massimo peso in

⁸ Un ampio confronto tra la linea kantiana e neokantiana (Kelsen, Habermas) della pace attraverso il diritto e quella della pace attraverso la politica (Maritain, Sturzo, *Pacem in Terris*) è svolto in V. Possenti, "Sovranità, pace, guerra. Considerazioni sul globalismo politico", *Teoria politica*, n. 1-2006, pp. 57-79.

⁹ Sui concetti di bene comune e di autorità cfr. V. Possenti, *Le società liberali al bivio. Lineamenti di filosofia della società*, Marietti, Genova 1991, e Id., *L'azione umana*, Città Nuova, Roma 2003.

rapporto al concetto cardinale dell'autorità (fra cui quella politica), congedato da tanto pensiero politico dell'ultimo mezzo secolo (ma la sua crisi è più antica) con una cedevolezza e inconsapevolezza che lasciano sgomenti.

Su quest'ultimo tema mi limito a segnalare che il compito primordiale e insostituibile dell'*auctoritas* e dell'*auctor* include il momento del "dare inizio" all'azione altrui, quello instauratore del *condere urbem*, quello dell'accrescere quanto è stato iniziato (segnalo che la radice di *auct-oritas* è la stessa del verbo *augeo*, *auct-um* che significa ac-crescere). In tal senso l'autorità è una funzione sociale onnipresente nella vita collettiva di qualsiasi ordine, di cui non possiamo fare a meno pena l'incomprensione di quanto vi accade. Appare perciò un atto inconsulto ignorarla o anche confonderla puramente e semplicemente col nudo potere di fatto, un'identificazione oggi molto diffusa. Ora il compito dell'autorità politica non è provvisorio, temporaneo e surrogabile, ma inerente e permanente, e una buona filosofia politica ha il dovere di prender coscienza di ciò.¹⁰

Non aderendo al segnalato oblio, la parte IV dell'enciclica *Pacem in Terris* ("Rapporti degli esseri umani e delle comunità politiche con la comunità mondiale") è in grado di propugnare con lucidità di analisi un nuovo ordine mondiale, richiesto dalla *strutturale insufficienza* delle autorità pubbliche oggi esistenti in rapporto ai loro compiti. Per intendere questi aspetti, dobbiamo analizzare i termini impiegati dall'enciclica per trasmettere l'idea di un'organizzazione soprastatuale del mondo, ossia di poteri pubblici aventi ampiezza, strutture e mezzi a dimensione mondiale, resa necessaria dall'esistenza di un bene comune universale e in special modo dalla sicurezza e dalla pace mondiale. Aggiungo che la prospettiva della *Pacem in Terris* è stata assunta e confermata dal Concilio tramite la *Gaudium et Spes*, e dai discorsi di Paolo VI e di Giovanni Paolo II all'Onu.

Rileggiamo i passaggi decisivi del testo. "I Poteri pubblici delle singole Comunità politiche, posti come sono su un piede di uguaglianza giuridica fra essi, per quanto moltiplichino i loro incontri e acuiscano la loro ingegnosità nell'elaborare nuovi strumenti giuridici, non sono più in grado di affrontare e risolvere gli accennati problemi adeguatamente; e ciò non tanto per mancanza di buona volontà o di iniziativa, ma *a motivo di una loro deficienza strutturale*. Si può dunque affermare che sul terreno storico è venuta meno la rispondenza fra l'attuale organizzazione e il rispettivo funzionamento del principio autoritario operante su piano mondiale e le esigenze obiettive del bene comune universale ... Il bene comune universale

¹⁰ Questi aspetti sono sviluppati nel saggio citato alla nota (8).

pone ora problemi a dimensioni mondiali che non possono essere adeguatamente affrontati e risolti che ad opera di Poteri pubblici aventi ampiezza, strutture e mezzi delle stesse proporzioni; di poteri pubblici cioè che siano in grado di operare in modo efficiente su piano mondiale. Lo stesso ordine morale quindi domanda che tali Poteri vengano istituiti” (§§ 134, 135, 137).

La linea di pensiero alla quale ci colleghiamo – secondo cui il bene comune della famiglia umana non può essere assicurato dalla attuale struttura del sistema internazionale, perché è venuta meno la proporzione fra livello planetario del bene comune e la forma dell’organizzazione politica del pianeta – non trascura il rilievo del criterio di sussidiarietà per la strutturazione a più livelli dell’autorità e per l’ottenimento dello scopo della pace e dell’interesse generale, sebbene tale principio non possa esser fatto valere sino al punto da escludere una autorità politica suprema, responsabile di alcuni fondamentali scopi globali, delle relative decisioni sistemiche e della pace. Neppure ritiene con i “realisti” che la funzione fondamentale e in certo modo unica del sistema politico e dell’ordinamento giuridico sia produrre sicurezza e minimizzare la paura. La visione non solo di una società *civile* globalizzata a livello economico e informatico, ma di una società *politica* mondiale è resa difficile dall’attuale esteso oblio dei due nuclei fondamentali del politico appena richiamati (autorità e bene comune), dimenticati in vari autori, a testimonianza che essi pensano la strada verso l’ordine mondiale quasi solo con le idee hobbesiane del potere supremo, del governo supremo, della forza suprema e del loro monopolio, oppure entro i migliori ma pur sempre insufficienti paradigmi dell’internazionalismo liberale.

Se non mi inganno D. Held procede oltre tali schemi per avvicinarsi al tema di un governo/autorità politica mondiale: “A lungo termine, la democrazia globale deve includere lo sviluppo sia di un’autorità politica indipendente, sia di una capacità amministrativa a livello regionale e globale. Tutto ciò di per sé non richiederebbe una diminuzione del potere e della capacità degli Stati in tutto il pianeta. Piuttosto mirerebbe a consolidare e sviluppare istituzioni politiche a livello regionale e globale come integrazione di quelle che operano a livello dello Stato. Questa concezione della politica si basa sul riconoscimento della persistente importanza degli Stati nazionali, pur sostenendo che le questioni di portata più ampia e più globale vanno affrontate ad altri stadi di *governance*”.¹¹ Alcune proposte avanzate per procedere in tale cammino riguardano referendum generali, una rete di forum democra-

¹¹ D. Held, *Governare la globalizzazione*, p. 147. In maniera ancora più esplicita osserva Cassese: “Vorrei sottolineare che è questo lo scoglio [l’essere cioè la comunità interna-

tici, l'idea di una nuova cittadinanza, non più basata sull'esclusiva appartenenza ad una comunità territoriale, ma su regole e principi generali.¹²

Alla domanda se la guida politica globale che è necessaria debba muoversi entro un quadro di internazionalismo liberale multilaterale che pone limiti al potere, oppure entro un quadro cosmopolitico con la graduale formazione di una società mondiale e dei corrispondenti livelli di decisione, la Dottrina sociale della Chiesa ha fatto intendere con sufficiente chiarezza che la *good governance* multilaterale debba sfociare in poteri pubblici mondiali. Aggiungo che il miglior pensiero politico conferma l'assunto.

zionale una comunità anarchica che non ha né corti, né parlamenti, né prigioni] contro il quale chi si occupa di relazioni internazionali si scontra continuamente. Finché gli Stati non limiteranno drasticamente la loro sovranità, finché non si riuscirà a creare un'autorità sovraordinata e centralizzata (ma operante secondo regole democratiche), non si potrà essere certi di assicurare un minimo di rispetto universale per la dignità umana", *I diritti umani oggi*, Laterza, Roma-Bari 2005, p. 233s.

¹² Dal lato dell'Onu occorre aumentarne la governance e la sua legittimazione democratica, forse istituendo una seconda assemblea dove siedano rappresentanze della società civile mondiale in formazione (Ong, Chiese, movimenti), e facendo rientrare nel sistema ONU gli organismi BM, FMI, WTO. Occorre passare ad una global governance basata su cooperazione e condivisione della "sovranità". Oggi la distribuzione del potere politico mondiale è in mani oligarchiche, il piccolo gruppo del G7 o G8. Questi gruppi pur perseguendo interessi fondamentali, sono privi di legittimazione democratica per investirsi di una global governance. Possono ragionare meglio in tali termini istituzioni che siano state scelte con meccanismi di elezione e controllo democratici.

LEGAL REGULATION OF THE USE OF FORCE BY STATES

KRZYSZTOF SKUBISZEWSKI

*Introduction**

1. Needless to say, the reason for the choice of the subject of the comments below is that the main topic – international justice and peace – is inextricably linked with prohibition and limitation of use of force by States. The social doctrine of the Church affirms that ‘the constitutive principles of the international community’, *inter alia*, exclude ‘recourse to violence and war’ and to ‘intimidation’,¹ while ‘[i]nternational law becomes the guarantor of international order’.² ‘The Magisterium recognizes the importance of national sovereignty’, yet it is far from treating it as ‘absolute’.³ Respect for the rule *pacta sunt servanda* is paramount in view of the ‘temptation to appeal to the *law of force* rather than to the *force of law*’.⁴ In this context the Church refers to the Charter of the United Nations and its ban on recourse to force and threat of force.⁵

Basic Rule

2. In this regard, the basic rule is to be found in Article 2, paragraph 4, of the Charter: *All Members shall refrain in their international relations from*

* Throughout these comments the term ‘force’ is employed as meaning armed force unless otherwise indicated.

¹ Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, Libreria Editrice Vaticana 2004 (hereafter: *Compendium*), paragraph 433.

² *Compendium*, paragraph 434.

³ *Compendium*, paragraph 435.

⁴ John Paul II, Message for the 2004 World Day of Peace, paragraph 5; *Compendium*, paragraph 437.

⁵ *Compendium*, paragraph 438.

the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations.

3. This regulation refers to 'the threat or use of force' instead of 'war' or 'resort to war'. Thus the Charter avoids the difficulties which arose under the Covenant of the League of Nations (1919) and the Treaty for the Renunciation of War (Briand-Kellogg Pact, 1928) in connection with the meaning of the term 'war'. The Charter clearly encompasses also the use of armed force short of war.

4. Article 2, paragraph 4, of the Charter, may now be said to constitute the law universally binding on States and not exclusively on the Members of the Organization. The principle contained in that Article has become a customary rule of international law. Numerous declarations by States, the interpretations which they adopt when problems regarding the use of force arise, and the explanations which they submit whenever accused of unlawful employment of force bear witness to the acceptance of the view that Article 2, paragraph 4, besides being part of the law of the United Nations, is a principle of the law that governs the relations of all States. This is also born out by the decisions of international courts and tribunals.

5. The fundamental question which constantly arises in State practice and which is studied by writers is whether Article 2, paragraph 4, embodies a general prohibition to take any initiative in the use of force. For the Charter does not speak of *any* use of force but such use as is made 'against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations'. In other words, can States resort to force if they do not aim at anybody's territorial integrity or political independence and do not otherwise violate the purposes of the United Nations? The problem has been discussed, *inter alia*, in connection with the Cuban crisis of 1962 and the 'quarantine' then introduced by the United States.

6. Let me briefly consider the foregoing issue. The first problem is self-defence and its limits.

Self-Defence

7. The notion of self-defence, also called legitimate defence, is, primarily, one of municipal law, in particular, criminal law. The Charter of the United Nations deals with self-defence in Article 51:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the

United Nations, until the Security Council has taken measures to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

8. The above provision has been interpreted in two ways.

9. According to the *first interpretation* the Charter left the content of the right of self-defence unimpaired. For the Charter refers to that right as 'inherent' (in the French version it even uses the expression 'natural right'). And the very wording of Article 51 that '[n]othing [...] shall impair [...] [that] right' shows that a change in the law has been neither intended nor brought about. In classical international law and in State practice, self-defence often has not been distinguished from action in self-preservation, self-help or necessity. Incidentally, are these notions still relevant? This question is answered in paragraphs 14-16 below.

10. Under that interpretation, the Charter only clarifies the legal position with respect to self-defence when an armed attack occurs. But Article 51 does not regulate, let alone restrict, the right of self-defence in situations other than the occurrence of such attack. Self-defence thus continues to remain a lawful means of protecting certain essential rights, and not only the right to be free from an armed attack. As soon as an essential right has been infringed, the wronged State can act in self-defence against the delinquent State. Consequently, certain international delicts justify action in self-defence even if those delicts do not involve force.⁶

11. The *second interpretation* takes the position that the Charter modified the customary right of self-defence. Some writers even uphold the view that the Charter provision simply expresses a change which that right had already undergone in the period between 1920 and 1945. The second interpretation appears to have the backing of the United Nations itself and of the majority of its Members and it is here submitted that that interpretation is in line with contemporary developments on the use of force by States.⁷ The enabling formula of Article 51, 'Nothing [...] shall

⁶ For support of that view see, e.g., D.W. Bowett, *Self-Defence in International Law*, Manchester University Press, 1958, in particular at p. 24.

⁷ I. Brownlie, *International Law and the Use of Force by States*, Clarendon Press, Oxford 1963.

impair the [...] right of [...] self-defence', cannot have, by itself, the effect of depriving Article 2, paragraph 4, of most of its significance⁸ and, in fact, opening the door to a return to past practices whereby States were the sole and final arbiters of whether force should be used. The principle of effectiveness stands in the way of attributing to Article 51 a meaning that would make Article 2, paragraph 4, – one of the principles of the United Nations – a rather hollow phrase.

12. It may be said, in connection with the second interpretation, that the Charter of the United Nations introduced a new approach to self-defence. While formerly self-defence served the protection of certain essential rights, though their list was never established in a way that would remove arbitrariness or vagueness, today self-defence offers protection 'against the illegal use of force, not against other violations of law'.⁹ Thus, the decisive factor becomes not the content of the right in question, and the measure or extent of its violation, but the form in which such violation takes place: that form must be an armed attack.

13. It remains to clarify the notion of collective self-defence because the Charter refers to it apart from individual self-defence. That notion goes further than the mere application, on a collective plane, of individual self-defence. This view finds support in the preparatory work on the Charter at the San Francisco conference in 1945 and, what is particularly important, in the subsequent practice of the Members of the United Nations. The lawfulness of their bilateral or multilateral mutual defence treaties could not be and was not questioned by the United Nations, international courts and tribunals or – barring some political propaganda arguments – State practice. Strictly speaking, one should refer here to collective defence or defence of another State rather than collective *self*-defence.

Use of Force in Self-Preservation, Self-Help or Necessity

14. Before a choice is made between the two interpretations of the law of self-defence it is convenient to mention some other categories of use of force by States which might be similar to self-defence or contain some ele-

⁸ H. Kelsen, *Recent Trends in the Law of the United Nations*, Stevens, London 1951, p. 918.

⁹ H. Kelsen, 'Collective Security and Collective Self-Defence under the Charter of the United Nations', *American Journal of International Law*, vol. 42, 1948, p. 783 at p. 784.

ments of it. They are self-preservation, self-protection, self-help and necessity. The history of international relations, including that of the nineteenth and twentieth centuries, abounds in examples of forcible action when those pleas were invoked. The practice of States which developed when war was still a lawful means of settlement does not allow for any clear-cut distinctions between these categories. They are used interchangeably in diplomatic language and, contrary to the developed systems of municipal, and particularly criminal law, no effort has been made to distinguish one category from the other or from each and self-defence.

15. In the past, various military actions were justified by the invocation of the said pleas. They consisted, *inter alia*, in full-scale invasions, occupation of the whole or part of foreign territory, destruction of foreign armed forces, fighting insurgents abroad or committing of other acts on foreign territory without the sovereign's authorization.

16. The answer appears to be that the United Nations Charter has eliminated the admissibility of forcible measures based *exclusively* on the above pleas as understood by the State concerned. In the *Corfu Channel* case between the United Kingdom and Albania the International Court of Justice said in the context of 'self-protection or self-help' that '[b]etween independent States, respect for territorial sovereignty is an essential foundation of international relations'.¹⁰ States seeking protection of their interests or rights are under a duty to submit to peaceful procedures of settlement. These procedures, no doubt, may prove, as they often do, lengthy, ineffective or inconclusive, and the State's interests may suffer before it receives satisfaction of one kind or another. But it remains the paramount interest of the international community that force is not used unilaterally, when States invoke such general reasons for their armed action as their preservation or protection and when the party at which such action is aimed has not yet attacked another State by force of arms or is not preparing an imminent attack. In fact, the latter possibility, *i.e.*, the lawfulness of pre-emptive action in self-defence, is what today remains of the past justification of the use of force by one country against another in self-preservation, self-help or necessity. It may also be added that recent experience, *e.g.*, the Iraq war, shows that use of force by individual States or groups thereof, rarely brings the desired fruits.

¹⁰ ICJ Reports, 1949, at p. 35.

Conclusion on Self-Defence

17. The conclusion is that a State may act in individual self-defence or in defence of another State only if an armed attack occurred or if a threatened attack is imminent or proximate, 'no other means would deflect it and the action is proportionate'.¹¹ As already indicated, the latter possibility is that of a pre-emptive action in self-defence.¹² Such action must be distinguished from preventive action (anticipating self-defence). Preventive action, when the threat is not imminent yet exists (e.g., acquisition, with allegedly hostile intent, of nuclear weapons¹³), is within the competence of the UN Security Council which then acts under Chapter VIII of the Charter (military action authorized by the Council is not the subject of the present comments).

The Magisterium and Self-Defence

18. It is submitted that the foregoing presentation of international law on self-defence conforms to the social doctrine of the Church. The Catechism of the Catholic Church lays down the traditional elements of the just war doctrine. 'The evaluation of these conditions for moral legitimacy belongs to the prudential judgment of those who have responsibility for the common good'.¹⁴ The Church states that 'the right to self-defence must respect "the traditional limits of *necessity* and *proportionality*"'. Referring to 'preventive war' the *Compendium of the Social Doctrine of the Church* speaks of the requirement of a 'clear proof that an attack is imminent'. What is meant here is pre-emptive rather than preventive action (see paragraph 17 above). For 'without clear proof' of such imminence '[i]nternational legitimacy for the use of armed force [...] can only be giv-

¹¹ *A More Secure World: Our Shared Responsibility*. Report of the High-level Panel on Threats, Challenges and Change (hereafter: Report), United Nations 2004, p. 63, paragraph 188.

¹² My earlier views on self-defence were more restrictive, *i.e.*, I did not regard pre-emptive action as constituting self-defence. I have found support for my earlier view in some practice of the UN Security Council. See, *inter alia*, Chapter 12 in M. Soerensen (ed.), *Manual of Public International Law*, Macmillan, London-Melbourne-Toronto and St. Martin's Press, New York 1968, pp. 767-768. On pre-emptive action in self-defence, see Yoram Dinstein, *War, Aggression and Self-Defence*, Fourth Edition, Cambridge University Press 2005, pp.187-192.

¹³ Report, paragraphs 188-190.

¹⁴ Paragraph 2309. See also *Compendium*, paragraph 500.

en by the decision of a competent body'; the latter term means the UN Security Council.¹⁵

Non-Intervention and Responsibility to Protect

19. The prohibition to refrain from the threat or use of force (Article 2, paragraph 4, of the UN Charter) covers armed intervention. Generally, with regard to intervention, the UN Charter sets down the following principle (Article 2, paragraph 7): *Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.*

From the outset, in its practice, the United Nations adopted an interpretation of that principle that did not prevent its organs to deal with various issues which specific States might have regarded or did regard as belonging to their 'domestic jurisdiction'. The very description of those matters as *essentially* belonging to the said jurisdiction is problematic and, in practice, rather meaningless. For what is or is not domestic or internal depends on the existing state of regulation by international law and is, thus, flexible and in constant flux. It does not depend on any immutable legal dogma. International regulation is becoming broader and deeper, especially with the inclusion of human rights and fundamental liberties into the scope and range of international law. Indeed, very rare are instances when the quoted principle stopped the United Nations from dealing with matters that traditionally constituted the internal sphere of the State.

20. In resolution 2131 (XX) of 21 December 1965, which embodies the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty, the UN General Assembly stated the law in the following terms (para. 1): *No state has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements are condemned.*

21. The prohibition of armed intervention as formulated by the above statement would apply equally to humanitarian intervention. This is inter-

¹⁵ *Compendium*, paragraph 501.

vention which used to be regarded as permissible when a State was guilty of cruelties against, and persecution of, its nationals or foreign nationals residing in its territory. Before the First World War, European powers resorted to humanitarian intervention in their relations with the Ottoman Empire and certain non-European States. As a tool of policy in the hands of individual states, and particularly the great powers, humanitarian intervention frequently led to abuses. For often the intervening party did not restrict its activity only to prevent the State guilty of carrying out inhuman policies to continue, but also fostered its own interests. Under the law of the UN Charter and decolonization humanitarian intervention might be held to have fallen into desuetude¹⁶ because it was disregarded in practice. When there was an attempt to resort to it, by Belgium in the Congo crisis in 1960, the United Nations did not recognize the existence, in this incident, of a right by an individual State to intervene for humanitarian reasons. On the other hand, the Security Council decisions on the Congo crisis support the view that there is room for collective intervention on behalf of the United Nations when internal disorders in a State assume the proportions of a threat to international peace and security.

22. Yet, when at the end of the twentieth and the beginning of the twenty first centuries several large-scale humanitarian disasters occurred, they gave the law a new turn. They took place, e.g., in Somalia, Bosnia and Herzegovina, Rwanda, and Sudan (Darfur). These tragic facts influenced the development, interpretation and implementation of law: the prohibition of intervention could not apply to genocide or comparable activities. In such situations there is an international responsibility to protect and if, for whatever reason, there is no collective exercise of that responsibility by the United Nations, individual States or groups thereof can act within the limits of what is absolutely necessary to save human lives and health, when other measures have failed. International humanitarian law must be vindicated.

23. The Church speaks in the same vein. 'In modern conflicts, which are often within a State, *the precepts of international humanitarian law must be fully respected*'.¹⁷ Referring to attempts to eliminate entire national, ethnic, religious or linguistic groups, the Church emphasizes

¹⁶ The use of this term implies that humanitarian intervention was based on law, and not only on practice of the great powers. But that was a debatable point.

¹⁷ *Compendium*, paragraph 504.

that States, as members of the international community, 'cannot remain indifferent; on the contrary, if all other available means should prove ineffective, it is "legitimate and even obligatory to take concrete measures to disarm the aggressor"'. "The principle of national sovereignty cannot be claimed as a motive for preventing an intervention in defence of innocent victims".¹⁸

Historical Background

24. It may be added that contemporary social doctrine of the Church relating to the enhancement of peace and the exclusion or limitation of recourse to war has been built on a long tradition of Christianity. The concept of just war (*bellum justum*), which had its beginnings in the law of ancient Rome and the writings of Marcus Tullius Cicero, had been part of the law of the Church, including the Decretum Gratiani. Primarily, however, it has been developed first by St. Ambrosius and St. Augustine, then by scholastic theologians, especially St. Thomas Aquinas and the authors of various *Summae Casuum* (among them the work of Raymond de Penafort, the *Summa Raymundi*). Nor should one pass over in silence the contribution by Paulus Vladimiri and his briefs prepared for the purpose of some of the papal arbitrations.¹⁹ Finally, there are the treatises of the immediate precursors of Hugo Grotius: first of all Franciscus de Vitoria and Franciscus Suarez, also Albericus Gentilis, and other authors, e.g., M. Azpilcueta (Navarrus), Fernandus Vasquius and Covarruvias.²⁰

25. In positive law (as summarized in paragraphs 2-17 and 19-22 above) a more convenient term seems to be now *bellum legale* instead of *bellum justum*.²¹ It is a question of emphasis and distinction, not of contradiction. For if one assumes (as, in the present context, one has to) that 'the same moral law that governs the life of men must also regulate relations among States',²² the term *bellum justum* retains its validity.

¹⁸ *Compendium*, paragraph 506.

¹⁹ L. Ehrlich edited those briefs, Pax Publishers, Warsaw. See also Belch's book on the subject.

²⁰ For a review and analysis, see D. Beaufort, *La guerre comme instrument de secours ou de punition*, M. Nijhoff, La Haye 1933.

²¹ J.L. Kunz, 'Bellum Justum and Bellum Legale', *American Journal of International Law*, vol. 45, 1951, p. 528; Dinstein, *op. cit.*, p. 68.

²² *Compendium*, paragraph 436.

Natural Law

26. This is particularly so in view of the significance of the concept of natural law for the origins of modern international law and for its operation today. That concept is part and parcel of the Church's social doctrine. Professor Herbert Schambeck recalls it in his paper and so do other contributors to the present Session of the Academy, including Professor Juan José Llach. According to Saint Thomas Aquinas natural law 'is nothing other than the light of intellect infused within us by God. Thanks to this, we know what must be done and what must be avoided.'²³ The Church's social doctrine points out that reason that promulgates natural law 'is proper to human nature'; 'it extends to all people insofar as it is established by reason. In its principal precepts, the divine and natural law is presented in the Decalogue and indicates the primary and essential norms regulating moral life.' '[N]atural moral law, of a universal character, [...] precedes and unites all rights and duties.' The essential point for human rights is that 'natural law expresses the dignity of the person'.²⁴ And this dignity 'is perceived and understood first of all by reason'.²⁵

27. Positive law must conform to natural law²⁶ – a basic principle accepted by the founding fathers of the science of international law in Europe between XVI and XVIII centuries, not to speak of earlier Church writers like Saint Augustine, Saint Isidor of Sevilla and Saint Thomas Aquinas.²⁷ The consequences of that principle are clear; one of them is that any political authority 'must enact just laws, that is, laws that correspond to the dignity of the human person and to what is required by right reason'.²⁸ What partakes in the unchangeable character of natural law is not subject to any derogation.²⁹

28. Professor Schambeck refers to one of the concerns Pope Benedict XVI expressed still before His election, namely the 'dictatorship of relativism' and the dominating role of positivism, also in the sphere of law. To

²³ Quoted in paragraph 140 of the *Compendium*.

²⁴ *Ibid.*, paragraph 140.

²⁵ *Ibid.*, paragraph 153.

²⁶ *Ibid.*, paragraph 224.

²⁷ See the present paper, paragraph 24 above.

²⁸ *Compendium*, paragraph 398.

²⁹ The 'principles of natural law' are 'unchangeable', *ibid.*, paragraph 53. Cf. also paragraph 37.

some extent the latter danger exists equally with regard to international law. On the other hand, it is difficult to imagine the functioning of international law without the support of natural law. The basic principles of international law flow from the commands of natural law. Paraphrasing Professor Schambeck, one may say that the purposes and aims of international law reach beyond pure positivism because they take natural law into account.

Some other issues

29. The Rapporteur, Dr José Miguel Insulza, has devoted the larger part of his paper to the problems of Latin America seen from the perspective of solidarity, justice and global cooperation. But first he has dealt with what he describes as paradoxes of our times and the limits of the international system that result from these paradoxes. The problem is not new.

30. Let me recall the interwar years. The Covenant of the League of Nations (1919) provided for a partial prohibition of war, i.e., it permitted recourse to war in some circumstances and situations. The gaps that existed in this respect under the Covenant were to be closed by the Geneva Protocol for the Pacific Settlement of International Disputes (1924). It established the concept of an international triad of security, arbitration and disarmament. When that Protocol failed to enter into force, its function was taken over by two other instruments. First, the General Treaty for the Renunciation of War (1928),³⁰ also known as the Briand-Kellogg Pact or Pact of Paris, which prohibited all wars though it maintained the right of States to go to war against a State that violated the Treaty. Second, in the same year, States concluded the General Act for the Pacific Settlement of International Disputes (usually referred to as General Act of Geneva; in 1949 it was revived, without much success, by the United Nations). The particular feature of the General Act was its complete and full system of dispute settlement. Since under the Briand-Kellogg Pact States excluded 'recourse to war for the solution of international controversies' and renounced it 'as an instrument of national policy in their relation with one another' (Article I), there automatically arose the issue of a complete system of peaceful settlement of disputes, i.e., one which would introduce the obligation of such settlement for any inter-State conflict, including conflicts

³⁰ I have already referred to that Treaty (and to the League of Nations Covenant) in another context, see paragraph 3 above.

of a political nature.³¹ Here the General Act of Geneva was to provide a solution: if a political dispute could not be resolved by other means (e.g., conciliation), it had to be submitted to arbitration. This was a novelty, for arbitration is a means for settling legal (juridical) disputes, not political ones; hence the name neoarbitration (*néo-arbitrage*). It may be added that a similar method was adopted in the European Convention for the Peaceful Settlement of Disputes (1957).

31. There is room for the view that, today, the triad of security, arbitration and disarmament continues to be relevant. It must be supplemented and enriched by measures that would protect human dignity, a key element in the social doctrine of the Church.

32. Here we encounter the issue of justice and peace to which, in the Encyclical *Deus Caritas Est*, Pope Benedict XVI attributes primary importance. It should be noted that peace is more than mere absence of war and, therefore, it cannot be adequately defined by reference to war alone. Peace consists in positive values and one of them is justice. According to the said Encyclical, justice 'is both the aim and the intrinsic criterion of all politics'. Justice introduces the element of ethics into any order,³² including the international one.

33. The Magisterium emphasizes that justice is one of the 'fundamental values' of social life.³³ It distinguishes various 'forms of justice', one of them being 'legal justice'. 'Even greater importance has been given to *social justice*, which represents a real development in *general justice*, the justice that regulates social relationships according to the criterion of observance of the *law*'.³⁴

34. In his paper Professor Philip Allott mentions 'countless subordinate forms' of justice among which there are 'social justice, the justice embodied in positive law, the justice of the application and enforcement of the law'. 'But the ultimate validity of the law', he says, rests 'on the paradigm of order present in the human mind'. And he quotes Charles de Montesquieu that '[b]efore laws were made, there were relations of possible justice'.³⁵ Professor Allott observes that 'the search for international society's highest values' includes 'the ideal of all ideals whose traditional name is "justice"'.³⁶

³¹ While legal disputes would be submitted to the Permanent Court of International Justice – now International Court of Justice at The Hague.

³² *Deus Caritas Est*, n. 28.

³³ *Compendium*, paragraph 197.

³⁴ *Ibid.*, paragraph 201.

³⁵ Paragraph 26 of Allott's paper.

³⁶ See statement D preceding paragraph 19 of his paper.

35. One may note a certain convergence between, on the one hand, Professor Allott's views on the relationship of justice and law and, on the other, the Church's social doctrine. That doctrine points out that '[j]ustice, in fact, is not merely a simple human convention, because what is "just" is not first determined by the law but by the profound identity of the human being'. *'The full truth about man makes it possible [...] to open up also for justice the new horizon of solidarity and love'*. For one can 'move beyond a contractualistic vision of justice, which is a reductionist vision'.³⁷ As Archbishop Roland Minnerath put it, justice is guaranteeing *suum cuique*, but it requires constant refuelling by charity.³⁸

36. In paragraph 1.4 of the General Introduction to the topic of the Session Professor Llach notes that it is possible to speak of the beginnings of 'the embryo of worldwide governance' which reveals itself, *inter alia*, in 'the establishment of worldwide judiciary systems'; he gives the example of the International Criminal Court. The importance of that Court has also been emphasized by Professor Vittorio Possenti.³⁹ It is true that this body constitutes the first permanent court of its kind. Its predecessors had or have jurisdiction over persons linked to a specific country and events and, consequently, they were or are temporary: the International Military Tribunals at Nuremberg (1945-1946) and Tokyo (1946-1948) or the International Criminal Tribunals for the Former Yugoslavia (1993 -) and Rwanda (1994 -). Other *ad hoc* tribunals have been envisaged or are already established for particular crimes committed in specific countries, e.g., the Special Court for Sierra Leone. On the other hand, the draft agreement of 2003 provided for the Khmer Rouge tribunal within the judicial system of Cambodia; in this tribunal Cambodian judges would outnumber the international judges.

37. However, permanent international criminal jurisdiction is and will for some time remain in its initial stage. When discussing the administration of international justice in terms of a 'system' one bears in mind also that administration's other forms. The oldest one is arbitration; recently it experienced a revival. Then there is the International Court of Justice at The Hague whose docket is now more than full (in contradistinction to not so distant a past). Last but not least one should recall the activity of various regional courts that decide cases relating to human rights and fundamen-

³⁷ *Compendium*, paragraph 202.

³⁸ See last paragraph of his comment.

³⁹ See his paper 'International Justice, International Law and World Peace'.

tal freedoms. Proliferation of international judicial bodies is today a fact. But do they already constitute a 'system'?

38. I agree with Professor Possenti that international law is becoming or has already become a law of peace; its origin was that of law of war and peace. The concept of international law as a law of peace is particularly strong in the social doctrine of the Church. Yet armed conflicts continue to be, regrettably, part of contemporary international life. For that reason it is more than important that rules on the conduct of hostilities and especially the humanitarian law of armed conflict, i.e., law on the protection of the victims of war, should be applied, implemented and respected once an armed conflict has broken out (*ius in bello*). What is equally important is the application of at least the basic rules of humanitarian law to internal conflicts.

39. Professors Llach and Possenti refer, among other things, to the reform of the United Nations. That is a large subject. I limit myself to drawing the attention of the Academy to a text prepared under the auspices of the United Nations in 2004 entitled '*A More Secure World: Our Shared Responsibility*. Report of the High-level Panel on Threats, Challenges and Change'.⁴⁰ In my view the reform of the United Nations consists not so much in the revision of the Charter – practically, that is an impossible task – as in finding solutions through its interpretation. One may here quote the French jurist Guy de Lacharrière, who, discussing the problem of changes in the United Nations, rightly asked: 'Would not the application of the Charter be the most important reform?'.⁴¹

For a brief summary of the U.S. doctrine on the use of force after 11 September 2001, see my comment during the Ninth Plenary Session of the Academy in 2003. *The Governance of Globalisation*, Vatican City 2004, p. 131, at pp. 133 and 135-136, paragraphs 8 and 12.

⁴⁰ See Note 11 above.

⁴¹ D. Bardonnnet (ed.), *The Adaptation of Structures and Methods at the United Nations*, Nijhoff, Dordrecht 1986, p. 401.

SESSION VIII

ROUND TABLE

INTERRELIGIOUS DIALOGUE AND WORLD PEACE

WALTER KASPER

1. The encyclical of Pope Benedict XVI *Deus caritas est* (2005) does not mention the interreligious dialogue in a direct and explicit way. Only in paragraph 27 do we find an implicit allusion to this issue. Here the Pope speaks about 'today's complex situation, not least because of the growth of a globalized economy' and adds that in this situation the guidelines of the Church's social doctrine 'need to be addressed in the context of dialogue with all those seriously concerned for humanity and for the world in which we live'.

This affirmation corresponds to what is taught in the Declaration *Nosstra aetate* of the Second Vatican Council 'On the Relations of the Church to Non-Christian Religions'. The Council urges its members 'to enter with prudence and charity into discussion and collaboration with members of other religions' in order 'to acknowledge, preserve and encourage the spiritual and moral truths found among non-Christians, also their social life and culture' (*NAe* 2).

Interreligious dialogue means therefore not only *theological exchange*, where specialists seek to deepen their understanding of their respective religious heritages, and to appreciate each other's spiritual values, but as the document *Dialogue and Proclamation* of the Pontifical Council for Interreligious Dialogue (1991) states, dialogue exists also as '*dialogue of life*, where people strive to live in an open and neighbourly spirit, sharing their joys and sorrows, their human problems and preoccupations', as '*dialogue of action*, in which Christians and others collaborate for the integral development and liberation of people', and as '*dialogue of religious experience*, where persons, rooted in their own religious traditions, share their spiritual riches, for instance with regard to prayer and contemplation, faith and ways of searching for God or the Absolute' (n. 42).

Without doubt peace is the first among the preoccupations and desires of all people, and it is at the same time in one way or another an ideal, a goal and a hope of all religions and therefore the primary goal towards

which interreligious dialogue strives. According to Jewish and Christian understanding peace (*shalom*) is God's fundamental promise and blessing; at the end of the times God will gather all nations in a realm of universal peace. In a similar way for Muslims surrender (*islam*) to God implies peace (*salam*). Hindus and Buddhists seek to reach peace by mediation and regard non-violence as an ideal.

2. Nevertheless, interreligious relations have been in the past and unfortunately are often still today characterized by violence and religiously motivated conflicts and wars. Today particularly the exclusive claims of monotheistic religions are often blamed for violence and even for terrorism. Justifiably, it has been said: 'There cannot be peace among nations without peace among religions' (H. Küng).

Still today in order to reach this aim we have to overcome many obstacles. On the one hand, there is insufficient grounding in one's own faith; on the other, there is insufficient knowledge and understanding of the beliefs and practices of other religions, leading to a lack of appreciation for their significance and even at times to misrepresentation. As well, there are socio-political factors and burdens of the past; – wrong understanding of the meaning of terms such as conversion, baptism, dialogue, etc.; – self-sufficiency, lack of openness leading to defensive or aggressive attitudes; – lack of conviction with regard to the value of interreligious dialogue, which some may see as a task reserved to specialists, and others as a sign of weakness or even a betrayal of the faith; – suspicion about the other's motives in dialogue; – a polemical spirit when expressing religious convictions; – intolerance, which is often aggravated by association with political, economic, racial and ethnic factors; – a lack of reciprocity in dialogue which can lead to frustration; – certain features of the present religious climate, e.g., growing materialism, religious indifference, and the multiplication of religious sects which creates confusion and raises new problems (cf. *Dialogue and Proclamation*, n. 52).

Although through dialogue we confront and struggle in order to overcome these obstacles, we should not be naïve. In this world truth will be always in conflict with the powers of untruth, and truth can be attained only in a struggle with untruth; in a similar way peace built on justice must conquer and overcome injustice, hatred and violence. Thus Jesus did not at all promise us a harmonious future of an always peaceful dialogue. Nevertheless he taught his disciples in the Sermon on the Mount not to retaliate (*Mt* 5:21ff; 38ff) but 'to speak and to do truth in love' (*Eph* 4:15).

In this sense the Second Vatican Council in its 'Declaration on Religious Liberty' *Dignitatis humanae* stressed that the search for truth, the obliga-

tion to embrace truth and to give witness of truth can never be realized by violence. It proclaimed 'that these obligations bind in man's conscience. Truth can impose itself on the mind only in virtue of its own truth, which wins over the mind with both gentleness and power' (*DH* 1). Along this line Pope Benedict in his Regensburg lecture highlighted that Christian faith is bonded not with violence but with reason.

3. Often the question arises as to how interreligious dialogue and missionary proclamation relate. This question is too complex for me to discuss in this context in a sufficient and satisfactory way. The above-mentioned document on *Dialogue and Proclamation* gives many valuable hints for an answer.

The encyclical *Deus caritas est* deepens the question by deepening the concept of dialogue, which surpasses mere information and is witness and expression of self-giving and self-communicating love. For this reason the Pope is very clear when he states that dialogue as the expression of love does not mean what nowadays is considered to be proselytism. 'Love is free; it is not practised as a way of achieving other end'. Then the Pope goes on with the following marvellous words: 'Those who practise charity in the Church's name will never seek to impose the Church's faith upon others. They realize that a pure and generous love is the best witness to the God in whom we believe and by whom we are driven to love. A Christian knows when it is time to speak of God and when it is better to say nothing and to let love alone speak... It is the responsibility of the Church's charitable organizations to reinforce this awareness in their members, so that by their activity – as well as their words, their silence, their example – they may be credible witnesses to Christ' (n. 31c).

Love, which does not substitute but encourages, inspires and surpasses justice (cf. *Deus caritas est*, 28b), is also the power which promotes peace. In this sense peace presupposes dialogue and dialogue is the only possible alternative to a 'clash of civilisations' (S.P. Huntington). What we want is not a clash of civilisations but a dialogue of civilisations and religions as the way to and instrument of peace.

4. With regard to Muslims the Second Vatican Council pleaded 'to forget the past' and urged 'that a sincere effort be made to achieve mutual understanding'. The Council added: 'For the benefit of all men, let them together preserve and promote peace, liberty, social justice and moral values' (*NAe* 3). I guess that on this issue both Their Beatitudes here present, who live and work in a Muslim context, will be able to speak more extensively.

As President of the *Pontifical Commission for Religious Relations with the Jews* in what follows I would like to be more explicit with regard to the Jew-

ish-Christian dialogue. In this regard, after a difficult and complex history, the fourth chapter of *Nostra aetate* signifies a remarkable shift, a shift not only in practical attitudes, especially in the condemnation of every form of anti-Semitism, but also a shift in some traditional principles, among which especially the axiom that there is right only for truth but not for error. The Council shifted from this abstract position to a more concrete and personalistic one, which fully corresponds to genuine Thomism. The new but traditionally founded principle affirms that truth is primarily in the subject. Consequently, the Council's position was that even the subject who errs has rights and deserves not only tolerance but respect. The respect for Jews, which the Council called for, is therefore first of all a human rights question.

But the relations with Jews go much deeper. The Council reminds us that Christians and Jews belong to the same stock of Abraham and that by God's fidelity the covenant with the Jewish people has never been withdrawn. According to Saint Paul the wild olive branch of the Church of the Gentiles has been grafted into the good olive tree of Judaism, from which it is sustained and nourished (cf. *Rom* 11:17-24). Thus the relations between Jews and Christians are unique and without parallel with respect to other non-Christian religions. 'The Church believes that Christ who is our peace has through his cross reconciled Jews and Gentile and made them one in himself' (*Eph* 2:14-16).

While the post-conciliar Jewish-Christian dialogue has certainly not always been easy, on the basis of these revolutionary affirmations it has become increasingly more fruitful. Since then, the dialogue has shifted from an historical perspective and from merely theological reflections to modern challenges and concerns and to our common duties with regard to our shared future and the future of all mankind. We have become more and more aware of God's promise to Abraham, our common father in faith, that he will be a blessing for all nations. Christians and Jews see therefore their common obligation to work together for justice and peace.

Our international meeting in Buenos Aires in July 2004 was on the theme: 'Justice and Charity'. At that time, we initiated a common program for needy children. At our last meeting in Cape Town in November 2006 we planned a program against the HIV/AIDS pandemic in South Africa. In 2002 we began a very fruitful dialogue between the Holy See and the Chief Rabbinate in Jerusalem. At present we are reflecting whether, in which way and to what degree we could widen our dialogue to a so-called 'trialogue' which involves also Muslims. So, to work for shalom/peace is for us not a void and empty theory but a concrete obligation for the good of all mankind.

SECULARISM, FAITH AND FREEDOM*

ROWAN WILLIAMS

Most people who would call themselves secularists would probably defend their position with reference to certain ideals of freedom and equality in society. They are opposing, they say, any kind of theocracy, any privilege given to an authority that is not accountable to ordinary processes of reasoning and evidence. A secular society is one in which it is possible to have fair and open argument about how common life should be run because everyone argues on the same basis; the ideal of secularity means that there is such a thing as 'public reason'. Argument that arises from specific commitments of a religious or ideological nature has to be ruled out of court. If arguments of that kind are admitted, there is a threat to freedom because assertions are being made which are supposed to be beyond challenge and critique. Behind all this lies the strong Enlightenment conviction that authority that depends on revelation must always be contested and denied any leverage in the public sphere.

It is a powerful set of presuppositions, whose effects may be read in the work of politicians and columnists and public intellectuals across Europe and North America. It is often allied with some version of the distinction proposed by Isaiah Berlin between 'negative' and 'positive' liberty – negative liberty being what you have in a society where government allows a maximal level of individual choice and does not seek to prescribe moral priorities, and positive liberty being the situation arising in a society where government sees itself as having a mission to promote one or another ideal of emancipation – as having a specific agenda. The true liberal, as opposed to the 'romantic', must be committed to negative liberty. The pursuit of posi-

* The author has authorised us to publish here his paper given at the Casina Pio IV on 23 November 2006, since he had originally been invited to take part in the session on ecumenism of the meeting, the proceedings of which are published in this book.

tive liberty leads to ideological tyranny, to the closing-down of argument and the ironing-out of plurality.

This is a distinction that has entrenched itself pretty firmly in some kinds of political discourse, and the suspicion of positive – ‘romantic’ – liberty is a good deal stronger than when Berlin delivered his celebrated lecture on the subject in 1958. It fits well with the assumption that a ‘secular’ perspective is the default position for a liberal and intelligent society. The sort of liberal analysis I have been sketching insists that government has no alternative but to take people’s accounts of what they want at face value and work to enable them to be realised without interference, simply guaranteeing that individuals and groups do not harm each other in the process. As Michael Ignatieff writes in his biography of Isaiah Berlin,¹ ‘a liberal does not believe in a hierarchy of inner selves (higher, lower, true, false) or believe that there can ever be a political solution to the experience of inner human division’. In a climate where the ‘end of history’ is proclaimed with the same enthusiasm with which the ‘end of ideology’ was once greeted, there is bound to be a certain wariness about the suggestion that basic critical questions still need to be asked concerning human capacity or destiny as such, or that there is some serious difference between what people claim to want and what is in their true interest.

I shall be arguing that ‘secular’ freedom is not enough; that this account of the liberal society dangerously simplifies the notion of freedom and ends up diminishing our understanding of the human person. The tempting idea that there is always an adequate definition of what everyone will recognise as public and reasonable argument needs to be looked at hard, not in order to re-establish the dominance of some unchallengeable ruling discourse, religious or ideological, but to focus the question of how a society deals with the actual variety and potential collision of understandings of what is properly human. A debate about, for example, the status of the embryo in relation to genetic research, or the legalisation of assisted dying, or the legal support given to marriage will inevitably bring into play arguments that are not restricted to pragmatic assessments of individual or group benefit. While there can be no assumption that a government will or should *assume* that such arguments must be followed, there must equally be no assumption that these arguments may not be heard and weighed, that an issue has to be decided solely on arguments that can be owned by no particular group.

¹ *Isaiah Berlin: a Life* (London, 1998), p. 226.

This suggests that political freedom is more complex than the licence to pursue a set of individual or group projects with minimal interference. It also needs to be the freedom to ask some fundamental questions about the climate and direction of a society as shown in its policy decisions, to raise in the public sphere concerns about those issues that are irreducibly to do with collaboration, the goods that are necessarily *common*. For example what makes a good educational system for a nation is not a matter best left to the private agenda of an one any person or group. Likewise, our environmental crisis is perhaps the most dramatic instance of a challenge we cannot manage on the basis of individualism or even with the existing mechanisms of merely national policy-making. The state cannot just produce answers to such questions on the grounds of defending Berlin's 'negative liberty'. Nor can this answer the question of how the personal liberties of those who cannot exercise what we should normally think of as reasoned consumer choice of the sort we take for granted – the unborn, the disabled, prisoners – can be securely grounded in a philosophy oriented towards negative liberty. A debate that addressed all these concerns at the needed depth would have to draw in larger considerations. A political freedom that was extended to non-choosers or non-consumers, and that included the freedom to push foundational questions about our relation to the rising generation or to the material environment, could not, I believe, be adequately rooted in a view that defined the legitimacy of a state primarily in terms of its ability to defend maximal individual choice.

There is of course, *pace* Michael Ignatieff, a genuine question about how what people say they want, or who people say they are, is manipulated and largely determined by different kinds of economic and political power. With all the necessary cautions one would want to enter against espousing a simplistic view of political emancipation – Berlin clearly has in mind the crassness of Marxist-Leninism as practised in the old Soviet Union – there are surely issues around the questioning and criticism of certain modes of social and economic control without which 'liberal' society becomes as static and corrupt as old-style state socialism. Political freedom must involve the possibility of questioning the way things are administered – not simply in the name of self-interest (as if the sole ground for a legitimate government were its ability to meet consumer wants) but in the name of some broader vision of what political humanity looks like, a vision of optimal exchange and mutual calling to account and challenging between persons, through which each one developed more fully their ability to act meaningfully or constructively. This is a good deal more than the liberty to

pursue a private agenda, limited only by the rather vague prohibition on harm to others (always difficult to pin down). And, to take another theme that some have argued to be basic for the understanding of liberalism, it is more than the liberty of a detached individual to 'redescribe' the world in art, imagination and philosophy. Liberty is more than consumer choice; and it is also more than irony. The British Marxist philosopher, Roy Bhaskar, in a detailed critique of the liberal constructivism of Richard Rorty, notes that once we have identified the sources of injustice or cruelty or social stagnation, once we have formulated a language in which to think about them, we are bound to be involved, like it or not, in an incipient process of *public* change – 'action rationally directed to transforming, dissolving or disconnecting the structures and relations which explain the experience of injustice'.² Shifts in language and explanation that arise in the wake of critical understanding are bound to make different kinds of action and therefore different kinds of decision possible. Not to act in the public sphere in consequence of such new possibilities is to make an active choice for stagnation. If ironic redescription is no more than words it is not really ironic at all; it remains dependent on the systems and power-relations it claims to challenge.

But of course to speak of a 'vision' of proper exchange and mutuality is to raise the question that obviously worried Berlin. How do we avoid a prescriptive approach, an imposition of one version of what human integrity or flourishing means? This anxiety is one of the driving forces of what I shall call *programmatically* secularism. This assumes (to pick up again the points made briefly at the beginning of this lecture) that any religious or ideological system demanding a hearing in the public sphere is aiming to seize control of the political realm and to override and nullify opposing convictions. It finds specific views of the human good outside a minimal account of material security and relative social stability unsettling, and concludes that they need to be relegated to the purely private sphere. It assumes that the public expression of specific conviction is automatically offensive to people of other (or no) conviction. Thus public support or subsidy directed towards any particular group is a collusion with elements that subvert the harmony of society overall.

These are the anxieties that have been very vocally shared in the UK over recent weeks and months, and they will be familiar from elsewhere in

² *Philosophy and the Idea of Freedom* (Oxford, 1991), p. 72.

Europe. At a time of widespread concern about social disruption and worse, it is perhaps inevitable that there should be some anxiety about visible signs of difference. Yet the implication of this secularist rhetoric is complex and deeply problematic. By defining ideological and religious difference as if they were simply issues about individual preference, almost of private 'style', this discourse effectively denies the seriousness of difference itself. Every specific conviction, it seems, *must* be considered as if it were individually chosen for reasons that are bound to be out of the reach of any sort of public argument. This account suggests that public reasoning is purely instrumental; it is what goes on in the public sphere simply to test more and less administratively successful methods of continuing the provision of undisturbed public order. In other words there is nothing fundamental to argue about in public. The problem is not only – as Pope Benedict has suggested – that we have lost confidence in reason and its universality; it is also that reason's territory has shrunk. Because there is no tribunal to adjudicate arguments between basic commitments about God, humanity and the universe, it is assumed that there is therefore no exchange possible between them, no work of understanding and discernment, no mapping of where common commitments start and stop. On this account there is public reason and there is private prejudice, and thus no way of negotiating or reasonably exploring real difference.

If programmatic secularism leads us to this point it threatens to end up in political bankruptcy. This is why I want to press the distinction between 'programmatic secularism' and what some have called '*procedural* secularism'. It is the distinction between the empty public square of a merely instrumental liberalism, which allows maximal private licence, and a crowded and argumentative public square which acknowledges the authority of a legal mediator or broker whose job it is to balance and manage real difference. The empty public square of programmatic secularism implies in effect that the almost value-free atmosphere of public neutrality and the public invisibility of specific commitments is enough to provide sustainable moral energy for a properly self-critical society. But it is not at all self-evident that people can so readily detach their perspectives and policies in social or political discussion from fundamental convictions that are not allowed to be mentioned or manifested in public.

The alternative is a situation in which, for example, religious convictions are granted a public hearing in debate; not necessarily one in which they are privileged or regarded as beyond criticism, but one in which they are attended to as representing the considered moral foundation of the

choices and priorities of citizens. This is potentially a noisier and untidier situation than one where everyone agrees what will and will not 'count' as an intervention in public debate; but at least it does not seek to conceal or deny difference. And what makes this more than a free-for-all where the loudest voice wins the right to impose views is the shared recognition of *law*, that system of determining the limits of any individual's or group's freedom which represents the agreement in principle of all groups in a society to renounce violent struggle or assertion because of a basic trust that all voices are being heard in the process of 'brokering' harmony.

The degree to which law will reflect specific views and convictions grounded in religious or ideological belief will vary from one society to another, depending on all sorts of factors – most crucially on whether a group is thought to have persuaded a credible proportion of the population at large that such and such a policy is just or desirable. This needs saying so as to avoid any assumption that there are positions that are *automatically* incapable of being enshrined in law. Thus it is possible in principle to win public arguments about the need to restrict the availability of abortion; and it is possible in principle to win arguments about legalising euthanasia. The fact that the former may reflect the wishes of religious groups and the latter offend and contradict them is a matter of contingency. It is precisely because such decisions always remain open to argument that they can be lived with; in a society where there were rigidly fixed standards of what could rationally or properly be legislated, there would be the danger of such legal decisions becoming effectively irreformable. It would be harder to reopen questions on the basis of shifting moral perceptions. This is indeed a somewhat high-risk position; but if the alternative is a view that absolutizes one and only one sort of public rationality, the risks are higher.

So it is possible to imagine a 'procedurally' secular society and legal system which is always open to being persuaded by confessional or ideological argument on particular issues, but is not committed to privileging permanently any one confessional group. The recent UK debate about legalising assisted dying brought into focus many of these matters in a quite sharp way. Considerations based on religious conviction were certainly in evidence in the debate; but what determined the outcome was neither a purely instrumental and 'secular' set of considerations, nor the unequivocal victory of religious conviction but the convergence of diverse concerns, both pragmatic and principled. It is an interesting model of how, in a working liberal democracy of a 'procedurally' secular kind, there can be interaction and public engagement between varieties of both religious and non-religious argument.

Essentially what I am suggesting is that this alone guarantees the kind of political freedom I am concerned to define and to secure. But what I further want to establish is that, paradoxical as it may seem, such secularism is in fact the outgrowth of a specific *religious* position. The Christian Church began as a reconstructed version of the notion of God's people – a community called by God to make God known to the world in and through the forms of law-governed common life – the 'law' being, in the Christian case, the model of action and suffering revealed in Jesus Christ. It claimed to make real a pattern of common life lived in the fullest possible accord with the nature and will of God; a life in which each member's flourishing depended closely and strictly on the flourishing of every other and in which every specific gift or advantage had to be understood as a gift offered to the common life. This is how the imagery of the Body of Christ works in St Paul's letters. There is no Christian identity in the New Testament that is not grounded in this pattern; this is what the believer is initiated into by baptism. And this is a common life that exists quite independently of any conventional political security. Because it depends on the call and empowering of Christ's Spirit, it cannot be destroyed by change in external circumstances, by the political arrangements prevailing in this or that particular society. So Christian identity is irreducibly political in the sense that it defines a *politeia*, a kind of citizenship (Philippians 3.20); yet its existence and integrity are not bound to a successful realisation of this citizenship within history. There does not have to be a final and sacred political order created in order for the integrity of the Church to survive.

This is the fundamental theme of Augustine's *City of God* and of much of the mediaeval tradition; its roots are in the complex convergence of Jesus' preaching of a 'Kingdom' to which only trust in his message gives access and membership, and Paul's understanding of the reconstituting of the community of Jesus in and by the cross and resurrection and the foundational gift of the Spirit of Jesus. It was the belief that led the first Christians to deny the authority of the Roman Empire to command their *religious* allegiance. In response to challenge and persecution, they sought to clarify the strictly limited loyalty which they believed they owed to government. The tension this created arose through the natural assumption that the rival citizenship defined by the Church was simply in competition with the citizenship that Roman law defined. What was virtually impossible for the Imperial administration to comprehend was the idea that there were graded levels of loyalty: that the level of acceptance of legitimate authority which made you pay taxes or drive your chariot on the right side of the road

was something different from the loyalty that dictated your most fundamental moral options on the basis of convictions about the relationships between the world and humans – in particular to their creator. For practical purposes, most of the time, ordinary legality would be uncontroversial; the disturbing thing was that Christians believed that there were circumstances in which loyalty to God trumped the demands of the *civitas*. The state's power was not the ultimate and sacred sanction.

What complicated this understanding to some extent in the Middle Ages was the steady growth of practices which made the Church's administration look more and more like a rival kind of state, a system not only safeguarding loyalties beyond those owed to a legitimate government but apparently erecting a straightforwardly parallel scheme of social relations. The radical turn of the Lutheran and the English Reformations towards an often uncritical religious sanctioning of state power as exercised by 'godly princes' was in part a reaction against this – bringing its own equally problematic legacy. In all of this theological and political history, however, the most significant point was always the recognition that what the state could properly demand of the citizen was *limited* by relationships and obligations beyond the state's reach; even in the period when Anglicans were most absolute for the rights of the monarch, there was a clear recognition (expressed notably even by Archbishop William Laud preaching to the Court of Charles I) that this could not mean that the state was preserved from falling into error or tyranny, or that the state had an unqualified right over consciences. When the state was in error or malfunction, there remained 'passive obedience': that is, non-violent non-compliance, accepting the legal consequences.

One of the clearest and most interesting statements of the nature of these limitations to the state's legitimate demands comes from an unexpected quarter, in the era of the French Revolution and in the wake of the Enlightenment. In 1793, Carl Theodor von Dalberg, Coadjutor Bishop of Mainz and soon to become Archbishop-Elector of that see, published a treatise *On the True Limits of the State's Action in Relation to its Members*. The state exists because of the need of citizens to labour together for their common welfare, and there is therefore no necessary conflict between individual and state. But since the religious commitments of humankind demonstrate that humanity is not characterised simply by 'interest' (that is by seeking maximal security and prosperity) the state cannot act so as to undermine or deny those aspects of human action and collaboration which express identities and solidarities wider than those of the mutual-

ly beneficial arrangements of any specific state. To quote from Nicholas Boyle's lucid summary in his biography of Dalberg's friend Goethe, the limitations of the state 'lie, not in the duty to respect some supposed non-political aspect of the lives of its citizens, but in duties owed to those who are not its members at all: the state may not command or permit to its citizens any action contrary to their obligations as citizens of the world: there are, that is, rights which all enjoy in virtue of their humanity, and it is a distinguishing feature of Christian states, Dalberg believes, to have recognized such rights. Similarly the state may not command or permit any pointless tormenting or wasteful destruction of the non-human creation, animal, vegetable or mineral'.³

This is a remarkable perspective whose contemporary pertinence will not need spelling out. As Boyle stresses, it is important that Dalberg is not claiming that there is a non-political sphere of human life that has to be left alone by the state: a tolerated 'Indian reservation' of private conviction. He is arguing for the interpenetration of two sorts of political action, we might say: on the one hand the routine business of a law-governed society, on the other the relations and obligations that exists in virtue of something other than pragmatic or self-interested human decisions, the solidarities that do not depend on human organisation. For Dalberg, these are essentially the solidarities of shared relationship to a creator. The state cannot administer what these demand in a simple way; it has a limited and more modest purpose; but neither can it ignore them. We are, in fact, here given a sketch of what I attempted earlier to suggest in terms of the presence of certain sorts of argument and negotiation in the public sphere of a state's legal process, as groups of strong conviction attempt to persuade the state that such and such a proposition would or would not infringe those larger solidarities. Current debates about euthanasia, about ecology or about the freedoms of religious minorities all in different ways carry elements of this kind of questioning.

Dalberg's great-nephew was none other than Lord Acton, though whether the great historian ever made direct use of his kinsman's work I do not know. Quite early in his political and intellectual career, Acton (writing in 1862 to Richard Simpson) asserted that 'liberty has grown out of the distinction (separation is a bad word) of Church and State'.⁴ The mode of expression in this letter might lead us to suppose that he is think-

³ *Goethe: the Poet and the Age* (Oxford, 2000), vol. II, p. 33.

⁴ David Mathew: *Acton: The Formative Years* (London, 1946), p. 170.

ing simply of a liberty of conscience that is basically non-political; but in fact, as his mature writing makes clear, this would be to misread him. He is not advocating a situation where the state conceded certain private rights, but a state that recognises that it is not in fact the grantor of such rights in the first place; a state that recognises that it has come into being to serve the diverse human groupings that now constitute it, that it derives its legitimacy from their co-operation and consent as embodied in constitutional form. As such, the state cannot claim to be the *source* of legitimate behaviour or legitimate modes of association: it has the right from time to time to judge how far particular behaviours and associations adversely affect the coexistence of the communities in its jurisdiction, but not to prescribe in advance that behaviour unlicensed by the state should be publicly invisible or illegitimate. And because the state is always a coalition of groups agreed on a legal structure, it is risky to identify nations and states, let alone races and states. Acton was a good deal ahead of his time in refusing to take nationalism for granted as a natural companion to liberalism.⁵ His defence of federalism as a political principle merits some re-examination at a time when what once seemed the inflexible modern notions of national sovereignty are being tested severely by the globalisation of markets and cultures; but that is perhaps another story.

What emerges from this reading of the Christian contribution to the history of political thought, a reading shaped by both Roman Catholic and Anglican thinkers (Acton's disciple John Neville Figgis being prominent among the latter), is that there is serious case for saying that some aspects of liberal politics would be unthinkable without Christian theology, and that these are the aspects that offer the clearest foundation for a full defence of active political liberty. Faith is the root of freedom and programmatic secularism cannot deliver anything comparable. The Christian presence in the Roman Empire declared that there were solidarities independent of the Empire and therefore capable of surviving political change. Augustine's version of this opened the door to a further refinement, implying that the survival of these 'solidarities' could be a contribution to the reconstruction of political order on the far side of any particular disaster or collapse. And lest that should appear an academic point, it is worth observing that the role of the Church in post-conflict societies in Africa today, dealing with education, the protection of women and chil-

⁵ See Roland Hill: *Lord Acton* (New Haven and London, 2000), pp. 414-6.

dren, and the maintenance of some forms of trustworthy associational life, illustrates with dramatic and poignant clarity exactly what this means. A 'liberal' politics that depended on the maintenance of one unchallengeable form of administration at all costs, as if no credible political life could survive its disappearance, would risk succumbing to illiberal methods to secure its survival. Whenever we hear, as we sometimes do, of the need to limit some historic legal freedom for the sake of countering general threats to our liberty, from crime or terror, we should recognise the reality of the moral dilemmas here; but also be alert to what happens to our concepts of liberty in this process.

The salient point is that a supposedly liberal society which assumes absolutely that it has (as I put it earlier) the resources for producing and sustaining moral motivation independently of the *actual* moral or spiritual commitments of its citizens, is in danger behaving and speaking as if the only kind of human solidarity that really matters is that of the state. Programmatic secularism, as a shorthand for the denial of the public legitimacy of religious commitment as a partner in political conversation, will always carry the seeds, not of totalitarianism in the obvious sense, but of that 'totalising' spirit which stifles critique by silencing the other. Charles Taylor, writing about de Tocqueville,⁶ summarises Tocqueville's concern about a secularised democratic will degenerating 'into a kind of mild despotism (*despotisme doux*) in which citizens fall prey to a tutelary power that dwarfs them; and this is both cause and effect of a turn away from the public to the private which, although tempting, represents a diminution of their human stature'.

Procedural secularism is the acceptance by state authority of a prior and irreducible other or others; it remains *secular*, because as soon as it systematically privileged one group it would ally its legitimacy with the sacred and so destroy its otherness; but it can move into and out of alliance with the perspectives of faith, depending on the varying and unpredictable outcomes of honest social argument, and can collaborate without anxiety with communities of faith in the provision, for example, of education or social regeneration. Further, the critical presence of communities of religious commitment means that it is always possible to challenge accounts of political reasoning that take no account of solidarities beyond those of the state. Dalberg's awareness of citizenship in a transnational community, and

⁶ *Philosophical Arguments* (Cambridge, MA and London, 1995), p. 221.

membership within an interdependent created order; offer vivid illustrations of the moral perspectives that state loyalties alone will not secure. And, to move into a slightly different idiom, this poses the very significant question of how 'civil society' is to be understood; the idea that this might have a properly international dimension is in fact more and more compelling in our own day.

There is, of course, one set of issues on the border of what we have so far been discussing which demands to be addressed more directly. At the moment, advocates of programmatic secularism are troubled, if not panicked, by the increasing visibility of Islam in historically Christian and/or liberal societies. But even procedural secularists are often disturbed. Islam, so the argument runs, knows nothing of the 'secularising' element in the history of Christian theology; its political theory asserts the primacy of the *umma*, the transnational community of believers, over every possible political arrangement; but, where Christianity has on the whole settled for ironic distance and the distinction of levels of corporate loyalty, Islam has been understood to assume that it is indeed possible to realise the full political embodiment of revealed law. In other words, it *does* compete for the same space as the state.

In fact, the distinction in modern democracies between the way Muslims belong and the way others belong is by no means as stark as some ideologues might expect. Some Muslim scholars resident in the West, writers like Maleiha Malik or Tariq Ramadan, have discussed ways in which Muslim citizens can engage in good conscience with non-Muslim government and law. Some have observed that Islam recognises law that is *compatible* with Muslim principles as *ipso facto* Islamic law so that the Muslim can acknowledge, enjoy and defend full citizenship in a non-Muslim society. Furthermore, there is already in Islam a tradition of plurality in the interpretation of Islamic law that should make us cautious about assuming that there is one and only one kind of jurisprudence represented by the word *sharia*. And there are also in Islamic history abundant examples of conflict between rulers and religious scholars, government and *ulema*, to the degree that some have spoken of a limited analogy with the Christian tension between Church and state. These are complex historical issues, but there is enough to suggest that we need a nuanced approach to the supposedly monolithic character of Muslim political thought.

That being said, there is one area of abiding difficulty. The Muslim may with a good conscience enjoy citizenship in a non-Muslim society; what exactly does citizenship mean for a non-Muslim in a Muslim society? It is

important not just to cast this question as one of simple 'reciprocity', as if both parties shared exactly the same presuppositions and all that was in question was whether these principles were being fairly applied. But to what extent does the Muslim state, acknowledging in more or less explicit ways the sovereignty of Islamic law, employ a notion of citizenship that also allows for legitimate loyalties outside the community of Muslim believers? Historically, there have been impressive examples of something very like this recognition; but there have also been historic examples of severe civic burdens imposed on non-Muslims. Most disturbingly, there is the tension between the great Quranic insistence that 'there is no compulsion in religion' and the penalties associated with conversion and the pressures around mixed marriages in the practice of many Muslim states.

So one of the questions which Christians will want to pursue in their continuing dialogue with Islam is whether the idea of a 'secular' level of citizenship – with all that this implies about liberties of conscience – is indeed compatible with a basically Islamic commitment in the shape of society at large; whether the Muslim state will distinguish between what is religiously forbidden and what is legally punishable as a violation of the state's order, so that adultery or apostasy, to take the obvious examples, do not have to be regarded as statutory crimes (let alone capital ones). Muslim jurists in several Muslim societies are raising these questions already, with much sophistication and sensitivity, and the dialogue between our communities needs to attend carefully to this debate.

I have devoted some attention to this difficult question partly because of its unquestioned pertinence in many parts of the world, partly because of the somewhat inadequate way in which we sometimes discuss it. Reciprocity is a perfectly sensible notion from our standpoint; but we also need to understand why for some Muslims there seems to be no automatic symmetry between Christian and Muslim tolerance. Unless we are able to argue in ways that engage with the distinctive features of Islamic polity and politics, we are not going to connect or to make any difference. We cannot collude with an interpretation of Islamic political identity whose effects for Christians have sometimes been lethally oppressive; neither can we simply expect that an argument assuming Christian and liberal principles will convince. There is ample work to do in this area.

But in conclusion I want to return to the main lines I have been sketching here, and to make one or two final observations on the sort of 'enlightenment' accounts of freedom, faith and the secular with which I began. The case I have argued (by no means a wholly original one) is that a certain kind

of 'secularism' has direct Christian and theological roots. By this I do not mean that curious infatuation with the idea of a world devoid of the sacred which preoccupied some theologians of the nineteen sixties, but something almost opposite to this: that is, a culture in which presence and solidarities exist which exceed and escape the conventional boundaries of 'public life' but which thus imbue that public life with depth and moral gravity that cannot be generated simply by the negotiation of practical goods and balanced self-interests. To put it more dramatically, I am arguing that the sphere of public and political negotiation flourishes only in the context of larger commitments and visions, and that if this is forgotten or repressed by a supposedly neutral ideology of the public sphere, immense damage is done to the moral energy of a liberal society. For that ideal of liberal society, if it is to be any more than a charter for the carefully brokered competition of individual, requires not a narrowing but a broadening of the moral sources from which the motivation for social action and political self-determination can be drawn.

But there is an underlying question prompted by the remark of Ignatieff on 'inner selves' that I quoted earlier. The liberal, Ignatieff claims, is not concerned with 'hierarchies' of true or false selves. But the danger here is surely that of creating a political discourse in which any notion of a self-aware and self-critical person disappears. There is indeed, deplorably, a kind of appeal to 'liberal' ideals which effectively reduces the human self to an economic unit, a solitary accumulator of rights, comforts and securities. But it is an odd sort of liberalism that so dismisses the significance of a freedom learned by social processes of formation and exercised consciously and intelligently for goals that are not exclusively self-interested.

If the three terms of my title do indeed belong together; if a proper secularism requires faith; if it is to guarantee freedom, this is because a civilised politics must be a politics attuned to the real capacities and dignities of the person – not the individual consumer, but the self, learning over time to exercise liberty in the framework of intelligible communication, and the self-scrutiny that grows from this. Such a concept of the person is, I would maintain, unavoidably religious in character; it assumes that we 'answer' not only to circumstance or instinct or even to each other, but to a Creator who addresses us and engages us before ever we embark on social negotiation. That, after all, is why we regard the child – or the mentally challenged adult, the dying man, or woman who has passed beyond ordinary human communication – as a *person*, whose dig-

nities and liberties are inalienable. The struggle for a right balance of secular process and public religious debate is part of a wider struggle for a concept of the personal that is appropriately robust and able to withstand the pressures of a functionalist and reductionist climate. This is a larger matter than we can explore here; but without this dimension, the liberal ideal becomes deeply anti-humanist. And, like it or not, we need a theology to arrest this degeneration.

INTERRELIGIOUS PEACEMAKING IN THE MIDDLE

DAVID ROSEN

It is true that most conflicts that are portrayed as religious conflicts are not in essence anything of the sort. Whether between Hindus and Muslims in Kashmir; Buddhists and Hindus in Sri Lanka; Christians and Muslims in Nigeria or Indonesia; Protestants and Catholics in Northern Ireland; or between Muslims and Jews in the Middle East; these conflicts are not at all religious or theological in origin! They are all territorial conflicts in which ethnic and religious differences are exploited and manipulated, often mercilessly.

However this fact still begs the question. Why and how is it that religion is so easily exploited and abused? Why is it that in many contexts of conflict in our world, religion appears to be more part of the problem than the solution? The answer, I believe, is to a great extent implicit in the aforementioned point itself – namely the socio-cultural territorial and political contexts in which religion functions.

Because religion seeks to give meaning and purpose to who we are, it is inextricably bound up with all the different components of human identity, from the most basic such as family, through the larger components of communities, ethnic groups, nations and peoples, to the widest components of humanity and creation as a whole. These components of human identity felicitously described by Pope John Paul II (PASS 2001) as 'life's interpretive keys', are the building blocks of our psycho-spiritual well being and we deny them at our peril. Scholars studying the modern human condition have pointed out just how much the counterculture, drug abuse, violence, cults etc... are a search for identity on the part of those who have lost the traditional compasses of orientation.

In the relationship between religion and identity, the components or circles within circles of our identity affirm who we are; but by definition at the same time they affirm who we are not! Whether the perception of distinction and difference is viewed positively or negatively, depends upon the context in which we find or perceive ourselves.

You may recall the work of the popular writer on animal and human behavior, Robert Ardrey, who referred to three basic human needs: security, stimulation and identity. Ardrey pointed out that the absence of security serves as automatic stimulation that leads to identity. When people sense a threat, such as in wartime, they do not face the challenge of loss of identity. On the contrary; the very absence of security itself guarantees the stimulation that leads to strengthening of identity. Indeed because religion is so inextricably bound up with identity, religion itself acquires far greater prominence in times of threat and conflict, nurturing and strengthening the identity that senses itself as threatened, in opposition to that which is perceived as threatening it. We might note in this regard the role of the ancient Hebrew prophets in relation to the people when in exile. At such times they do not challenge their lack of moral responsiveness and ethical outreach – that they do when the people are secure. In times of insecurity, they see their role to protect and nurture the identity that is under threat.

However the character that religion assumes under such circumstances is often not just one of nurturing, but often one of such self-preoccupation and paradoxically even one of self-righteousness, that disregards ‘the other’ who is perceived as not part of one’s identity group and even demonizes that ‘other’ who is perceived as hostile, often portraying the latter – in the words of the historian Richard Hofstadter – as ‘a perfect picture of malice’.

The image I find useful in explaining the behaviour of particular identities for good or bad is that of a spiral. These different components of identity as I mentioned before, are circles within circles. When they feel secure within the wider context in which they find themselves, then they can open up and affirm the broader context; families respecting other families; communities respecting other communities; nations respecting other nations; and religions affirming the commonality within the family of nations or humankind. However, when these components of human identity do not feel comfortable in the broader context, they isolate themselves, cut themselves off from one another and generally compound the sense of alienation.

In the Middle East this phenomenon is especially intense. Everybody in our part of the world feels vulnerable and threatened; it is just that different groups see themselves and others in different paradigms! Therefore it is very difficult within such a context to be able to open to the other and affirm our common humanity in the recognition and the importance of the fact not only that every human being is created in the image of the Divine; but that our religions – all our religions – affirm the value of peace as an ideal for human society and see violence and war as being undesirable – perhaps a necessity in cases, but certainly not as an ideal.

Moreover where religion does not provide a prophetic challenge to political authority, but is both caught up as part of the political reality and even subordinate and subject to political authority as it is in the Middle East; institutional religion tends to be more part of the problem than part of the solution. The role of the prophetic challenge to religious identities, to be faithful to their traditions while affirming the dignity of the other and promoting reconciliation and peace – has tended in our part of the world as in most contexts of conflict, to be the voice of the non-establishment religious visionaries and activists.

Christianity has perhaps been a more constructive voice within this context, but there is the rub; for Christianity in the Middle East is characterized precisely by the fact that it is not linked to any political power base. However most institutional religion in our part of the world is so inextricably bound up with the power structures – with the heads of the respective Jewish and Muslim communities actually appointed by the political authorities – that it is very rare for a truly prophetic voice to emerge from the institutional religious leadership of either the Jewish or Muslim communities. And even within the local Christian communities there is also a tendency to be hamstrung by the exigencies of the political realities that impose very significant restrictions and pressures upon the role of leadership within such a context.

Because religion is therefore associated more with partisan insularity if not downright hostility towards the 'other', there has been an understandable tendency on the part of peace initiatives in the Middle East to avoid religious institutions and their authorities, seeing them as obstacles to any such peace process. This tendency is comprehensible but terribly misguided, as it fails to address the most-deep-seated dimensions of the communal identities involved and actually undermines the capacities of positive political initiatives to succeed. Indeed I believe this was a significant factor in the failure of the Oslo Process. Let me make the point more graphically. On the lawn of the White House when the famous handshake took place in September 1992, one saw no visible personality representing religious leadership either of the Jewish community or of the Muslim community in the Holy Land supporting the desire to find a way out of the regional conflict. The message was clear: religion is something to be kept out of the process. It is not an exaggeration to say that this attitude compounded a sense of alienation on the part of the most fervently religious elements within both communities who did their best to violently undermine that process (not that I am suggesting any equivalence here!).

Furthermore, in recent years, not only have we witnessed terrible violence in the Holy Land, but we also have seen a most worrying religious manipulation of a territorial conflict, using religious symbols and arguments to poison minds and justify terrible carnage.

Undoubtedly the global terrorist abuse of religion has significantly contributed to a dawning realization in the world and in relation to the Middle East in particular that not only is religion, as Doug Johnston has described it, 'the missing dimension of statecraft'; but that in fact, if one does not engage religious institutions that reflect the most profound identities of the peoples concerned to support positive political processes, inevitably one is playing into the hands of those hostile to them. While we have to protect ourselves against threats from extremists, in order to really overcome them it is essential to strengthen the hands of the moderates. The effective way to marginalize the political abuse of religion, is to demonstrate its constructive political use to embrace the other while respecting the differences that make us who we are.

It was in this light, amidst the worst violence in recent years in the Holy Land, that a remarkable gathering took place five years ago in Alexandria, Egypt, bringing religious leaders of the Three Faith communities together for the first time ever in human history, to lend the voices of their respective Traditions to an end to violence and to promoting peace and reconciliation. But precisely because of the fear and insecurity that separates our communities in conflict, it required a third party to bring this about. And the person to do so was the then Archbishop of Canterbury, Lord George Carey. Providentially, Canterbury had an institutional relationship with Al Azhar in Cairo, the fountainhead of Islamic learning in the Arab world, indeed in the Muslim world at large; and the grand Imam of Al Azhar Sheikh Tantawi agreed to host the meeting. This was crucial in facilitating the success of this initiative. For while the Chief Rabbis of Israel do not represent all religious Jews in Israel, let alone in the world; nevertheless no-one in World Jewry would object to them representing Judaism for the purpose of advancing interreligious reconciliation. Similarly, while the Patriarchs of Jerusalem do not represent the whole of Christendom, their role as representatives of Christianity in an effort to promote reconciliation in the Middle East would certainly be affirmed by the Christian world at large. But in the Islamic context, the religious leadership within Palestinian society does not have the standing throughout the Muslim world to ensure that its voice would be heard and respected as representing Islam. Thus the need to have this major institution of Islamic learning support this process was of criti-

cal importance. In addition Egyptian President Hosni Mubarak gave the green light to Sheikh Tantawi to host the gathering, and arranged for all the participants to subsequently meet with him at his palace in Cairo for a press conference. This was because President Mubarak like other political leaders, now had an interest especially after September 11 2001, in being seen to be on the side of constructive religious resolution of conflict rather than to be avoiding it. And not only President Mubarak, but of course Prime Minister Sharon, and Chairman Arafat also had an interest in such. The amazing this was that they all lent their support to this initiative despite the violence that was going on at the time.

As mentioned this summit was indeed an historic event, as never before had heads of the different three faith communities in the Holy Land ever come together in one place. The participants included four leading Sheikhs from the establishment structure of the Palestinian authority including the head of the Shaaria Courts, their Supreme Islamic Juridicial Authority; five prominent Israeli rabbis, including the Sephardic Chief Rabbi; and all Patriarchs were represented, the Latin Patriarch attending in person. After much discussion we were able to agree on a text of a declaration which condemned the violent abuse of religion; suicidal homicides; and all actions that are oppressive and destructive of human life and dignity. The declaration also called on political leaders to eschew violence and return to the negotiating table and to recognize the importance of religion as a force of reconciliation; and it called for respect for the rights of both Israeli and Palestinian peoples.

Notwithstanding the ongoing violence, this was a document of great significance. While the symbolic import of this summit and its declaration in themselves should not be minimized, a number of important developments followed. To begin with it initiated a process of real communication between the religious leaders who had previously had no ongoing contact between them. The outcome has been the establishment of a Council of the Religious Leadership Institutions of the Holy Land involving the Chief Rabbinate of Israel, the Shaaria Courts of Palestine and all the recognized Churches of the Holy Land. This body declares its purpose not only to facilitate ongoing communication between the religious leadership, but also to engage respective political leadership in the pursuit of peace and reconciliation.

The Alexandria summit also led to the establishment of centers for the promotion of religious teaching on peace and reconciliation, in Gaza, Kafr Kassem and Jerusalem. One might also argue that had it not been for the Alexandria initiative, the historic World Congresses of Imams and Rabbis for

peace that took place in recent years in Brussels and Seville under the patronage of the Kings of Morocco, Belgium and Spain, would not have happened.

Above all however, the Alexandria initiative has given both religious institutions in the Holy Land and beyond, a sense that they can and must play an active role in conflict resolution and has increased an understanding of this necessity among political leadership as well.

The potential in this regard is enormous and I would suggest that an urgent focus needs to be Jerusalem and the Holy Sites.

It has been popular past political wisdom that Jerusalem is an issue that needs to be left until the end of a peace process. However, the 'religionization' of the Middle East conflict to which I referred earlier – not least of all reflected in the Palestinian designation of the last round of conflict as the Al Aksa Intifada – has turned this 'wisdom' on its head.

This negative use of religion reflecting and exploiting an atmosphere of insecurity and mistrust, has led to a perception within the Muslim World that Muslim Holy Sites in Jerusalem are somehow under threat. At the same time Jews around the world and not only in Israel, are horrified by what they perceive as the overwhelming denial on the part of Muslims of any historic attachment of the Jewish people to Jerusalem at all, let alone to its holy sites. And the Christian communities are caught between the hammer and the anvil.

Achieving an accord of the three religious communities on Jerusalem that would affirm respect for each one's attachments and sites, and adjuring against any threat in word or deed to these, would be of enormous psychological value. It would also be of great assistance for any political process if there is a will for such.

A serious difficulty however lies – as I have already indicated – in the fact that Palestinian Muslim leadership cannot speak on behalf of the Muslim world. Accordingly any kind of interreligious accord has to involve the wider Arab Muslim world at least. There are five key 'players' in this regard. In addition to the Palestinians, there is Jordan which still has a special role in relation to the Muslim holy sites in Jerusalem; the Saudis, who see themselves as the Guardians of all the key Muslim holy sites; Egypt, which sees itself as the leader of the Arab world and is the seat of the most important Muslim institute of religious learning, Al Azhar; and Morocco, whose King chairs the Jerusalem Committee of the OIC.

Efforts at bringing all these components together to achieve an accord on Jerusalem and the Holy Sites are now underway and if they succeed, could be of enormous value.

As I have indicated, institutional religion cannot in itself spearhead a political peace process in the Middle East. However it is an essential partner in providing the psycho-spiritual glue without which no Peace Process will hold together.

Simply stated – if we do not want Religion to be part of the problem, it *has* to be part of the solution – and where else more so than in the land that is holy and so significant for all three faiths, and where any accord between the local communities will have enormous ramifications not only for our region but indeed for the world as a whole.

DIALOGUE INTERRELIGIEUX ET PAIX MONDIALE

ANTONIOS NAGUIB

La paix mondiale est le souhait et l'espoir de toute l'humanité, individus, responsables et peuples. Les gens de tous pays et de toutes religions aspirent ardemment à la paix, à des chemins pacifiques pour vivre ensemble sur notre planète. Et c'est ici que *le dialogue interreligieux* a une place primordiale dans la recherche et la promotion de la paix.

Je ne suis pas politicien, je ne suis pas philosophe ni théologien, je suis pasteur. Et c'est de ce point de vue que je voudrais parler de quelques pistes qui pourraient favoriser la paix mondiale. Je m'inspire surtout des encycliques et des messages des Papes, des documents du Conseil Pontifical pour le Dialogue Interreligieux, et des discours de ses représentants.

La vérité est la première qualité requise pour un dialogue interreligieux constructeur de paix. Comme les Papes l'ont souvent répété: il n'y a pas de paix possible sans vérité (Jean-Paul II, Message 2002). "Là où l'homme se laisse éclairer par la splendeur de la vérité et quand il le fait, il entreprend presque naturellement le chemin de la paix" (Benoît XVI, Message 2006). Une politique commandée par l'intérêt, et non par la vérité, ne peut pas produire la paix, ni mettre une base solide pour l'avenir. Mais c'est "Dans la vérité, la paix" (Benoît XVI, Message 2006). "La vérité est la force de la paix" (Jean-Paul II, Message 1980).

Dialogue, politique, vérité et paix sont inséparables. Et vérité signifie respect des principes et des valeurs éthiques. Elle veut dire aussi transparence, honnêteté de l'information, procédures démocratiques équitables. La vérité implique aussi la fidélité aux pactes conclus, qui doivent être respectés.

El la vérité dans dialogue n'est jamais imposable par la force. Elle s'impose par elle-même. Elle a sa propre force de conviction. On peut l'énoncer, la proposer. Mais jamais elle ne peut être imposée par aucune force extérieure. "En tant que résultat d'un ordre fixé et voulu par l'amour de Dieu, la paix possède sa vérité intrinsèque et invincible" (Benoît XVI, Message 2006).

La liberté est le second postulat de la paix mondiale. "Pour servir la paix, respecte la liberté" (Jean-Paul II, Message 1981). Le dialogue interreligieux a un rôle prédominant dans la défense et la promotion de la liberté des groupes et des peuples. Il appuie les solutions acceptées librement, et s'oppose à toute imposition par la force.

C'est pourquoi, il revient aux chefs et représentants des religions d'unir leur force et leur mot, pour éclairer la conscience de la population, afin de la préparer à accepter les solutions équitables pour une paix juste.

C'est aussi le devoir des chefs religieux de défendre et de promouvoir la liberté de la parole et de la publication, à condition que ce soit dans les limites du respect, de l'ordre moral et du bien commun. C'est à eux aussi de condamner l'incitation à la violence et à la haine, qui détruisent la paix dans les cœurs et les sociétés, et arrêtent le développement des pays.

Et ici il faudra mentionner tout spécialement *la liberté de religion*. S.S. le Pape Jean-Paul II affirme qu'elle est "la condition pour la convivence pacifique" (Message 1988). Il la considère aussi le droit le plus essentiel, après le droit à la vie. Et il affirme que le respect de cette liberté est un facteur principal dans l'établissement et le maintien de la paix (Message 1999).

Même si les chefs religieux ne peuvent pas rectifier les déviations à la liberté religieuse, ils peuvent certainement influencer l'opinion générale et les responsables des nations, en vue de créer une opinion publique favorable à la liberté de religion.

Le respect de la liberté religieuse est un facteur primordial pour la paix. Et combien de conflits ont à l'origine l'oppression de la liberté religieuse. Dieu, vérité absolue, justice parfaite, amour infini, ne doit pas être un prétexte d'oppression et de violence.

La justice est le troisième postulat pour un dialogue artisan de paix. La justice signifie que chacun respecte le droit des autres, et accomplit ses devoirs envers eux.

Le dialogue interreligieux contribue fortement à l'appréciation de ces droits et à la disposition à accomplir les devoirs respectifs. Il coordonne les efforts pour réaliser la paix juste, et écarter les obstacles injustes qui la bloquent. Car le manque de justice est cause et source de beaucoup de conflits et de violence dans le monde. "Si tu veux la paix, agis pour la justice" (Paul VI, Message 1972). Car "De la justice de chacun, naît la paix pour tous" (Jean-Paul II, Message 1998).

Le dialogue permet aux chefs religieux de travailler ensemble, pour créer les conditions favorables aux solutions pacifiques des conflits en cours. Du moins peuvent-ils énoncer les bases d'une solution juste, et appeler à les respecter.

On peut citer comme exemple, entre tant d'autres, les déclarations du Conseil Pontifical pour le Dialogue Interreligieux, conjointement avec la Commission de Liaison Islamo-Chrétienne d'une part, et la Commission de Dialogue de Al-Azhar d'autre part, appelant les chefs religieux à l'action commune pour la paix, et condamnant la violence et le terrorisme.

Et on ne peut pas oublier l'engagement commun pris par les représentants des différentes religions, réunis à Assise autour du Pape Jean-Paul II, le 24 Janvier 2002. Nous y lisons: "Nous nous engageons à éduquer nos peuples au respect et à l'estime mutuels, en vue d'aboutir à une coexistence entre les peuples de différentes ethnies, cultures et religions".

La religion a sa place dans tout cela. Sa voix est plus puissante, écoutée et efficace, quand elle est le fruit du dialogue et de l'assertion commune.

L'amour est un quatrième postulat de la paix. Ceci peut paraître un peu poétique et sentimental dans un discours sur la paix mondiale. Mais en réalité, il y occupe une place importante. La vérité, la liberté et la justice sont indispensables pour la paix, mais de fait ils ne sont pas suffisants. "La paix est un don céleste et une grâce divine. A tous les niveaux, elle demande l'exercice de la plus grande responsabilité, à savoir de conformer dans la vérité, dans la justice, dans la liberté et dans l'amour, l'histoire humaine à l'ordre divin" (Benoît XVI, Message 2006).

Rester au seul niveau de la justice, en exigeant uniquement la reconnaissance de ses propres droits absolus, pourrait léser les droits de l'autre. C'est pourquoi, la justice a besoin d'être tempérée par l'amour. Ce n'est pas d'amour sentimental que nous parlons, mais d'amour effectif. Et ici le dialogue interreligieux a une place de choix.

Cet amour s'exprime principalement par la *solidarité*. Elle est basée sur la reconnaissance que tous nous appartenons à une même famille humaine. C'est pourquoi nous voyons dans les êtres humains des frères et des sœurs, malgré la différence de couleur, de croyance ou de nation. Aimer la personne humaine est au centre de tout dialogue et de toute relation. C'est le premier postulat de tout effort pour la paix.

Et surtout nous sommes tous fils et filles d'un même Père, Dieu qui nous créa tous, et vers qui tous nous allons. Ceci est si vrai que Saint Jean dit: "Qui n'aime pas n'a pas découvert Dieu" (1 Jn 4,8). "Tout homme est mon frère" (Paul VI, Message 1971).

"C'est pourquoi – affirme le Concile Vatican II. – L'Église réprouve comme étrangère à l'esprit du Christ, toute discrimination et toute vexation contre les personnes, à cause de leur race, couleur, condition de vie ou religion" (*Nostra Aetate*, no 5).

La solidarité exprime le partage des souffrances et des joies des autres. Le dialogue interreligieux favorise et encourage une réponse généreuse aux besoins nécessités par les désastres de tout genre, traduisant en action le sentiment d'appartenir à une même famille humaine.

La solidarité est aussi nécessaire pour le *développement* des plus démunis. "Développement et solidarité, deux clefs pour la paix" (Jean-Paul II, Message 1987). Jamais la paix ne peut être réalisée, tant qu'il y a de grandes masses de peuples vivant dans la misère, tandis que d'autres possèdent plus qu'ils n'en ont besoin. "Si tu cherches la paix, va à la rencontre des pauvres" (Jean-Paul II, Message 1993).

Les problèmes de ce monde sont si grands, que les efforts de tous sont requis, pour les résoudre. Les forces religieuses doivent travailler de concert, sur la base de confiance réciproque, et ceci ne peut se réaliser qu'à travers le dialogue. La contribution de tous est nécessaire pour guérir les plaies de l'humanité, et créer un monde plus sain et plus pacifique.

À la solidarité, nous pouvons ajouter le *pardon et la réconciliation*. Il faut "S'éduquer à la paix à travers la réconciliation" (Paul VI, Message 1970). "La réconciliation est le chemin de la paix" (Paul VI, Message 1975). "Offre le pardon et reçois la paix" (Jean-Paul II, Message 1999). "Pas de paix sans justice, et pas de justice sans pardon" (Jean-Paul II, Message 2002). "Ne te laisse pas vaincre par le mal, mais sois vainqueur du mal par le bien (*Rom 12,21*)" (Jean-Paul II, dernier Message, 2005). Sans pardon, la spirale de la haine et de la violence est sans fin. Une paix durable est impossible sans le pardon accordé et reçu.

Le dialogue interreligieux enfin ne peut se passer de la *prière*. Vérité, liberté, justice, solidarité et pardon sont indispensables à la paix. Mais nous savons combien nous sommes faibles, et combien il est difficile de mettre ces postulats en pratique. Nous avons besoin d'implorer l'aide et le secours de Dieu.

S.S. le Pape Jean-Paul II a montré sa conviction profonde de ce besoin, en invitant les représentants des différentes religions à prier pour la paix à Assise, en Octobre 1986, et d'autres fois par la suite. Cet esprit d'Assise reste vivant. Il a donné naissance à plusieurs rencontres annuelles, par exemple celle organisée par la Communauté Sant'Egidio en Italie.

La prière pour la paix est une forme distincte de dialogue interreligieux. Mais la prière devrait imprégner toute initiative pour la paix. C'est l'esprit de prière qui nous rappelle, dans nos rencontres et notre action avec des personnes d'autres religions, que nous ne cherchons pas notre propre intérêt, mais le bien de tous.

La prière aide beaucoup à développer une *culture de la paix*. Les structures justes sont nécessaires et favorables à la paix. Mais elles ne suffisent pas. La paix dépend beaucoup des personnes. Ce sont eux qui traduisent leurs convictions intérieures en de gestes de paix entre individus, groupes et états, et créent ainsi une atmosphère de paix, une culture de paix.

Le dialogue interreligieux peut vraiment être ainsi une contribution efficace à la paix mondiale. En dialoguant, en écoutant, en parlant, en travaillant, et en priant avec les autres religions, on trouve joie, courage, purification, et élan à être vrai apôtre, vrai artisan de paix. Le dialogue interreligieux a un grand rôle à jouer dans la sauvegarde et le développement de la paix, le combat contre la violence, et l'humanisation de l'humanité.

Toutes ces données sont certes pacifiquement et universellement acceptées. Mais ce n'est pas pour cela qu'elles sont mises en œuvre, surtout dans le cas de conflits.

Je prends l'exemple concret de notre région du Moyen Orient, où les trois religions monothéistes abrahamiques sont présentes, avec une forte majorité musulmane. Ici le dialogue est indispensable, quotidien. Elles auraient dû être le facteur le plus puissant de pacification et de réconciliation entre les citoyens. De fait, elles trouvent – et c'est le moins à dire – une grande difficulté à porter leurs adeptes à la raison, et à dépasser les passions et les intérêts, soit dans leurs relations réciproques, soit au sein de la même religion. Les conséquences en sont funestes: violence sur violence, exode, luttes, perte de vies, désespoir.

Le grand problème qui se pose à nous est: comment témoigner ensemble de la paix? Comment appliquer les postulats de justice, liberté, fidélité, solidarité, pardon, réconciliation et amour, pour aboutir à une communauté de frères et sœurs qui s'acceptent, s'entraident et s'aiment?

Je crois qu'ici, plus que jamais, notre rôle est primordial, pour un dialogue interreligieux sincère et fécond, qui œuvre pour l'acceptation réciproque, la réconciliation, la collaboration et la fraternité, entre tous les fils et filles du même Dieu unique. Appel et action pour nous tenir "Ensemble devant Dieu, pour le bien de la personne et de la société", en vue de consolider l'amour dans nos patries, et de construire la civilisation de l'amour dans nos pays (3^{ème} Lettre Pastorale des Patriarches Catholiques d'Orient, 1994).

Et je termine par ce paragraphe de S.S. le Pape Benoît XVI, dans son Message pour la paix de 2006, qui a pour thème "Dans la vérité, la paix": "Il est nécessaire que chaque communauté s'engage dans une action inten-

se et capillaire d'éducation et de témoignage qui fasse grandir en chacun la conscience de l'urgence de découvrir toujours plus profondément la vérité de la paix. Je demande en même temps que l'on intensifie la prière, parce que la paix est d'abord un don de Dieu à implorer sans cesse. Grâce à l'aide divine, l'annonce et le témoignage de la vérité de la paix en sortiront certainement plus convaincants et plus éclairants”.

LA COEXISTENCE ISLAMO-CHRÉTIENNE AU LIBAN, FACTEUR DE PAIX OU DE DISCORDE?

PIERRE SFEIR NASRALLAH

Les rapports islamo-chrétiens ont, tout au long de l'histoire, suscité les passions les plus vives. La coexistence de ces deux religions est-elle encore possible pour faire régner la paix? Il serait bon, à partir de l'exemple libanais, de réfléchir à cette question.

La mondialisation a provoqué une disparition des frontières et engendré une crise des identités religieuses. Les événements du 11 Septembre ont creusé davantage encore le fossé qui sépare les chrétiens des musulmans, et incité certains observateurs à invoquer la thèse du "choc des civilisations" introduite par Samuel Huntington en 1993. Au Liban, cette problématique est posée depuis longtemps puisque ce pays qui compte près de 4 millions d'habitants réunit 18 communautés religieuses qui ont démontré leur capacité à cohabiter en toute harmonie, mais qui, malheureusement, sont souvent entrées en conflit à cause de différents facteurs endogènes ou exogènes.

En réalité, le Liban présente dans sa structure communautaire des caractéristiques dont aucun autre pays arabe n'offre l'équivalent. Les chrétiens et les musulmans y sont présents en nombre. Chacun vit *avec* l'autre et n'a pas le sentiment de vivre *chez* l'autre comme certaines minorités du Moyen-Orient qui ont parfois la douloureuse sensation d'être des citoyens de second ordre à cause des attitudes sectaires de ceux qui les accueillent... Placé sous Mandat français après une longue occupation par les Ottomans, le Liban n'a acquis son indépendance que depuis une soixantaine d'années. Cette indépendance, voulue par les Maronites, fut le fruit des efforts conjugués des chrétiens et des musulmans. Pour mieux préserver cet acquis et assurer l'équilibre nécessaire entre les communautés, un Pacte National fut scellé en 1943, qui consiste en un accord tacite entre les deux communautés chrétienne et musulmane de se fondre dans une entité nationale nouvelle en rompant l'une ses liens privilégiés avec l'Occident, l'autre en embrassant la cause de l'entité libanaise indépendante et souveraine par rapport au monde arabe.

De la lutte commune est donc né ce Pacte national qui peut s'analyser comme un compromis entre chrétiens et musulmans pour faire coïncider leur vision politique et se répartir les responsabilités au prix de concessions mutuelles. L'entente islamo-chrétienne s'y matérialise à travers une répartition des pouvoirs entre les principales communautés. Ce Pacte national qui régit tant bien que mal la cohabitation entre les communautés a été amendé par les accords de Taëf, survenus au lendemain de la guerre, qui se veut la charte d'une nouvelle entente nationale et dont les dispositions ont été reprises dans une révision constitutionnelle de 1990.

Bien que le pluralisme communautaire soit à la base de l'organisation politique, l'Etat libanais, paradoxalement se veut unitaire et laïc. La démocratie libanaise, dont on a pu parfois dénoncer l'archaïsme et le caractère oligarchique, demeure remarquable dans son environnement arabe. Le système politique libanais est fondé, du moins dans les textes, sur le droit, les libertés publiques, le pluralisme, le parlementarisme et l'indépendance du pouvoir judiciaire. L'organisation sociale du pays, si elle continue de reposer sur les communautés dont l'existence est reconnue par la loi, assure leur cohabitation sur la base de l'égalité civile et de la tolérance. Certes, le système communautaire comporte de nombreuses imperfections. Mais dans une société comme la société libanaise, le compartimentage entre les groupes est apparu comme la seule manière d'assurer la coexistence sur un territoire exigu que l'on ne peut à l'évidence partager. Le régime communautaire s'est doté d'assises constitutionnelles, et s'est épanoui sous forme d'un système politique, consacrant ainsi la société libanaise comme une société fondamentalement pluraliste et comme un exemple de *démocratie consociative* qui consiste en un mode de vie politique dans lequel les groupes sociaux distincts parviennent à créer un Etat viable grâce à un esprit de concession et de tolérance mutuelles et à des procédures spécifiques de régulation des conflits.

Le régime communautaire au Liban, qui offre une expérience originale et œcuménique de gestion du pluralisme, est en perpétuelle construction et qu'il ne saurait prospérer et s'améliorer sans un dialogue permanent entre les communautés qui fondent la nation libanaise. C'est ce dialogue-là qui justifie l'idée de "message" avancée par le pape Jean Paul II qui, lors de sa visite au Liban en mai 1997, a adressé aux jeunes libanais cet appel solennel: "Il vous appartient de faire tomber les murs qui ont pu s'édifier pendant les périodes douloureuses de l'histoire de votre nation; n'élevez pas de nouveaux murs au sein de votre pays. Au contraire, il vous revient de construire des ponts, entre les personnes, entre les familles et entre les différentes

communautés... Ainsi naîtra une nouvelle fraternité et se tisseront des liens solides car, pour l'édification du Liban, l'arme principale et déterminante est celle de l'amour..."

En pratique, ce dialogue ne se fait pas sans mal: une guerre de 15 ans a opposé les Libanais de 1975 à 1990, causant des centaines de milliers de victimes, et l'on emploie désormais le terme "libanisation" pour évoquer, je cite, *le phénomène par lequel un pays connaît une transformation qui le fait ressembler au Liban où les différentes religions s'affrontent violemment, causant une véritable guerre civile*. Aussi, face à la montée de l'intégrisme et à un déséquilibre démographique grandissant, les chrétiens du Liban, comme la plupart des chrétiens d'Orient, se sentent menacés et préfèrent prendre le chemin de l'exil. Comment faire face à cette hémorragie?

Il nous faudra, tout d'abord, tirer des leçons du passé et, tout en ne cédant pas aux intimidations, multiplier les instances de rencontre pour mieux se connaître et mieux mettre en valeur ce qui nous unit tant au niveau spirituel et culturel, que sur le plan de notre destin commun. La déclaration *Nostra Aetate* sur l'Eglise et les religions non chrétiennes affirme, dans ce même ordre d'idées, que "Si, au cours des siècles, de nombreuses dissensions se sont manifestées entre les chrétiens et les musulmans, le Concile les exhorte tous à oublier le passé et à s'efforcer sincèrement à la compréhension mutuelle, ainsi qu'à protéger et à promouvoir ensemble, pour tous les hommes, la justice sociale, les valeurs morales, la paix et la liberté". Il nous faudra aussi œuvrer à consolider notre démocratie et à édifier un véritable Etat de droit capable de canaliser les fanatismes, de faire respecter l'ordre public et de garantir les droits de chacun. Il nous faudra, enfin, recomposer la trame de la vie nationale et "donner à la nation libanaise une consistance capable de résister aux secousses internes et aux pressions externes", pour reprendre la formule du pape Jean-Paul II dans sa lettre aux Libanais datée du 1er mai 1984. C'est en ce sens que nous avons œuvré, et c'est en ce sens que nous œuvrerons toujours, afin que le pluralisme communautaire au Liban apparaisse non seulement comme une richesse pour le pays, mais aussi comme une richesse à l'échelle de l'universel.

Je vous remercie.

SESSION IX

GIUSTIZIA INTERNAZIONALE E GOVERNANCE INTERNAZIONALE NEL CONTESTO DELLA CRISI DEL MULTILATERALISMO

TARCISIO BERTONE

Premessa

Ringrazio sentitamente la Pontificia Accademia delle Scienze Sociali per l'invito rivoltomi a partecipare all'Assemblea Plenaria, riservandomi l'opportunità di proporre una breve riflessione sul tema *International justice and international governance in the context of the crisis of multilateralism*. Tematica piuttosto complessa, che cercherò di svolgere approfondendo soprattutto il concetto di *governance*. Tale approfondimento, oltre a venire incontro all'esigenza di delineare meglio il profilo di tale concetto a partire dalla dottrina sociale della Chiesa, risulta essere assai utile e necessario per individuare le strade per affrontare adeguatamente i problemi connessi alla promozione della giustizia internazionale e quelli più specifici legati alle attuali difficoltà – *non parlerei di crisi* – in cui si dibatte il multilateralismo.

La visione debole della Governance internazionale

Nelle scienze politiche e sociali, come anche nella prassi delle relazioni internazionali, oggi si parla molto di *governance*, soprattutto per indicare qualcosa di diverso dal *governo* (*Government*). Non è sempre chiaro, però, se si intenda qualcosa di meglio o di peggio. I motivi di questo largo utilizzo del concetto di *governance* ritengo siano soprattutto la complessità sociale e la globalizzazione. Riferendosi il governo soprattutto all'ambito dello Stato, la complessità sociale spiega l'esigenza della *governance* a livello infra-statale, mentre la globalizzazione ne spiega l'utilizzo a livello sovra-statale. *Complessità sociale* significa che i sistemi sociali di oggi sono articolati in sottosistemi aventi spesso codici e linguaggi diversi e quindi non sono più governabi-

li da un centro. Sono entrate in crisi, per questo motivo, le categorie moderne della pianificazione, dell'organizzazione e della programmazione centralistica. *Globalizzazione* significa interconnessione tra i vari sistemi – economico, giuridico, fiscale, finanziario, sociale – oltre i confini degli Stati e delle Nazioni in modo che risulta impossibile delimitare con precisione i campi di intervento e dividere in modo netto le competenze.

I due processi – di articolazione sociale infra-statale e di articolazione globale sovra-statale – hanno messo in crisi l'idea di "sovranità" cui era legato il concetto stesso di governo. Si può avere così l'impressione che la *governance* nasca da una crisi di governabilità e sia espressione di una deficienza, come se fosse un "di meno" di governabilità o si riduca alla governabilità "possibile" data la situazione di complessità. Questo è un concetto debole di *governance*, vista come un navigare a vista, un galleggiare su una situazione confusa, nella impossibilità di dare vita ad un governo mondiale (già il Papa Giovanni XXIII aveva auspicato un'Autorità a raggio mondiale).

Uno degli aspetti principali di questa accezione debole di *governance* è il suo prevalente uso in senso tecnico, lasciando da parte le dimensioni etiche ed antropologiche. La complessità e la globalizzazione a prima vista fanno risaltare la diversità e perfino l'eterogeneità, soprattutto nei sistemi etici di riferimento e, quindi, alimenta una certa visione relativistica delle relazioni tra persone, tra popoli e tra Stati. La tendenza a ridurre quindi l'ambito della *governance* ai soli aspetti tecnici o procedurali è forte. Capita così che la *governance* internazionale sia intesa solo come una fitta rete di contatti tra Cancellerie, che la *governance* dell'uso delle risorse e dello sfruttamento dell'ambiente sia in fondo null'altro che un problema di protocolli internazionali, che la *governance* del commercio internazionale sia un abile bilanciamento di dazi e tariffe. Nella realtà si è visto che spesso le Cancellerie non sanno evitare le guerre, che i protocolli sull'ambiente vengono concordati con grande fatica e che gli accordi tariffari conoscono fasi prolungate di stagnazione. Non posso non far mia la grave preoccupazione espressa dal Santo Padre Benedetto XVI circa il fatto che nemmeno davanti alla *governance* delle "emergenze umanitarie" di oggi, molti Stati non facciano quanto è in loro potere fare.¹

¹ "Ma si chiede un accresciuto sforzo congiunto delle Diplomazie per individuare nella verità, e superare con coraggio e generosità, gli ostacoli che tuttora si frappongono a soluzioni efficaci e degne dell'uomo. E verità vuole che nessuno degli Stati prosperi si sottragga alle proprie responsabilità e al dovere di aiuto, attingendo con maggiore generosità

Multilateralismo e unilateralismo nella Governance debole

Quella ora prospettata è una concezione di *governance* piuttosto debole, nella quale hanno modo di inserirsi alcune disfunzioni nei rapporti internazionali che in questi anni tutti noi abbiamo potuto sperimentare. Il dibattito sul multilateralismo e sull'unilateralismo ne è un esempio. La sottolineatura di alcuni limiti degli Organismi internazionali ne è un altro, peraltro connesso con il precedente. Il multilateralismo non può, evidentemente, essere un dato solo quantitativo. Un intervento militare internazionale non è maggiormente giustificato dal fatto di essere stato intrapreso da più Stati anziché da uno solo. Ciò che eventualmente lo può giustificare – oltre a rispondere alle richieste dell'etica internazionale e del diritto umanitario a tutti ben note, come la legittima difesa da un attacco e la proporzionalità dell'uso della forza – è la sua legittimità internazionale, ossia il fatto che sia stato deciso non solo multilateralmente, vale a dire da più Stati, ma soprattutto ed essenzialmente dai legittimi organismi internazionali.² Questa esigenza rimanda al problema non solo e non tanto dell'ingegneria organizzativa degli Organismi internazionali, in primo luogo dell'ONU, ma, ancor di più e in primo luogo, rimanda alla loro autorevolezza morale di fronte alla famiglia umana. Ora, in un contesto di *governance* debole, quale abbiamo cercato di descrivere più sopra, è a rischio l'autorevolezza degli Organismi internazionali e si aprono molte eventualità di interventi multilaterali variabili. Per lo stesso motivo, l'unilateralismo diventa una tentazione, soprattutto se il sistema di *governance* non riesce ad affrontare seriamente, dapprima sul piano teorico e poi su quello delle strategie pratiche, i problemi creati dai nuovi volti che purtroppo la guerra – anche a causa del terrorismo – ha assunto in questi ultimi anni. La debolezza dell'attuale sistema di *governance* internazionale emerge anche nel riscontrare che raramente le nazioni e gli Stati sono stati in grado di attuare interventi di tipo umanitario e al cosiddetto “dovere di ingerenza umanitaria”, proposto anni or sono da Giovanni Paolo II, non è stato dedicato il necessario approfondimento etico, giuridico

alle proprie risorse. Sulla base di dati statistici disponibili si può affermare che meno della metà delle immense somme globalmente destinate agli armamenti sarebbe più che sufficiente per togliere stabilmente dall'indigenza lo sterminato esercito dei poveri” (Benedetto XVI, *Discorso al Corpo Diplomatico accreditato presso la Santa Sede*, 9 gennaio 2006, in “L'Osservatore Romano” 9-10 gennaio 2006, p. 8).

² Pontificio Consiglio della Giustizia e della Pace, *Compendio della Dottrina Sociale della Chiesa*, Libreria Editrice Vaticana, Città del Vaticano 2004, n. 501, pp. 273-274.

e politico. La Chiesa lo ha spesso riproposto nei consessi internazionali e ultimamente il cardinale Angelo Sodano, mio predecessore come Segretario di Stato, lo ha definito come il “dovere di proteggere”.³ Attualmente il dibattito su multilateralismo e unilateralismo è incentrato sul legittimo dovere di “proteggersi”, anche di fronte ai nuovi scenari, per molti versi molto preoccupanti, dei conflitti internazionali cosiddetti asimmetrici. Poco si è fatto, però, per capire meglio i contorni del dovere di “proteggere” chi non sa proteggersi. Basta scorrere i Discorsi al Corpo diplomatico accreditato presso la Santa Sede tenuti da Giovanni Paolo II e da Benedetto XVI in questi ultimi anni per rendersi conto delle attese della Chiesa in questo campo.

L'autorevolezza degli Organismi internazionali

La situazione di *governance* debole che abbiamo descritto è causa e nello stesso tempo conseguenza di una certa incertezza sulla capacità degli Organismi internazionali di porsi alla guida della *governance* stessa. Questo argomento è assai complesso e la Chiesa non intende entrare nelle specifiche questioni di bilanciamento tra i poteri e di riforma dell'assetto istituzionale di tali Organismi. Mi preme da un lato fornire una assicurazione e, dall'altro, segnalare delle raccomandazioni.

L'assicurazione riguarda il grande interesse della Chiesa cattolica verso gli Organismi internazionali e la grande considerazione che essa coltiva circa il loro ruolo nel mondo. Essi rappresentano una via privilegiata di incontro tra le nazioni e i popoli, di dialogo e di intesa. Fin dai tempi della *Populorum Progressio*⁴ – della quale ricorre quest'anno il 40° anniversario – i Sommi Pontefici hanno più volte manifestato questi sentimenti e l'attività diplomatica della Santa Sede presso questi Organismi lo ha sempre dimostrato assieme, naturalmente, all'altro compito proprio della Chiesa che consiste nel “levare la sua voce in difesa dell'uomo”.⁵ Di recente, nel 60° anniversario della fondazione dell'ONU, Benedetto XVI ha voluto di nuovo rimarcare tale “fiducia”.⁶

³ Card. A. Sodano, *Discorso alla Riunione Plenaria di Alto Livello delle Nazioni Unite*, 16 settembre 2005, in “L'Osservatore Romano” 18 settembre 2005, p. 7.

⁴ Cf. *Populorum Progressio* n. 78.

⁵ Benedetto XVI, *Discorso ai Rappresentanti della Santa Sede presso le Organizzazioni Internazionali*, 18 marzo 2006, in “L'Osservatore Romano” 19 marzo 2006, p. 6.

⁶ Benedetto XVI, *Nella verità la pace*, Messaggio per la Giornata Mondiale della Pace, 1 gennaio 2006, n. 15, in “L'Osservatore Romano” 14 dicembre 2005, p. 5.

Quanto alle raccomandazioni, o per meglio dire auspici, *il primo* è che questi Organismi non perdano di vista, anche nelle necessarie ristrutturazioni istituzionali, la loro originaria ragione d'essere e le loro finalità ultime. Essi sono a servizio dell'uomo, di tutti gli uomini. Essi sono a servizio della famiglia dei popoli per contribuire al "bene comune universale". Per poter svolgere pienamente questa loro missione, gli Organismi internazionali non devono perdere la certezza che i diritti e doveri dell'uomo e i grandi valori della dignità della persona, della giustizia e della pace, sono radicati in un ordine delle cose e non dipendono da un voto assembleare. Se gli Organismi internazionali perdono o anche allentano lungo il tempo questa convinzione, irrimediabilmente ridurranno anche la loro autorevolezza. Una *governance* non debole ma intensiva ha bisogno che all'interno degli Organismi internazionali, sia a carattere continentale come per esempio l'Unione Europea, o a carattere mondiale come l'Organizzazione delle Nazioni Unite e le sue molteplici Agenzie, venga coltivata con forza la convinzione della indisponibilità alla trattativa sui diritti e doveri della persona, ossia la convinzione della sua trascendente dignità. *La trascendenza è, appunto, la garanzia della indisponibilità.* Lo ha solennemente affermato Benedetto XVI nel Messaggio per la Giornata Mondiale della pace del 1 gennaio 2007: "È importante che gli Organismi internazionali non perdano di vista il fondamento naturale dei diritti dell'uomo. Ciò li sottrarrà al rischio, purtroppo sempre latente, di scivolare verso una loro interpretazione solo positivista. Se ciò accadesse gli Organismi internazionali risulterebbero carenti dell'autorevolezza necessaria".⁷ Fa obbligo constatare che talvolta gli Organismi internazionali si fanno portatori di una ideologia radicale di tipo materialistico in settori molto importanti quali la procreazione, la famiglia e la tutela della vita. La Chiesa ha più volte indicato le proprie perplessità sulla ideologia soggiacente, per esempio, alle nozioni di "salute riproduttiva" e di "diritti riproduttivi" fatte proprie dalle Agenzie internazionali e che comportano spesso politiche contrarie al rispetto della vita.

Una seconda raccomandazione, o auspicio, è che si riesca a far lavorare sempre di più gli Organismi internazionali in una rete sussidiaria con altri attori: dagli Stati e i governi alle molteplici realtà locali, dalle Organizzazioni non governative ai molteplici soggetti della società civile mondiale per creare, come affermava la *Populorum Progressio* una "collaborazione internazionale a vocazione mondiale".⁸ A questo proposito, però, occorre anche dire che

⁷ Benedetto XVI, *La persona umana cuore della pace*, Messaggio per la Giornata Mondiale della Pace, 1 gennaio 2007, n. 13, in "L'Osservatore Romano" 13 dicembre 2006, p. 5.

⁸ *Populorum Progressio* n. 78.

se ci sono dei ritardi nella capacità collaborativa – e ci sono – la responsabilità va equamente condivisa tra tutti gli attori attualmente o potenzialmente implicati. Tutti, e non solo gli Organismi internazionali o gli Stati, devono far crescere una maggiore disponibilità alla collaborazione internazionale. Lamentavo più sopra che non mi sembra sia stato adeguatamente approfondito il concetto di “dovere di ingerenza umanitaria”. Ecco un caso in cui la responsabilità non è solo degli Organismi internazionali o degli Stati, ma anche delle realtà della società civile, dei governi dei paesi maggiormente bisognosi di aiuto e delle stesse Chiese locali. Una nuova *governance* a carattere non debole ma intensivo ha bisogno dell’apporto di tutti.

Gli Stati continuano ad avere un ruolo centrale nella *governance* globale. Vorrei evitare qui un possibile equivoco. All’inizio ho affermato che il piano del “governo” è soprattutto il piano dello Stato. Ma questo non significa – anzi! – che lo Stato non abbia un ruolo molto importante nella *governance*. Certo, è sempre meno possibile trasferire automaticamente la logica del governo nei settori internazionali che invece richiedono una *governance*. Ma proprio per questo gli Stati, senza rinunciare a governare, sono sempre più invitati a concentrare insieme non solo con gli Stati ma anche, come ho più volte detto, con altri soggetti ed attori non statali, a svolgere quindi un compito di coordinamento per la *governance*, al di sotto e al di sopra del livello statale. Gli ambiti legati alla promozione della giustizia internazionale, alle emergenze umanitarie e allo sviluppo sono, per esempio, luoghi privilegiati affinché gli Stati mettano in atto questa capacità di coordinamento per la *governance*.

Una Governance a carattere intensivo

In questi ultimi anni, come ho già ricordato, soprattutto dopo i tragici fatti dell’11 settembre 2001 e quanto ne è seguito, i Sommi Pontefici hanno dato delle importanti indicazioni per passare da una *governance* debole della vita internazionale ad una a carattere maggiormente intensivo. Mi soffermerò in questa occasione a sottolinearne solo *tre*.

Facevo notare che la *governance* debole si fonda su una visione relativistica delle culture per cui l’apertura seguita alla globalizzazione ha prodotto scollamento nelle relazioni internazionali ed è esplosa una specie di incommensurabilità tra i criteri di giudizio. Il codice di comunicazione internazionale ne ha risentito. Nell’epoca del colonialismo o in quella della guerra fredda i *codici comunicativi* erano – ancorché sbagliati – chiari. Ma dopo, e soprattutto dopo l’11 settembre 2001, essi sono diventati confusi. Da un lato una concezione debole e relativistica di democrazia, dall’altro

l'impegno ad esportarla; qui una guerra intesa in senso convenzionale, là una guerra senza dichiarazioni formali e senza preavvisi, una guerra diffusa e impalpabile; popoli che non sanno bene se sono sfruttati da agenti sopranazionali o dalle proprie oligarchie; integralismi della ragione tecnologica da un lato e integralismi religiosi dall'altro. Per affrontare questa problematica, bisogna *ricostruire un codice comune* e per farlo occorre cominciare a vedere, oltre le diversità, quanto ci accomuna. La *governance* debole si fonda maggiormente sulla percezione delle diversità. Se non è più possibile un governo, ma si richiede una *governance*, – così almeno si crede e si dice – è perché prevale la frammentazione e il mosaico piuttosto che l'uniformità. Solo che questa frammentazione sta impedendo alla comunità internazionale di capirsi. Ecco perché ritengo che in questa fase storica sia maggiormente importante puntare sul riconoscimento di quanto ci accomuna. Interpreto in questo modo l'insistenza, diventata ormai addirittura pressante in questi ultimi anni, con cui i Sommi Pontefici sottolineano *la forza della legge naturale affinché essa ritorni ad essere il punto di riferimento per un'etica di base condivisa e per un codice comunicativo non formale*.

Mi sembra questo anche il motivo per cui – e così siamo al secondo punto che vorrei toccare – gli insegnamenti di Giovanni Paolo II e di Benedetto XVI insistano sulla *verità nelle relazioni internazionali*. Il Santo Padre Benedetto XVI ha dedicato il suo primo Messaggio per la Giornata mondiale della Pace del 1 gennaio 2006⁹ al tema della verità. Io stesso ho avuto modo di sottolineare che la “concertazione” tra gli Stati ha lo scopo di “contribuire ad una società in cui ogni persona ed ogni famiglia abbia il suo posto e possa vivere serenamente, dando il proprio contributo al bene comune”.¹⁰ Con la parola “concertazione” intendevo un dialogo profondo e rispettoso, verace nel senso di andare al cuore delle persone e dei popoli, realistico e capace di mantenere gli impegni presi. La verità nella concertazione internazionale richiede che gli Stati, nel dialogare o anche nel disputare tra loro, abbiano sempre davanti i popoli che essi rappresentano e l'intera comunità mondiale, in quanto la loro dignità morale consiste proprio in questo.¹¹ Gli Orga-

⁹ Benedetto XVI, *Nella verità la pace*, Messaggio per la Giornata Mondiale della Pace, 1 gennaio 2006 cit., pp. 4-5.

¹⁰ Card. Tarcisio Bertone, *Discorso al Corpo Diplomatico accreditato presso la Santa Sede*, 29 settembre 2006, in “L'Osservatore Romano” 30 settembre 2006, p. 7.

¹¹ “Gli Stati devono essere al servizio della cultura autentica che appartiene in modo particolare alla Nazione, al servizio del bene comune, di tutti i cittadini e le associazioni, cercando di stabilire per tutti delle condizioni di vita favorevoli” (Giovanni Paolo II,

nismi internazionali e le organizzazioni della società civile internazionale possono aiutare gli Stati a maturare sempre di più questa consapevolezza, ma non possono sostituirsi ad essi in quanto spetta a loro fare. Si noti che questo tema della verità è strettamente legato con il precedente tema della riscoperta di quanto è comune ed anche con quello del riferimento alla legge naturale. Ha detto infatti Benedetto XVI: “Questa medesima ricerca della verità vi porta al contempo ad affermare con forza ciò che vi è di comune, di appartenente alla medesima natura delle persone, di ogni popolo e di ogni cultura, e che deve essere parimenti rispettato”.¹²

La terza sottolineatura è una estensione di questo stesso tema della verità e lo faccio tenendo conto del luogo in cui mi trovo. Dovendo io parlare alla Pontificia Accademia delle Scienze Sociali non posso non osservare che si nota oggi un gran bisogno di un *coordinamento dei saperi* che riguardano la vita internazionale. Molte scienze sociali se ne occupano ed è bene che sia così. Non sarebbe possibile, contrariamente, inquadrare teoricamente le immani problematiche che ci attendono. Le scienze sociali, tuttavia, chiedono un *coordinamento e un orientamento epistemologico*, in modo che tutte possano collaborare al bene dell'uomo. Il piano delle relazioni internazionali sente oggi in modo molto acuto questa necessità, proprio per non disperdere i saperi dentro una *governance* debole. Ritengo che la dottrina sociale della Chiesa, per come è stata proposta nel *Compendio* pubblicato dal Pontificio Consiglio della Giustizia e della Pace, possa dare un proprio significativo contributo a questo scopo in quanto, proprio per sua natura, essa ha un carattere orientativo della interdisciplinarietà.¹³

Discorso al Corpo Diplomatico accreditato presso la Santa Sede, 1984, n. 4). Secondo Giovanni Paolo II gli Stati godono di una autorità finalizzata al bene della nazione, del popolo, della cultura e, contemporaneamente ad edificare la comune famiglia umana (Cf. G. Crepaldi, *Introduzione* a Pontificio Consiglio della Giustizia e della Pace, *Giovanni Paolo II e la famiglia dei popoli. Il Santo Padre al Corpo Diplomatico (1978-2002)*, Libreria Editrice Vaticana, Città del Vaticano 2002, pp. 11-15).

¹² Benedetto XVI, *Discorso al Corpo Diplomatico accreditato presso la Santa Sede*, 9 gennaio 2006 cit., p. 7.

¹³ Cf. G. Crepaldi e Stefano Fontana, *La dimensione interdisciplinare della Dottrina Sociale della Chiesa*, Cantagalli, Siena 2006.

Da una Governance tecnica ad una Governance etica

Nel Messaggio per la Giornata Mondiale della Pace del 1 gennaio 2004, Giovanni Paolo II ha fatto due affermazioni – strettamente legate l’una con l’altra – che voglio qui richiamare. “L’umanità, – Egli ha scritto – di fronte ad una fase nuova e più difficile del suo autentico sviluppo, ha oggi bisogno di un grado superiore di ordinamento”, e poi ha aggiunto: “Occorre che l’Organizzazione delle Nazioni Unite si elevi sempre più dallo stato freddo di istituzione di tipo amministrativo a quello di centro morale”.¹⁴ Queste due frasi mettono in relazione l’esigenza di darsi non semplicemente un nuovo ordinamento internazionale, ma di darsene uno di “superiore” e, nel contempo, di puntare su un rinnovato rilancio dell’etica nelle relazioni internazionali. L’auspicio fatto da Giovanni Paolo II per l’ONU non riguarda, evidentemente, solo questa Organizzazione ma tutti gli attori della società internazionale. Io credo che proprio questo sia il punto. Una *governance* debole, quale mi sembra essere quella di oggi, finisce per essere solo o prevalentemente tecnica. In questo modo, però, anche il ricorso alla guerra è facilitato, perché anche la guerra è, in fondo, l’idolatria della tecnica. Sia che essa venga svolta con sofisticate armi moderne sia che si utilizzino rudimentali strumenti per atti terroristici, dietro la guerra c’è senz’altro – accanto alle tante drammatiche sue cause – anche l’idea che un intervento “chirurgico” possa risolvere i problemi. Anche la guerra è espressione dello “spirito di tecnicità”, che è una delle principali ideologie dei nostri giorni. Occorre passare da una *governance* debole che troppo spesso si affida alla guerra, in quanto non è capace di prevenire i conflitti mediante lo sviluppo e la giustizia, ad una *governance* ad alta intensità etica che produca un ordine del bene.

Libero è l’uomo che governa se stesso. Ma chi può dire veramente di governare se stesso? Chi si fa governare dalla verità e dal bene. “Farsi governare” sembra in opposizione con il “governarsi”, sicché solitamente si ritiene che per governarsi ci si debba liberare completamente da ogni rotta da seguire. Quando però l’uomo arriva a questo punto, risulta più schiavo di prima. Libero da tutto e da tutti – anche dalla verità e dal bene –, egli è però (e perciò) schiavo di se stesso e disponibile a farsi ricattare pur di soddisfare i pro-

¹⁴ Giovanni Paolo II, *Un impegno sempre attuale: educare alla pace*, Messaggio per la Giornata Mondiale della Pace, 1 gennaio 2004, n. 7, in Supplemento a “L’Osservatore Romano” 17 dicembre 2003, p. 3. Trattasi di due citazioni dalla *Sollicitudo Rei Socialis*, n. 43 e dal *Discorso all’Assemblea delle Nazioni Unite* del 5 ottobre 1995, n. 14.

pri interessi. È così compromessa la sua libertà interiore,¹⁵ sacrificata ad una presunta totale libertà esteriore. Capita così anche per la comunità politica, compresa quella internazionale. Come il singolo individuo, anche il corpo sociale ha tentato più volte lungo la storia di governarsi senza farsi governare dalla verità e dal bene. Di governarsi, cioè, in modo assoluto, togliendo qualsiasi riferimento ad esso superiore e proclamandosi, rispetto a tutto e a tutti, *legibus solutus*. Il passaggio dal governo alla *governance* può essere così un passaggio salutare, se nella *governance* cogliamo tutti l'opportunità per governarci non già senza dover rispettare nulla al di fuori dei nostri interessi, bensì nel rispetto dell'autentico essere di ogni persona e di ogni popolo che non ci siamo dati, ma che abbiamo ricevuto come una vocazione.

¹⁵ “La libertà interiore – ha detto Benedetto XVI – è, di fatto, la condizione per un'autentica crescita umana” (*Messaggio ai Partecipanti alla XII Sessione Plenaria della Pontificia Accademia delle Scienze Sociali*, in “L'Osservatore Romano” 29 aprile 2006, p. 5).

INTERNATIONAL JUSTICE
AND INTERNATIONAL GOVERNANCE
IN THE CONTEXT OF THE CRISIS OF MULTILATERALISM

MARY ANN GLENDON

Let me begin by thanking Your Eminence, on behalf of the members of this Academy, for your presence with us today and for generously sharing your reflections on topics that are of such critical importance in today's turbulent world.

It also seems right and proper on this occasion to give thanks for the moral witness of the Holy See's diplomatic corps on the world stage. In recent decades, the Catholic Church has become the single most influential institutional voice for the voiceless in international settings, speaking out on behalf of the poor, the vulnerable and the marginalized.¹ Hers is also one of the very few voices reminding us that social justice will not be achieved if it is regarded merely as a matter of policies and programs. As Pope Benedict XVI forcefully put it in *Deus Caritas Est*, no political order is so just that it can do without charity (*DCE*, 29).

That is why the founder of this Academy instructed us at our very first meeting in 1994 to keep in mind that, 'Among the fundamental values of the Church's social doctrine, a special place should be reserved for charity, because this represents the first category of life in society; charity makes it possible to take into account the free and voluntary action that consists in loving one's neighbor as oneself. It is the virtue which will endure to the end of history and the duty on which moral life is based'.²

¹ How peculiar it is, therefore, that those who use the term 'international civil society' almost never include the Catholic Church in that concept!

² Pope John Paul II, Address to the Pontifical Academy of Social Sciences, 25 November 1994 (9).

In her social doctrine, the Church has always made a point of insisting – both as a normative and a practical matter – that the principle of subsidiarity must be respected in any effort to bring the virtues of charity and justice to life in the world around us (*DCE*, 29). That principle, of course, is central to the Church’s social teaching, though it remains subordinate to the virtues it aims to promote. Yet, as many have observed, the implications of subsidiarity for international relations remain relatively undeveloped. And even in other contexts, its meaning has often been misunderstood. Its practical implications under the actual conditions that prevail in diverse societies and in international settings have been little explored. There is still too little understanding of what social tasks are best carried out at what level, and under what circumstances. Those investigations will require well-informed technical and prudential judgments that in turn will depend on conditions that vary from time to time and place to place. In short, there is much work to be done by all the social sciences.

No doubt that is why the former Holy See Minister for Relations with States asked this Academy two years ago to explore the implications of the subsidiarity principle in the context of the challenges for Catholic social doctrine posed by globalization. To a great extent, the agenda of the present plenary session on ‘Charity and Justice in the Relations among Peoples and Nations’ was in response to that request. In the course of this session, we have endeavored to explore that theme through the illuminating perspective supplied by *Deus Caritas Est*, which is in an important sense a social encyclical.

As my contribution to today’s discussion of ‘International Justice and International Governance’, I would like to offer just a few observations about two areas where there seem to be some internal tensions in Catholic social doctrine, and where further thought and elaboration would be desirable.

First, let us consider the approach to poverty and development. Many Catholics, taking their bearings from *Centesimus Annus*, now speak routinely of the need to bring the poorest peoples of the world into ‘the circle of productivity and exchange’ (cf. *CA*, 34). But in an address to this Academy in 2001, John Paul II himself complicated that prescription by cautioning that ‘The market imposes its way of thinking and acting, and stamps its scale of values on behavior’.³ ‘Globalization’, he warned, often risks destroy-

³ Pope John Paul II, Address to the Pontifical Academy of Social Sciences, 27 April 2001 (3).

ing the carefully built structures of civil society 'by exacting the adoption of new styles of working, living and organizing communities'. Accordingly, he advised that globalization 'must respect the diversity of cultures which, within which the universal harmony of peoples, are life's interpretive keys. In particular it must not deprive the poor of what remains most precious to them, including their religious beliefs and practices...'

Similar concerns, coupled with a similar appreciation for globalization's potential benefits, have been expressed by a leading interpreter of globalization, Thomas Friedman, who has written that, 'You cannot build an emerging society...if you are simultaneously destroying the cultural foundations that cement your society...[W]ithout a sustainable culture there is no sustainable community and without a sustainable community there is no sustainable globalization'.⁴

So one of the greatest challenges of the globalization era will surely be whether and how it is possible to bring peoples into the circle of productivity and exchange without destroying the cultural environments where human beings fulfil their needs for roots, meaning, and stability.

International governance is another area where Catholic social thought seems to need further attention. The social teachings emphatically affirm the rights of peoples and nations. In fact, on the 50th anniversary of the United Nations, Pope John Paul II spoke at length of the need to develop protections for peoples and nations analogous to the rights of persons.⁵ At the same time, the Holy See has been one of the strongest supporters of the United Nations and other international institutions, recognizing that numerous problems cannot be addressed adequately at the national or local levels. The principle of subsidiarity is supposed to help resolve the tension between the need for international solutions to certain problems and the need to respect the integrity of nation states and other bodies of a lower order.

Thorny problems arise, however, when one tries to determine just how the subsidiarity principle can or should be implemented under specific circumstances. As the saying goes, the devil is in the details.

⁴ Thomas L. Friedman, *The Lexus and the Olive Tree* (rev. ed., 2000), 302.

⁵ Pope John Paul II, Address to the 50th General Assembly of the United Nations, 5 October 1995, 5-8. '[O]ne source of the respect which is due to every culture and every nation [is that] every culture is an effort to ponder the mystery of the world and in particular of the human person; it is a way of giving expression to the transcendent dimension of human life' (9). See also, *Centesimus Annus*, 16.

The situation is complicated by the emergence among international lawyers, international civil servants, and international NGOs of a professional culture that is indifferent at best and hostile at worst to the concept of a legitimate pluralism in implementing principles of freedom, charity, and justice. The idea of legitimate pluralism, so central to the thought of the founders of the United Nations,⁶ was strongly emphasized by Pope John Paul II in his 1995 United Nations address.⁷ But it is largely ignored by proponents of a form of international-*ism* that tends to place itself above sovereign states and civil society alike – an internationalism that formulates its objectives mainly in terms of its own dogmatic interpretations of human rights, and that often treats international law as a means to achieve results that have been rejected by national democratic political processes.

The subsidiarity principle, by contrast, affirms the value of international institutions, but avoids uncritical acceptance of internationalism. Just as the Church cannot regard the nation state as the final form of human political organization, she cannot assume that every body that labels itself international represents an advance for humanity.⁸ In that connection, a special challenge for the Holy See's posture toward international institutions arises from the fact that the record of existing international institutions is quite mixed, with notable deficiencies when it comes to protecting unborn human life and the integrity of the family, as well as in transparency and accountability, susceptibility to ideological biases, and co-option by special interests.⁹

Among the faithful, an inadequate understanding of these problems can aggravate the pick-and-choose attitudes that are already all too prevalent with respect to social justice issues. Recently, for example, the U.S. Bishops had to point out that while 'Catholics should eagerly involve themselves as advocates for the weak and marginalized', a failure to defend unborn life 'renders suspect any claims to the "rightness" of positions in other matters affecting the poorest and least powerful members of the human community'.¹⁰

⁶ Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (2000).

⁷ Pope John Paul II, Address to the 50th General Assembly of the United Nations, 5 October 1995, 3.

⁸ George Weigel, 'World Order – What Catholics Forgot', *First Things*, May 2004.

⁹ See, regarding family policies, Mary Ann Glendon, 'International Organizations and the Defense of the Family', in *La Famiglia: Dono e Impegno, Speranza dell'Umanità* (Vatican City, 1999), 31-47.

¹⁰ U.S. Bishops, *Living the Gospel of Life* (23).

The time thus seems right for Catholic international relations theory to undertake a critical evaluation of its posture toward contemporary international law and international organizations. To what extent do they operate in accordance with the principle of subsidiarity, addressing only the kinds of problems that cannot reasonably be handled by separate entities at a lower level, intervening only to assist, not to replace, roles of national and smaller communities?¹¹ To what extent do they displace smaller structures that enable men and women to have a voice in setting the conditions under which they live, work, and raise their children? In their day-to-day activities, to what extent do they promote or impede charity, freedom, justice, security, and the pursuit of dignified living?

In an important article titled 'Subsidiarity as a Structural Principle of International Human Rights Law', Professor Paolo Carozza argues that subsidiarity, rightly understood, offers a promising way of bridging many of the impasses that currently afflict human rights and international law. Among its merits, he cites the fact that, 'It values the freedom and integrity of local cultures without reducing particularism to pure devolution..., and it affirms internationalism...without the temptation for a super-state or other centralized global authority'.¹² To the charge that the principle is too vague or soft, Professor Carozza sensibly replies that, 'The only sure way to address that challenge is to put subsidiarity to the test by seeking to apply it to concrete, "real world", problems'.

For that to happen, of course, would require no small degree of intellectual and political effort. One of the purposes of this Academy is to aid such efforts at both the practical and theoretical levels. In our studies of democracy as well as in our globalization project, we have sought to enrich and deepen ongoing debates about the most effective ways to promote 'charity and justice' in a world torn by conflict and injustice. In the months ahead, we expect to produce a report that will harvest the results of our previous studies and combine them with the insights gained in the present Plenary Session. In so doing, we hope to contribute to a better understanding of what can be done, concretely, to shift probabilities in favor of relations among peoples and nations that are grounded in prin-

¹¹ Paolo Carozza, *Universal Common Good and the Authority of International Law*, 8 *Logos* 28 (2006).

¹² Paolo Carozza, *Subsidiarity as a Structural Principle of International Human Rights Law*, 97 *American Journal of International Law* 38, 78 (2003).

principles of charity, justice, and respect for human freedom and dignity. We will feel rewarded, Your Eminence, if the fruits of our work can be of some assistance to you and your co-workers, and we thank you for the encouragement that your presence here represents.

SESSION X

INTERNATIONAL JUSTICE, WATER AND RESPECT FOR CREATION

JACQUES DIOUF

The Right to Water: A Matter of International Justice

The eradication of poverty and hunger in rural areas is linked closely to fair and equitable access of the most vulnerable people to basic livelihood assets (including land and water) for domestic and productive uses. Yet we still have far to go before we reach that goal.

In 2004, the World Health Organization and UNICEF estimated that 1.1 billion persons did not have access to an improved water supply (80 per cent of them rural dwellers) and 2.6 billion persons were estimated to be without sanitation.¹

A major study, the *Comprehensive Assessment of Water Management in Agriculture*, reveals that one in three people today face water shortages.²

About a third of people without access to an improved water source live on less than \$1 a day. Reducing the financial burden of water spending on the budgets of the poor would have the effect in many cases of increasing household income, improving prospects for escaping poverty and enhancing resilience against shocks.³

Millennium Development Goal 7 – Ensure environmental sustainability – includes the following water-related target: ‘Reduce by half the proportion of people without sustainable access to safe drinking water’.⁴

¹ WHO and UNICEF. 2006. *Joint monitoring programme for water supply and sanitation database*. Available online at www.wssinfo.org.

² CA. 2007. *Water for food, water for life: A comprehensive assessment of water management in agriculture*. London: Earthscan and Colombo: International Water Management Institute.

³ UNDP. 2006. *Beyond scarcity: Power, poverty and the global water crisis*. Human Development Report 2006. New York.

⁴ UN Online. *Millennium Development Goals*. Available at: <http://www.un.org/millenniumgoals/>.

In order to clarify rights and obligations with respect to achievement of this target, the Commission on Economic, Social and Cultural Rights (CESCR) adopted General Comment No. 15 on the Right to Water in November 2002. This comment provides an interpretation of Articles 11 and 12 of the *International Covenant on Economic, Social and Cultural Rights*.

Although the Right to Water is not explicitly mentioned in the Covenant, the General Comment takes the position that the right to an adequate standard of living implies a right to safe water for personal and domestic uses. In addition, it acknowledges that water is also necessary for securing other economic, social and cultural rights such as the right to adequate food, the right to health, the right to gain a living by work and the right to take part in cultural life. Therefore, in establishing priorities for the allocation of water in situations of water scarcity, the CESCR concluded that priority should be given not only to water for personal and domestic uses, but also to 'the water resources required to prevent starvation and disease, as well as water required to meet the core obligations of each of the Covenant rights'.⁵

The CESCR also emphasized that it is particularly incumbent on States parties, and other actors in a position to assist, to provide international assistance and cooperation, especially economic and technical, which would enable developing countries to fulfil their core obligations with respect to the satisfaction of the Right to Water.⁶

The Growing Need For Water

Even though there is theoretically sufficient freshwater to meet all of the world's projected needs for the foreseeable future, water is not necessarily accessible in the locations where it is needed. Further, unsustainable use is putting additional pressure on available supplies in many parts of the world. One important reason for this is the increase in the per capita demand for water that accompanies our modern lifestyle.

The water needs of a single human being grow exponentially as the person's wealth and position in life increases. Each one of us requires just 2 to

⁵ CESCR. 2002. *General Comment No. 15 (2002): The right to water (arts. 11 and 12 of the International Covenant on Economic, Social and Cultural Rights)*. E/C12/2002/11.26. November 2002. Paragraphs 2-4 and 6. Geneva. See also World Summit on Sustainable Development (WSSD). 2002. *Plan of Implementation*. Paragraph 25 (c).

⁶ CESCR. 2002. *Op. cit.* Paragraph 38.

5 litres of water per day for survival, and from 20 to 50 litres of water for cooking, bathing and cleaning. In urban areas worldwide the amount of water consumed by households averages around 200 litres of water per person per day. This includes all uses of running water in and around the home, plus other withdrawals from the city water supply for use by public or commercial properties.⁷

Moreover, each day, we 'eat' more water than we drink. On average, FAO estimates that it takes around 1,000 to 2,000 litres of water to produce a kilo of wheat and 13,000 to 15,000 litres to produce the same quantity of grain-fed beef.⁸

The two main factors driving how much more food will be needed and how much water the production of this food will require, are population growth and dietary change. As the world population continues to increase, more water will be needed for the cultivation of food, fibre and industrial crops and for livestock and fish. With rising incomes and continuing urbanization, food habits change towards richer and more varied diets that include greater quantities of foods derived from livestock, fish and horticultural crops that consume more water. It is estimated that food and feed crop demand will nearly double in the coming 50 years.⁹

Water use has been growing at more than twice the rate of population increase in the last century, and, although there is no global water scarcity as such, an increasing number of regions are chronically short of water. By 2025, 1.8 billion people will be living in countries or regions with absolute water scarcity, and possibly as much as two-thirds of the world population could be under conditions of water stress. The situation will be exacerbated as rapidly growing urban areas place heavy pressure on local water resources.¹⁰

Historically, large-scale water development projects have played a major role in poverty alleviation by providing food security, protection from flooding and drought, and expanded opportunities for employment. In many cases, irrigated agriculture has played a major role in the development of rural economies, supporting economic growth and poverty reduction. However, at the same time, poor communities have tended to suffer the greatest health

⁷ CA. 2007. *Op. cit.*

⁸ *Ibid.*

⁹ UN Water and FAO. 2007. *Coping with water scarcity: challenge of the 21st Century*. New York and Rome.

¹⁰ *Ibid.*

burden from inadequate water supplies and, as a result, have been unable to escape from the cycle of poverty and disease. In semi-arid regions, increasing numbers of the rural poor are coming to see entitlement and access to water for food production, livestock and domestic purposes as more critical than access to primary health care and education.¹¹

Low cost small scale water harvesting and irrigation systems at village level, mobilizing local manpower and thus ensuring appropriation by the rural communities are often more needed than large irrigation schemes.

Water scarcity affects all social and economic sectors. As population grows and development needs call for increased allocations of water for cities, agriculture and industries, the pressure on water resources intensifies, leading to tensions, conflicts among users, and excessive strain on the environment. The increasing stress on freshwater resources brought about by the ever-rising demand and growing pollution worldwide is of serious concern to all.

Water scarcity induces competition for water between users, between sectors of the economy, and between countries and regions sharing a common resource, as is the case for international rivers. Many different interests are at stake, and equitable and sustainable solutions must be found. Water conflicts can arise in water stressed areas among local communities and between countries. The lack of adequate institutional and legal instruments for water sharing exacerbates already difficult conditions. In the absence of clear and well-established rules, a greater focus is needed on the peaceful sharing and management of water at both international and local levels. In that regard, it is important to highlight that international food markets serve as a sort of vehicle for transferring 'virtual water' from food exporting water-abundant countries to food-importing water-scarce countries.

Matching Availability With Need

The availability of water within the earth's ecosystem can be measured and discussed either in terms of annual flows or volumes stored. FAO uses the flow approach, since it reflects the relationship of water use to the functioning of the hydrologic cycle. This cycle begins with the evaporation of water from the surface of the ocean. As moist air is lifted, it cools and water vapor condenses to form clouds. Moisture is transported around the globe until it returns to the surface as precipitation. Ninety-

¹¹ *Ibid.*

seven percent of the returning water falls on the ocean. The remaining three percent, around 110,000 cubic kilometres per year, falls on the earth's land surfaces. When this rainwater reaches the ground, some of the water is retained on top of or in the upper layers of the soil, from where it evaporates or is transpired by vegetation back into the atmosphere. The rest either runs along the surface into streams and rivers or infiltrates the soil and becomes groundwater that seeps its way into the streams and rivers. Eventually water makes its way back to the oceans, where the cycle begins again.¹² Natural landscapes, human settlements, agriculture and industry all withdraw water from these flows.

Rain falling on the ground maintains soil moisture that provides the water needed to maintain the earth's vegetation. It is this soil moisture which is tapped to support rainfed agriculture. This water is referred to by some as 'green water'.¹³ Green water accounts for 61 percent of total rainfall over land. Eighty percent of the world's agricultural land is cultivated using green water only¹⁴ and two-thirds of global cereal production relies exclusively on green water. However, whereas yields of cereals on irrigated areas average more than 3 metric tonnes per hectare, yields on rainfed land average only about half that amount.¹⁵

The remaining 39 percent of the annual rainwater flow moves through rivers and aquifers on its way to the ocean. This is referred to as 'blue water'. Humankind currently withdraws about 3,900 cubic kilometres per year from blue water flow, or about 9 percent of the total, for agricultural, domestic and industrial purposes. Of this, 70 percent is currently used for irrigation, with huge variations across and within countries. Cities and industries withdraw 1,200 cubic kilometres but this is growing rapidly. The increasing demand for blue water and its degradation are important drivers of water scarcity.¹⁶

It is probably in rural areas that water scarcity affects people most. Smallholder farmers make up the majority of the world's rural poor, and they often occupy marginal land and depend mainly on rainfall for produc-

¹² University of Illinois Urbana Champagne, Department of Atmospheric Sciences. *The hydrologic cycle. Online guide*. Weather World 2010 (WW2010). Available online at: [http://ww2010.atmos.uiuc.edu/\(Gh\)/guides/mtr/hyd/home.rxml](http://ww2010.atmos.uiuc.edu/(Gh)/guides/mtr/hyd/home.rxml)

¹³ CA. 2007. *Op. cit.*

¹⁴ FAO Online.a. *The FAOSTAT database*. Available at: <http://faostat.fao.org/>

¹⁵ *Ibid.*

¹⁶ CA. 2007. *Op. cit.*

tion. They are highly sensitive to many changes – droughts, floods, but also shifts in market prices. However, rainwater is rarely integrated into water management strategies, which usually focus exclusively on surface water and groundwater. Countries need to integrate rainwater fully into their strategies to cope with water scarcity.¹⁷

Improving the use of green water in agriculture holds considerable potential for managing water scarcity, increasing food production and reducing poverty, whilst maintaining ecosystem services.¹⁸ Realizing the potential of existing rainfed areas reduces the need for water withdrawals from rivers and groundwater for new large-scale irrigation development. However, until recently, ‘water attention’ has focused on blue water, and green water has only rarely been integrated into water management strategies. But focusing only on rainfed areas carries considerable risks. If adoption rates of improved technologies are low and rainfed yield improvements do not materialize, the expansion in area relying on green water that would be required to meet rising food demand would be around 53% by 2050. Globally, the land for this is available, but agriculture would then encroach on marginally suitable lands and add to environmental degradation, with more natural ecosystems converted to agriculture.¹⁹ It is therefore necessary to also improve the management of blue water.

Continued and increasing extraction of blue water is threatening the integrity of natural ecosystems, leading to the loss of significant biological diversity and undermining the ecosystem productivity on which so many poor people depend. Half of the world’s wetlands disappeared during the twentieth century, many rivers no longer reach the sea, and fish species are endangered.²⁰ High overuse tends to occur in regions heavily dependent on irrigated agriculture and in areas undergoing rapid urbanization and industrial development. Decreasing the demand pressure on blue water by increasing the efficiency of use of blue water in agriculture, as well as in other sectors, is fundamental.

Addressing the Impacts of Climate Change

Climate change, now a major international issue, is expected to account for about 20 percent of the global increase in water scarcity. Countries that

¹⁷ UN Water and FAO. 2007. *Op. cit.*

¹⁸ *Ibid.*

¹⁹ CA. 2007. *Op. cit.*

²⁰ UN Water and FAO. *Op. cit.*

already suffer from water shortages will be hit hardest. And even the increasing interest in bioenergy created by the need to reduce the carbon emissions that are causing global warming could result in further burden on scarce water resources.

Climate change poses a profound, and profoundly predictable, threat to water security for many of the world's poorest countries and millions of its poorest households. Rich as well as poor countries will feel the impact of changing rainfall patterns, extreme weather events and rising sea levels. But poor countries – and poor people in those countries – lack the financial resources available to rich states to reduce risk on the scale required.²¹

The theme of the Plenary Assembly of the Pontifical Academy of Sciences, held in November 2006, was 'Predictability in Science: Accuracy and Limitations'. In delivering his message to this Assembly, Pope Benedict XVI mentioned that predictability is one of the main reasons for science's prestige in contemporary society and that the establishment of the scientific method has given the sciences the ability to predict phenomena, to study their development, and thus to control the environment in which man lives.²²

Although the Intergovernmental Panel on Climate Change (IPCC) does not conduct new research, it plays an important role in making the results of the latest scientific research on climate change accessible to policymakers and the general public. In the past its reports have played a major role in inspiring governments to adopt and implement the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol.

This year (2007) the IPCC will release its first major global assessment of climate change science in six years. In the Summary Report of the Working Group I on the physical science basis for predicting climate change,²³ the IPCC concluded that changes in the atmosphere, the oceans and glaciers and ice caps now show unequivocally that the world is warming. Major advances in climate modelling and the collection and analysis of data have also given scientists very high confidence that the marked increase in atmospheric concentrations of greenhouse gases – carbon dioxide, methane and nitrous oxide – since 1750 is the result of human activities.

²¹ UNDP. 2006. *Op. cit.*

²² Vatican. 2006. *Address of His Holiness Benedict XVI to the members of the Pontifical Academy of Sciences*. Available online at: http://www.vatican.va/holy_father/benedict_xvi/speeches/2006/november/documents/hf_ben-xvi_spe_20061106_academy-sciences_en.html.

²³ IPCC. 2007a. *Climate Change 2007: The physical science basis. Summary for Policy Makers*. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. Paris.

The social and economic costs of not responding to climate change are generally seen to be much higher than the costs of taking immediate corrective action. There is much better understanding today about the regional and continental impacts although there remain uncertainties as to when, where and how climate change will affect specific countries. Changes in temperature and precipitation, and an increase in extreme weather events are likely to change water availability and food production potential in many areas of the world, especially Africa and Asia. There is the potential to disrupt food distribution systems and their infrastructure and to change the purchasing power of, for example, the rural poor.²⁴

FAO, in collaboration with the International Institute of Applied Systems Analysis (IIASA), has developed the Agro-Ecological Zones (AEZ) methodology, a worldwide spatial soil and climate suitability database. The AEZ approach has been used by IIASA to quantify regional impacts and geographical shifts in agricultural land and productivity potentials, and the implications for food security resulting from climate change and variability.²⁵ The analysis indicates that, on average, industrialized countries could gain in production potential, while developing countries may lose. Findings that show the potential impact of changing distribution of water availability for food and agricultural production and food security include:

- Global agricultural production potential is likely to increase with increases in global average temperature up to about 3°C, but above this it is very likely to decrease.
- Cold climates would benefit from higher temperatures, and new agricultural land may become available at high latitudes and high elevations.
- There is significant potential for expansion of suitable land and increased production potential for cereals only when considering the use of ‘new land’ made available by the warming of these cold climates at high latitudes.
- At lower latitudes, especially the seasonally dry tropics, crop yield potential is likely to decrease for even small global temperature increases, which would increase risk of hunger.

²⁴ IPCC. 2007b. *Climate Change 2007: Climate change impacts, vulnerability and adaptation. Summary for Policy Makers*. Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. Paris.

²⁵ Fischer, G., Shah, M. and van Velthuisen, H. 2002. *Climate change and agricultural vulnerability*. Laxenburg, Austria: IIASA.

- Increased frequency of droughts and floods would affect local production negatively, especially in subsistence sectors at low latitudes and will have much more serious consequences for chronic and transitory food insecurity and for sustainable development than will shifts in the patterns of average temperature and precipitation.

The mandate of FAO spans the entire biosphere, both on land and at sea. The living processes of all ecosystems, as well as management interventions of mankind as he utilizes the biosphere, all affect both the capture and release of carbon, the principal factor causing the greenhouse effect. Thus, the activities of FAO, in collaboration with governments of member countries and other stakeholders in the food and agriculture sector, including forestry and fisheries, are important for adequately responding to climate change and containing its adverse effects. Internationally, FAO seeks synergies with activities undertaken by the secretariat and subsidiary bodies of the UN Framework Convention on Climate Change (UNFCCC), the IPCC, sister agencies such as the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP), the Secretariats and subsidiary bodies of the Convention on Biodiversity (CBD) and the UN Convention to Combat Desertification (UNCCD), as well as regional organizations. FAO also hosts the secretariat of the Global Terrestrial Observing System (GTOS).

Within FAO, the Interdepartmental Working Group on Climate Change (IDWCC) works to mainstream and coordinate climate change related work among FAO's technical departments. Its most recent report²⁶ stresses that climate change adaptation will be needed in a variety of ecosystems, including agro-ecosystems (crops, livestock, grasslands), forests and woodlands, inland waters and coastal and marine ecosystems.

The words of Benedict XVI perfectly coincide with the principle guiding FAO's work in respect to climate change activities, namely the 'no-regret' approach. This approach emphasises measures that should be taken in any case – even in the absence of climate change – because they improve the efficiency of present practices in agriculture as well as in forestry or in fishery. At the same time, they put farmers, the foresters or the fishermen in a better position to adapt to or to mitigate the effects of climate change, should they occur. By implementing this approach in matters relating to water specifical-

²⁶ FAO. 2007. *Adaptation to climate change in agriculture, forestry and fisheries: Perspective, framework and priorities*. Rome: Interdepartmental Working Group on Climate Change.

ly and to the environment more generally, FAO believes that the principles of international justice and respect for creation will be well-served.

FAO's Approach to Improved Water Management

There are great opportunities to improve the ability of poor people to lift themselves out of poverty under conditions of greater water security and sustainability. With the right incentives and investments to mitigate risks for individual farmers, improving water control in agriculture holds considerable potential to increase food production and reduce poverty, while ensuring the maintaining of ecosystem services. Interventions need to be tailored to national and regional characteristics. In the short-term, small-scale water harnessing, irrigation and drainage works carried out at rural community level with local labour are a priority. Their cost is low, their technology is simple and their maintenance is easy. In the medium-term, well targeted investments in rural infrastructure, particularly small scale water control facilities, the upgrading of larger scale facilities and associated institutional reforms, can boost rural productivity and develop local economies. Longer-term actions include the responsible and sustainable management of large river basins, for the benefit of economies as a whole.

Today, agriculture is under intense pressure to reduce its negative environmental impact, especially by depleting water sources, polluting water systems, and contributing to soil infertility and erosion. Irrigation must be managed carefully to reverse environmental damage, which is already extensive, and the spread of water-borne diseases. Overuse of water in one place means deprivation in another. Improving the management of water resources is a question of getting more 'crop for the drop'. These improvements hinge largely on raising the water productivity of both rainfed and irrigation systems, but also on a much cleaner agriculture.²⁷

Achieving the World Food Summit target of reducing the number of undernourished persons by half by 2015 and contributing to Millennium Development Goal 1 – Eradication of hunger and poverty – will require the provision of adequate, safe water supplies for domestic uses, food crops, livestock, fish and agroforestry. The challenge of accelerating the provision of water services to satisfy basic human needs and secure sustainable

²⁷ FAO Online.c. *Water at a glance*. Available at: http://www.fao.org/ag/agl/aglw/WaterTour/index_en.htm.

improvement in the livelihoods of rural people requires addressing all uses within one strategic approach, aiming at an equitable, efficient and sustainable management of water resources. The introduction of improved techniques for water harvesting and exploitation of shallow aquifers can contribute to local food security for poor people in drought and flood-prone areas, ensuring that local food production is as productive as possible and stable, and that households have access to sufficient, safe supplies of water for domestic use, despite irregularities in the timing and intensity of rainfall and consequent unevenness in the recharge rates for underground and surface-level sources of water.

The Special Programme For Food Security

Increasing the productivity of agriculture through better water control can also make a significant impact. Farmers can use a variety of simple and affordable water management techniques to increase their yields and reduce their vulnerability to erratic rainfall or drought. For example, they can build earth barriers or furrows that channel rainwater runoff to plants or rows of plants (in situ conservation). Or they can capture water from a catchment area and direct it to the field (flood irrigation). To prepare for dry periods, they can collect rainwater in reservoirs, ponds and other basins (storage for supplementary irrigation). Studies throughout Africa have shown that rainwater harvesting can increase yields up to three times in the best cases. Not only does it provide more water for crops, but it also helps to recharge groundwater and to reduce soil erosion.²⁸

By combining low-cost techniques for water capture and water storage with small-scale irrigation technologies, productivity of poor households in rural and peri-urban areas can be enhanced and food and water security safeguarded. Because the technologies are simple to introduce and to use, the inputs to be provided to beneficiary households should produce immediate impacts, including:

- More assured access to safe drinking water, and to adequate supplies of water for cooking, bathing, laundry, cleaning, home gardens, backyard poultry and small animals
- More stable supply of underground water sources for both rainfed and irrigated agriculture and above ground water sources for irrigated agriculture and tree nurseries;

²⁸ *Ibid.*

TABLE 1. INDICATIVE LIST OF LOW-COST WATER CONTROL AND WATER USE TECHNOLOGIES.

Uses	Affordable technologies			
	Water capture	Water storage	Water lifting	Water use/application
Domestic ¹⁰ • safe drinking water • water for cooking, bathing, laundry, cleaning	Shallow tube wells: • dug wells • drilled wells • springs Recharge catchment system: • recharge well for a catchment area Underground water harvesting system: • system or other underground water storage structure fed by a catchment area Above ground rainwater harvesting system: • rooftop tank or pit		Human powered pumps: • hand pulleys and buckets • tread pumps	Water decontamination methods: • water filtration treatments (e.g. sand filters) • hollow fibre drinking water • chlorination technologies
Irrigated crop agriculture and tree nurseries	Shallow tube wells: • dug wells • drilled wells • springs Water harvesting systems, composed of a • catchment area and a water storage structure above ground (e.g. excavated pond, impounded reservoir) • catchment area and a water storage structure below ground (e.g. system)	Elevated tanks/trunks	Human powered pumps: • hand pulleys and buckets • hand pumps • treadle pumps Animal-powered pumps: • mulla • Persian wheel	Below ground application methods: • porous ceramic pot • porous and sectioned pipe perforated plastic sleeve Above ground application methods: • shallow trenches or canals • fertilization drip application kit • low cost hose irrigation system
Orchard crop agriculture and tree nurseries	Micro-catchment water harvesting systems for rainwater runoff: • infiltration pits • contour bunds (semi-circular, triangular) • wye/row terrace • Negeen type terrace			
Livestock watering ¹¹	Shallow tube wells: • dug wells • drilled wells • springs Water harvesting systems, composed of: • a catchment area and a water storage structure above ground (e.g. excavated pond, impounded reservoir) • a catchment area and a water storage structure below ground (e.g. system)		Human powered pumps: • treadle pumps Animal-powered pumps: • mulla • Persian wheel	Watering facilities • watering troughs
	Micro-catchment water harvesting systems for rainwater runoff: • contour bunds (semi-circular, triangular)			

¹⁰ Water sources are to be protected against pollution and water points are to be preferably located within a fenced area, at a safe distance from any sanitation facilities. In addition, to ensure the provision of safe drinking water, it is also necessary to provide hand washing facilities.

¹¹ Water sources are to be protected against pollution and water points are to be preferably located within a fenced area. Measures have to be taken to avoid contamination and overgrazing around water points. Rooftop water harvesting systems could be considered for livestock in confinement.

Compiled by the Land and Water Division of FAO, November 2005.

- More reliable and well-managed water sources for diversifying into livestock and fish.

Table 1 provides an indicative list of affordable water control technologies that are promoted by FAO through the Special Programme for Food Security (SPFS) and other crop and water management programmes of the Organization.

The SPFS is FAO's Flagship Programme for assisting countries to increase productivity and incomes of small farmers by, inter alia, enhancing the efficiency of water use. It was approved in 1994 to implement pilot projects that would demonstrate how to reduce hunger and malnutrition, principally by helping small farmers increase yields of staple food crops and diversify their farming systems. From the outset, the ultimate objective of the SPFS initiative was to assist countries to develop National SPFS Programmes on a large enough scale to make a significant difference in the fight against hunger. These programmes were meant to be implemented in two phases, with Phase I concentrating on pilot projects that would demonstrate the possibilities of rapidly increasing the yield of staple foods and improving household and national food security and Phase II involving formulation of 'bankable projects' that would mobilize the investment required to remove constraints hindering widespread adoption of viable technologies.

In its early years the main objective of the SPFS was to demonstrate how small-scale farmers could improve productivity, reduce year-to-year variability and increase farm incomes and food availability by forming local self-help groups and adopting simple low-cost technologies. Pilot SPFS projects focused on four technical components, namely, (i) to improve water control, (ii) to intensify crop production sustainably, (iii) to diversify production, and (iv) to carry out participatory constraints analysis aimed at identifying practical problems faced by farmers and resolving them. Since 1994, 105 countries have implemented pilot SPFS activities, most of which have included introduction of simple water management technologies such as those shown in Table 1.

Since 2002, in accordance with the experience gained with the Phase I projects, the recommendations of an independent evaluation of SPFS and the renewal of commitment that took place during the Millennium Summit in 2000 and the World Food Summit: *five years later* in 2002, FAO has defined a model for National Programmes for Food Security (NPFS) in which countries would upscale to a national level successful productivity-enhancing approaches and technologies for small farmers, and simultaneously introduce complementary actions to ensure access to food by the non-farming poor. Although these new national programmes often cover a

broader range of components than the initial pilot SPFS projects, the focus is still on helping poor rural households and urban slum dwellers achieve adequate and sustainable livelihoods through increased and more diversified agricultural production for home consumption and income generation. Therefore improvement of water resource management is usually a core component of the NPFS in any country where water scarcity is an increasingly pressing problem. Currently, NPFS are at various stages of formulation or implementation in almost 50 countries around the world.

Regional Programmes for Food Security (RPFS) provide complementary support, including on issues related to management of shared water resources and environmental planning and management. On the occasion of the World Food Summit: *five years later* (WFS:*fyl*) in 2002, FAO prepared draft RPFS for 21 regional economic organizations. These draft programme documents were presented and discussed during the side events of the WFS:*fyl* and at subsequent meetings with regional development banks in the various regions to facilitate mobilization of resources. As a result, extra-budgetary funds were obtained for the implementation of regional programmes for the Caribbean Forum (CARIFORUM), the Pacific Islands Forum (PIF) and the West African Economic and Monetary Union (UEMOA). FAO has also supported formulation of the Comprehensive Africa Agriculture Development Programme (CAADP), following the launch of the New Partnership for Africa's Development (NEPAD) in Abuja in 2001. To implement the CAADP, bankable investment project profiles have been formulated for investments in various sectors, including for water management and food security.

South-South Cooperation (SSC) has been a fundamental and integral part of the SPFS implementation strategy since 1996. Its objectives are to provide cost-effective expertise to countries that are implementing the SPFS, to enhance solidarity among developing countries and to forge long-term interaction at an operational level. Under this initiative, emerging developing countries send field technicians and experts to recipient countries for a period of two to three years, where they work directly with rural communities and farmers involved in the programme. To date 37 SSC agreements have been signed, in which the cooperating countries have committed themselves to provide up to 2,600 SSC specialists. As of mid-2006, a total of 1,348 experts and technicians had been fielded in 32 countries and two sub-regions to support SPFS projects.

Under the NPFS, the SSC will continue to play a critical role. Recently, FAO has entered into a strategic alliance with the Government of China to

eventually deploy an additional 3,000 SSC experts and technicians to national and regional programmes for food security. Similar arrangements are at various stages of discussion with other advanced developing countries. Providing this level of expertise will significantly strengthen the role and impact of SSC in support to NPFS and RPFs, both in terms of numbers and in terms of technical coverage, and is expected to lead to rapid improvement in the livelihood of small-scale rural producers.

FAO and UN-Water

UN-Water is made up of the UN agencies, programmes and funds that have a significant role in tackling global water concerns. It also includes major non-UN partners who cooperate with them in advancing progress towards the water-related goals of the Decade Water for Life and Millennium Declaration.

In 2003, UN-Water was officially endorsed as the new United Nations mechanism for follow-up of the water-related decisions reached at the 2002 World Summit on Sustainable Development and the Millennium Development Goals. It supports Member States in their efforts to achieve water and sanitation goals and targets.

UN-Water's work encompasses all aspects of freshwater, including surface and groundwater resources and the interface between fresh and sea water. It includes freshwater resources, both in terms of their quality and quantity, their development, assessment, management, monitoring and use (including, for example, domestic uses, agriculture and ecosystems requirements). The scope of the work of UN-Water also includes sanitation – encompassing both access to and use of sanitation by populations and the interactions between sanitation and freshwater. It further includes water-related disasters, emergencies and other extreme events and their impact on human security.

UN-Water acts at global, regional and country level. It adds value to the work and expertise of separate UN agencies and programmes. It brings coherence and integration among them, and serves as the common voice of the UN system on water and sanitation. UN-Water is recognised as the best and most promising example of inter-agency collaboration within the UN system, responding to the request by member countries to act together as *One United Nations*.

UN-Water works in close collaboration with non-UN partners. Today, 24 United Nations Agencies, Funds and Programmes are members of UN-

Water, and 10 international NGOs are partners. UN-Water provides timely information on status and trends of the world's freshwater resources, through the World Water Development Report. It is also responsible for organizing the annual United Nations World Water Day (22 March), freshwater related reports to the Commission on Sustainable Development and the United Nations Decade on Water 2005-2015.

FAO has participated in the creation of UN-Water and has been an active member since its inception in 2003. In view of the critical role water plays in agriculture, and of the prominent role of agriculture in global water use, with more than 70 percent of all water withdrawals, FAO considers inter-sectoral collaboration in the field of freshwater of utmost importance in the world's efforts to reaching all the Millennium development goals, in particular those related to Goal 1 'Eradicate extreme poverty and hunger' and Goal 7 'Ensure environmental sustainability'.

FAO's main thrust in UN-Water is to ensure that the role water plays in agriculture is well understood and valued in water debates. In particular, FAO collaborates with IFAD to highlight the critical role water plays in sustaining the livelihood of smallholders in rural areas. Too often, because of the relative importance of water use in agriculture, agriculture is considered as the sole responsible of all the problems the water sector encounters today: scarcity, encroachment on the environment, pollution, loss of biodiversity. FAO acknowledges the dimension of today's water crisis: it stresses the important role agriculture can play in addressing this crisis, and efforts that need to be done to increase the productivity of water use and reduce negative environmental impacts of agricultural activities, but it also highlights the need to achieve this in a way that contributes to the improvement of the conditions of living of rural populations. It also stresses the need for a regional approach that recognises large discrepancies in the degree of development of water management in agriculture and the need for accelerated investments in infrastructure in support to rural development, in particular in sub-Saharan Africa. FAO also stresses the need for a comprehensive approach to water development at local level that takes into account water uses for domestic purposes as well as for productive activities like agriculture, livestock production or aquaculture.

The theme of World Water Day 2007, which was celebrated on 22 March, was 'Coping with water scarcity'. This choice reflects the fundamental role agriculture plays in what is considered as one of the main challenges of the 21st Century.

At the same time, FAO has accepted to take the lead in further developing the programmes of UN-Water, and was elected Chair of UN-Water for the period 2007- 2008. In line with the spirit of UN-Water, FAO will seek to reinforce inter-agency collaboration to better serve the member countries. At national level, it will seek practical ways to avoid duplications and contrasts in approaches to water resources management, and enhance the overall effectiveness of UN agencies in their support to governments. At international level, it will focus on better monitoring of water-related targets and issues so as to better inform global policies and decision making processes. It will also continue focussing on the issue of water scarcity and the search for effective and equitable ways to address it.

Conclusion

The potential exists to provide adequate and sustainable supply of quality water for all, today and in the future. But there is no room for complacency, and it is our common responsibility to take the challenge of today's global water crisis and address it in all of its aspects and dimensions.

At the international level, countries need to increase their cooperation in dealing with the management of transboundary water, focusing on negotiations and dialogue and on the quest to optimize the overall social and economic benefits of equitable and sustainable water use. At the national level, policies and institutions need adapting in order to address competing uses in a fair and equitable way. At the local level, besides investments in water control facilities, better management practices are needed in all fields, leading to increased sustainability and equity in access to water. At all three levels, the development of effective conflict-resolution mechanisms has become increasingly important. Together with its partners in UN-Water, FAO is committed to assist Member Nations in reaching these objectives.

COMMENTS ON INTERNATIONAL JUSTICE, WATER AND RESPECT FOR CREATION

PARTHA DASGUPTA

1. INTRODUCTION

From time to time development ministries of national governments and international aid organizations warn us of the *looming* threat people in various parts of the world face owing to water scarcity. Dr. Diouf's article is an authoritative account of one of today's most underappreciated environmental problems, namely, the acute water scarcity experienced on a routine basis by some of the *contemporary* world's poorest people. Water stress is today's problem, not just tomorrow's. There is a lot of fresh water in the world; but it is available very unequally across the globe because the sources of water are unevenly distributed. As in so many other cases, there is mutual causation between poverty and water scarcity: poverty is accentuated when water is scarce, and water is that much harder to garner when one is poor.

Alongside food, air, clothing, energy, and shelter, water is a basic human need. Without it you cannot survive. And yet water occupies a curious place in our thinking: although at the back of our minds we recognise its scarcity, we don't like to regard it as an economic commodity. Indeed, we (as does Dr. Diouf) frequently use the language of 'rights' to deliberate over the criteria on the basis of which water ought to be distributed among people. In these comments I want to reflect on why Humanity harbours this tension. I shall conclude tentatively that it may even be that some of the water stress many communities face today is a result of that unresolved tension.

Water is both a consumption and a producer good. We drink water and bathe in it, but water is also an input in producing crops and rearing animals. The two aspects bring out somewhat different sets of issues, but in these comments I shall conflate them.

2. POSITIVE AND NEGATIVE RIGHTS

In an important and interesting essay, the legal philosopher Charles Fried classified *rights* in a binary way. We are to think of *positive* rights as a claim *to* something, a share of material goods or some particular commodity, such as education when young and medical attention when in need.¹ It is to the satisfaction of such needs that we have positive rights, and Fried derived them from the primary morality of respecting the integrity of persons as free, rational, but incorporated beings. A *negative* right, on the other hand, is a right that something *not* be done to one, that some particular imposition be withheld. It is a right not to be wronged intentionally in some specified way. This too is derived from the primary morality alluded to above.

Fried observed that positive rights are asserted to scarce goods and that scarcity implies a limit to their claim. He also suggested that negative rights, for example the right not to be interfered with in forbidden ways, do not have such natural limitations. ('If I am let alone, the commodity I obtain does not appear of its nature to be a scarce or limited one. How can we run out of people not harming each other, not lying to each other, leaving each other alone?' Fried, 1978: 110.) This is not to say that protection against unauthorized violence doesn't involve material resources. But then the claim to protection from, say, the government against such violence is a positive right, not a negative one.

Fried's distinction is important. The seeming asymmetry in resource costs may even explain the powerful hold negative rights have on our moral sensibilities. It is always feasible to honour negative rights (there are no direct resource costs, remember), but it may not be feasible to honour positive ones: the economy may simply not have sufficient resources to enable all to enjoy adequate nutrition, for example. It is then possible to entertain the idea that negative rights are inviolable, in a way that positive rights are not. For how can a right be inviolable if it is not always possible to protect it?

The asymmetry also offers an explanation for why we regard all persons to have *equal* negative rights, even while we eschew the idea of full equality in the distribution of goods to which we have positive rights. Negative rights don't have to be created, they have only to be protected. In contrast, positive rights are produced goods, and in deliberating their distribution we have to care about differences in individual talents *to* produce, we have to worry about incentives and the concomitant notion of obligations (to honour agreements, not behave opportunistically, and so forth), we have to worry about needs, as well as the related matter of deserts. The realization of positive rights involves a resource allocation problem, with all its attendant difficulties.

¹ Fried, C. (1978), *Right and Wrong* (Cambridge, MA: Harvard University Press).

3. PROPERTY RIGHTS TO WATER

Fried's distinction is useful for my purposes because in poor countries people regard food, clothing, energy, and shelter to be private, marketable goods, but would appear to be reluctant to place water in the same category. Dr. Diouf in effect says that everyone in a community has an equal right to potable water; but to insist on that is to place water in the category of negative-rights goods. For example, it isn't uncommon in poor countries for people to demand that local authorities provide tube wells so that water is freely available to users. Why? I am unable to offer anything like a historical account, but there are two broad sets of characteristics that are unique to water which may account for it. One is a biological imperative: water has no close substitute and is needed on a frequent and regular basis. Without water we die, and we die pretty quickly.² The other has to do with its geo-physical aspects. There are two types of water bodies of substance: streams and rivers, which are forever on the move (they are called 'fugitive' or 'migratory' resources); and ponds, lakes, and aquifers, which are at 'rest'. Both types are (hopefully!) recharged on an annual basis, meaning that water sources are renewable resources.³ I want to suggest that the combination of the biological and geo-physical aspects of water have had far-reaching influences on our attitude toward water and the property-rights systems communities have devised for it.

In fact water has a third characteristic, although it isn't unique to water. It is a natural resource, but having access to it can involve fixed costs that are huge in comparison to a community's financial reach. Irrigation channels, bore holes, and wells don't exactly come cheap.

The biological imperative makes water resemble a negative-rights good: deny a person water and you are condemning her to an almost immediate death. (There is, to be sure, a difference between 'omission' and 'commission', much discussed in the philosophical literature, but I ignore it here.) The large fixed costs in water 'production' means people have to engage in collective action: the community needs to work together to install the infrastructure, or in the modern economy the government is given charge to guarantee its

² This may be why 'freedom from thirst', is not a catch-phrase in the West, even though 'freedom from hunger' is. We see hungry people on the screen because humans are able to adapt to hunger by remaining stunted and becoming wasted.

³ There are important exceptions to this of course: the aquifer could be in an impervious rock formation, in which case the basin is an exhaustible natural resource.

installment. And the geo-physical make-up of water resources raises serious incentive problems: to monitor who is taking how much water is costly.⁴

In what follows I focus on the geo-physical implications.

Consider a group of farmers who draw water from an underground basin. While farmers may have titles to the land they cultivate, it isn't possible to give them titles to the water below, for water is migratory underground. In view of this, communities have often instituted the doctrine under which farmers have the right to extract as much water as they wish without regard to the effect of their withdrawals on others.

The problem with the doctrine is that it provides no protection to a well-owner from the lowering of the water table under his land caused by his neighbour's action. In the absence of some form of collective action (say, a charge on water or a quota on the amount one can draw each year), the doctrine encourages farmers to extract at too fast a rate relative to the rate at which the source is recharged. Admittedly, if the farms are small, no single farmer can affect the water table significantly. But if there are many farmers, the aggregate effect can be substantial. In extreme cases, over-extraction ruins the basin, because, for example, of salt water intrusion. Examples of this phenomenon abound today.

Even though an aquifer is a natural resource, it is useful to think of potable water in the home that is drawn from the aquifer as a produced good. Extraction, transportation, and treatment can be thought of as 'production'. Leaks in pipes transporting water can be thought of as depreciation during the production process. The real price of a unit of water in the home is composed of two elements: its value underground and its production cost. Economists refer to the former as 'rent'. Farmers in our example extract at too fast a rate because they don't have to pay that rent. That's the sense in which water in the aquifer is a free good. A good water policy would be either to charge farmers that rent or to impose quotas on extraction rates on individual farmers. In the former case the rents are collected by the agency imposing the charge; while in the latter case the farmers enjoy the rent implicitly. A third, and better, alternative would be to set a quota on the aggregate rate of extraction, issue farmers with licenses to extract (where the total number of licenses equals the aggregate quota) and

⁴ I have discussed these questions in greater detail in *An Inquiry Into Well-Being and Destitution* (Oxford: Clarendon Press, 1993) and *Economics: A Very Short Introduction* (Oxford: Oxford University Press, 2007).

allow them to trade licenses among one another if they so wish. Like the case of individualised quotas, water rents are enjoyed by the farming community when the fixed set of licenses are transferable. In short, water charges, on the one hand, and quotas and transferable licenses, on the other, have different income distributional consequences. But the idea behind each of these policy instruments is to ensure that the rents aren't dissipated as they are under free access to water.

If the water table in the aquifer is both high and deep, the rent component would be expected to be small relative to production costs; meaning that its stock is unlimited. Which may be why water has traditionally been viewed as a negative-rights good. The correct measure of 'water scarcity' is its social rent. It would be interesting if international organizations, such as the FAO, were to try to estimate the time trend of water rents in regions that are now facing water stress. Until water is seen as an economic good, its procurement and use will continue to be inefficient and, ultimately, unjust.

INTERNATIONAL JUSTICE, WATER AND RESPECT FOR CREATION

KUAN HSIN-CHI

Preface

As a layman to the subject matter, I follow the simple approach of framing the problem(s) as suggested in the title, going about data collection¹ with such a frame and undertake an analysis with a view to identifying solutions. These are then the questions that have guided my enquiry. What is the water problem? How does it manifest itself at the international level? Why does water have to do with (international) justice? And respect for Creation?

The Significance of Water and the Water Problem

Water is a significant element of Creation. Human life and the life of the myriad species depend on water in a critical way. Moreover, the trouble is that water, unlike oil but like air, has no substitute. What is the problem? In its first *World Water Development Report*² published in 2003, the United Nations told readers that we are in the midst of a water crisis. Is the water crisis real? Is there any controversy? To simplify the discussion, let's focus on water for agriculture.

Agriculture is the dominant water user, with an estimated amount at 2,490 km³, i.e. 74% of the total global blue water withdrawal. The corresponding percentages for industrial and domestic use are 18% and 8%

¹ Given the time constraints, I have in fact failed to consult quite a number of seemingly relevant literature that is not available locally.

² World Water Assessment Programme of the United Nations, *Water for People, Water for Life: The United Nations World Water Development Report*, publishing in 2003 jointly by UNESCO and Berghahn Books.

respectively. Narrowing the argument about the crisis to agriculture, the International Water Management Institute presented a comprehensive assessment report³ to the World Water Week in Stockholm, 2006. The assessment finds that over the next 50 years, there is enough land, water and human capacity to produce enough food for a growing population. This is based on several promising trends of development, such as the growth of water productivity and the increased global trade in virtual water embodied in food exports for the relief of local water stress. In a sense, there is no crisis looming. But the report also admits many more disturbing trends in terms of rising demands for water resources as a result of population growth and urbanization, increase in wastewater due to mismanagement and modern life-styles, degradation of water quality because of industrialization, depletion of water by evapotranspiration, damages to the environment and ecosystems caused by over-exploitation of water resources. On balance, the conclusion is that there is a water gap of up to 5,000 additional cubic kilometers of water to produce enough food by 2050.

According to the UN World Water Development Report, the key problem is that water supplies are falling while the demand is growing. Such a demand is driven mainly by population growth, agricultural production, energy requirements, urbanization, industrialization, recreation and tourism. Over the next 20 years, the average supply of water worldwide per person is expected to drop by a third. By the year 2025, water withdrawal will increase by 50 percent in developing countries and 18 percent in developed countries.

While water for food remains the dominant issue at the international scene, the problem of water has many faces, ranging from sanitation, health, energy production, environmental equity, poverty alleviation, to the sustainability of biodiversity. Many of the issues concerned are beyond the scope of this commentary. For our specific purpose, the water problem must be reframed with specific reference to the issue of justice at the global level and that of the respect for Creation.

With reference to international justice, the water problem is related to poverty, equity and peace. In terms of the respect for Creation, the problem of water is largely a matter of attitudes and behavior. There are particular ways of thinking and acting at the domestic as well as international levels that have contributed to the water crisis.

³ *Water for Food, Water for Life: Insights from the Comprehensive Assessment of Water Management in Agriculture*. A summary of the book can be downloaded from the official website of the Institute at <http://www.iwmi.cgiar.org/assessment/>.

Water, Poverty and Equity (Justice)

The story of water, or more precisely fresh water, is both scientific-technological and politico-economic. Over the ages, civilizations thrive and people get rich where the supply of water is abundant. When rivers run dry, cities or farms collapse and the inhabitants become poor. It thus seems that poverty is caused by the physical scarcity of fresh water. Many manifestations of poverty in South Asia and sub-Saharan Africa such as hunger, malnutrition, infectious diseases and poor health are results of shortage in food and poor living conditions which are in turn caused by the lack of water for irrigation or sanitation. Is then the physical scarcity of water a culprit of poverty that international efforts should come to the rescue?

A more technically accurate approach must leave the *stored* resources of fresh water that is admittedly scarce, i.e. about only 2.5% of the global total. As argued by Taikan Oki and Shinjiro Kanae,⁴ a more adequate measure of water availability is the 45,500 km³/year of annual discharge, which flows mainly through the rivers from continents to the sea. This is a volume of water much more than the global annual water withdrawal of 3800 km³/year. In other words, the right concept is not physical scarcity of water, but politico-economic accessibility to water.

Access to water can be secured by resources technology and management; it can also be resolved by trade. All these mean that technology, management, and trade can vary widely along the poverty-wealth spectrum. As such, the problem of water scarcity is not a business of physical nature that people and nations happen to live in. It is a matter of human choice within certain parameters of social relations. Hence, it can be a subject of justice, domestic, regional, or international.

Going back to the relation between poverty and the water problem, the story can be told the other way round: The water problem is the result of poverty. Compared to the poor, the rich have no water problem since they have better and secured access to fresh water. For instance, 'virtual water trade', i.e. transporting water over long distances across borders, has been saving water-stressed Hong Kong for decades. In similar vein, even though the environment is arid, Israel can afford the technology to desalinate ocean water for human use. Political economy can help a great deal to

⁴ 'Global Hydrological Cycles and World Water Resources' in *Science*, Vol. 313. no. 5790 (25 August 2006), pp. 1068-1072.

redress domestic injustice in water supply elsewhere. In India, for example, poor farmers enjoy heavily subsidized electricity to operate their pumps (the acquisition of them may have also been subsidized) to harvest groundwater for irrigation and domestic use. In situation like this, public health conditions often improve and food production increases. One may therefore conclude that the water problem is more of accessibility than of physical scarcity. Therefore, securing accessibility to fresh water is a basic strategy to poverty alleviation as a matter of justice.

In light of the above, it is no wonder that the target to reduce by half the proportion of people without sustainable access to safe drinking water is one of the Millennium Development Goals of the United Nations. The situation of inequity in terms of access variability to safe drinking water is reported as follows. A child born in the developed world consumes 30 to 50 times the water resources of one in the developing world. In terms of urban water infrastructure, according to a survey of 116 cities, urban areas in Africa are the worst served, with only 18 percent of households connected to sewers. The connection rate in Asia is just over 40 percent.

The confinement of the Millennium target to safe drinking water only represents a basic need approach whereby the international community is to take up a minimalist obligation to search for a solution to the water problem. The broader question remains whether the great disparities in accessibility to fresh water for a broader scope of use among people and nations is a matter of equity (justice) that requires international attention. This is a difficult question to answer as it depends on the different nature of water use, the various ways of usage and individual water-related environmental issues. Without going into the technical details of these various dimensions, one may perhaps establish that the claim to international justice arises if nationals of one country have to suffer from the disparity of accessibility as a result of negative externalities of the actions of nationals of another country. This is analog to the justice claim that polluter countries should pay not because they happen to be rich but that other countries have to suffer from the effects, e.g. global warming, of pollution.

Water, Environment and Equity (Justice)

Trends in the water problem can be double-edged. On the one hand, enhanced withdrawal of fresh water contributes to poverty alleviation, economic development, and improved well-being. On the other hand, the same activities often lead to pollution or degradation of the water resources, riv-

er desiccation, depletion of groundwater that is difficult to replace by rainfall, and damage to ecosystems and biodiversity. When these happen, the issue of intergenerational equity as well as environmental equity arises.

In this connection, a story narrated by Fred Pearce in his book⁵ is revealing. Unlike a generation ago, Indians no longer starve today. This came about thanks to a green revolution. However, the strategy thereby employed is costly. At least two thirds of the crops improved by that revolution is watered by plundering the country's groundwater. It has led to the fall of the water tables. Where water could be lifted from open wells dug to about 30 feet fifty years ago, now wells sunk to 1,300 feet may still run dry. Pearce met Chowdhury, a model farmer in northern Gujarat, who is known for his efficiency and ecological practice. Yet, he has to make his household's living by pumping from under his fields twice as much water as falls on the land in rain. Chowdhury knows very well and is worried that the water will eventually disappear. But, he told Pearce, 'What can I do? I have to live, and if I don't pump it up, my neighbors will'. Does he have no regard at all for his son's future? Well, he wants his son to get a job in the city. Does he have any regard for the future of other farmers' sons? Apparently not!

In the case of Chowdhury, we have a typical story of the tragedy of the commons.⁶ The story reveals a trade-off between poverty alleviation and environmental protection. Users of common resources such as groundwater pursue their own rational strategy of maximizing their individual benefits, thereby leading to the irreversible exhaustion or even extinction of the commons. It is an assault on intergenerational equity as the use of the commons is denied to future generations. Chowdhury thinks that his next generation has the option to exit the tragic structure. When everybody thinks likewise, the tragedy of the commons is bound to come earlier. A concern for justice in terms of the common good of generation after generation requires urgent actions at all levels.

⁵ Fred Pearce, *When the Rivers Run Dry: Water – the Defining Crisis of the Twenty-first Century*, Boston, Mass.: Beacon Press, 2006.

⁶ Garret Hardin, 'The Tragedy of the Commons', *Science*, 162 (1968), pp. 1243-8. The article examines the structure of a pasture 'open to all' from the perspective of a rational herder. He stands to directly benefit from herding his animals and suffers delayed costs from the decay of the common when he and his counterparts over-herd. The result is a tragedy. A society that believes in the freedom of the commons collapses as every herder pursuing his own best interest by increasing his cattle.

Water and International Peace

At first glance, water should breed conflicts since its availability is essential to life, production and well-being. A desire to seek control over water resources seems natural, leading to violent conflicts between riparian nations. However, the historical records prove otherwise. The UN World Water Development Report reveals that over the past 50 years, of the total of 1,831 water-related interactions between two countries, the majority, 1,228, were cooperative. They involved the signing of about 200 water sharing treaties or the construction of new dams. A total of 507 conflictive events were documented. Only 37 involved violence, of which 21 consisted of military acts – 18 between Israel and its neighbors.

According to Aaron T. Wolf *et al.*,⁷ no nation has gone to war specifically over water resources for thousands of years. The instances of cooperation between riparian nations outnumbered conflicts by more than two to one. People do compete sometimes violently for water, but water is never the single and hardly ever the major cause of conflict. On the other hand, riparian countries may cooperate even during war times. The Mekong Committee established by Cambodia, Laos, Thailand, and Viet Nam in 1957, exchanged data and information on the river basin throughout the Viet Nam War. Israel and Jordan held secret talks to manage the Jordan River since 1953, even though they were officially at war from 1948 until the 1994. The Indus River commission survived two major wars between India and Pakistan.

International Efforts to Do Justice to Water?

There are plenty of efforts at the global level to tackle water problems.⁸ Private efforts by non-governmental organizations tend to focus more on education to raise awareness and change behaviour towards more environmental friendly use of water. Inter-governmental efforts, bilateral or multi-

⁷ Aaron T. Wolf, Annika Kramer, Alexander Carius, and Geoffrey D. Dabelko, 'Water Can Be a Pathway to Peace, Not War', *Worldwatch Institute*, 2005. Downloadable from <http://www.worldwatch.org/node/79>.

⁸ At the national level, governmental efforts tend to follow three broad strategies, i.e. (1) to increase water supply by infrastructural investment, (2) to conserve water and make existing systems more efficient by technological investment and management reforms, and (3) to encourage saving and conservation by raising water price for users.

lateral, can be very concrete on the one hand, such as towards the establishment of information sharing systems. They can also be very broad, confining to advocacy of values and principles.

The most successful inter-governmental effort may be found in the cooperation among the member states of the European Union. It all started with the founding of the International Commission for the Protection of the River Rhine (ICPR) by Germany, France, Luxembourg, the Netherlands, and Switzerland in 1950. The process went through several treaties, i.e. Bern Treaty (1963), Rhine Chemical Treaty (1976), and Rhine Chloride Treaty (1976). The European Common Market joined them in 1976. Before the Single European Act came into force in 1987, the European riparian states had agreed on the first Rhine Action Plan for 1985-2000. The second Rhine Action Plan for 2001 – 2020 was adopted in the wake of the new Rhine Treaty in 1999 as a modern legal basis for closer cooperation.⁹

The second kind of international efforts is more multifarious and complicated. The UN Water Development Report gives a very succinct description of the development of international water policies from the Mar del Plata Action Plan of 1977 to the Accra Declaration on Water and Sustainable Development 2002. It suffices to summarize the key events here.

In its sixth report in 1988, the Commission on Sustainable Development mentioned equity and poverty when addressing water management. It recognizes the importance to let consideration of equitable and responsible use of water become an integral part in the formulation of strategic approaches to integrated water management at all levels, in particular addressing the problems of people living in poverty.

At the 1992 Earth Summit in Rio, water resources were mentioned as finite and vulnerable but not a particularly prominent issue. The emphasis is on the integration of sectoral water plans and programmes within the framework of national economic and social policy. The overall spirit of the approach, especially Principle 3 on 'the right to development', reflects the overriding concern of national sovereignty.

⁹ For details, see Annemiek J.M. Verhallen, J.L. Proseliske & G. Broseliske, 'Consequences of the European Union's Water Framework Directive for Information Management in its Inter-state River Basins', in Miguel A. Marino & S. P. Simonovic eds., *Integrated Water Resources Management*, Oxfordshire: International Association of Hydrological Science Publications, No. 272.

As international policy debate went on, water became firmly embedded into wider processes of sustainable development, environmental management and poverty reduction. This policy re-focusing is eminently reflected in the UN Millennium Declaration (2000):

We resolve further to have, by the year 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger and, by the same date, to halve the proportion of people who are unable to reach or to afford safe drinking water (paragraph 19).¹⁰

In response to the *World Water Vision* launched at the World Water Forum in The Hague in 2000, The Hague Ministerial Declaration of the same year identified seven challenges for the global community. They include (1) meeting basic needs of safe and sufficient water and sanitation, (2) securing food supply including the more equitable allocation of water for food production, (3) protecting ecosystems, (4) managing risks of floods, droughts, pollution and other water-related hazards, (5) sharing water resources at all levels, 'whenever possible', (6) valuing water in a way that account for the need for equity and the basic needs of the poor, and (7) ensuring good governance.

What have transpired do not amount to any tangible results in enforcing international justice in the management and allocation of water. The achievements consist largely in breakthrough in agenda-setting, generation of research information, raising public awareness,¹¹ and development of values and principles as benchmarks for assessment.¹² These principles are not even customary international law, not to speak of having any binding

¹⁰ A full copy of the declaration can be downloaded from the website of the United Nations, <http://www.un.org/millennium/declaration/ares552e.htm>.

¹¹ A prime example is the International Year of Freshwater, 2003 proclaimed by the UN General Assembly. See Marcia Brewster, 'International Year of Freshwater, 2003: Activities, Cooperation and Lessons Learned', in John C Rodda & Lucio Ubertini, eds., *The Basis of Civilization – Water Science?*, Oxfordshire: International Association of Hydrological Science Publication, 2004, pp. 109-116.

¹² Oran R. Young summarizes into what he calls 'the ethical code of human/environment relations seven principles: that of polluter pays, environmental equity, common but differentiated responsibility, obligation to future generations, stewardship, caring for the earth, and the precautionary principle and the corollary of reverse onus. For more discussion, see his 'Environmental Ethics in International Society', in Jean-Marc Coicand & Daniel Warner eds., *Ethics and International Affairs: Extent and Limits*. Tokyo: United Nations University Press, 2001, pp. 164-173.

force on sovereign states. As a discourse on normative principles, the above efforts to integrate water resources management into wider processes do not specifically pronounce any respect for Creation at all.¹³ The priority concern is sustainable development defined in terms of human welfare. Biodiversity, ecosystems and the life of non-human species are recognized as important for, but not equal with the human kind.¹⁴

The respect for nature (though not for Creation) can be found in a different international discourse on environmental protection in general, without specific reference to water. That is the World Charter for Nature, a resolution adopted by the UN General Assembly in 1982. The preamble of the Charter recognizes our interdependence with and responsibilities to the larger community of life and the evolving universe. Its paragraph 1 proclaims that '(n)ature shall be respected and its essential processes shall not be impaired'. The concept of 'respect' in the Charter represents a remarkable jump from an environmental concern in purely utilitarian terms of human welfare to an equal right to existence for other lives on the planet.

What Are the Barriers to International Justice?

International justice is not national justice writ large, because the former has often to be mediated by sovereign governments. There is neither international law nor any universally accepted set of norms governing international political interactions, that can effectively reconcile the tension between the nation-state's claim to sovereignty and the justice-claims posed by other states or their citizens.¹⁵

¹³ This statement does not deny that individual politicians may have the respect for Creation in mind when they seek to integrate non-utilitarian environmental protection within sustainable development. Klaus Toepfer, UNEP's Executive Director, is a case in point. In an interview on the eve of the World Summit on Sustainable Development in Johannesburg in [year], he provides the following unique perspective: 'This is a very necessary component for the Summit. Sustainable development needs diversities of culture, spiritual values and biodiversity. *Without respect for the creation of God* and the values of indigenous people, you cannot arrive at a peaceful and stable world'. Quoted from: <http://www.ourplanet.com/imgversn/131/topfer.html>.

¹⁴ This idea of differentiating between the concepts of environmental protection and sustainable development is borrowed from Oran R. Young, *ibid.*, pp. 163-164.

¹⁵ For an attempt to demonstrate the possibility of ethical principles in international relations and an argument for the state as a practically necessary, though not self-sufficient or enclosed, constituency of justice, see Leo McCarthy, *Justice, the State and International Relations*, London: MacMillan, 1998.

The concept of sovereignty is by nature anthropocentric. Sovereign governments are obsessed with national interest and power. National interest is not objectively given but subjectively constructed, the mode of construction has been state-centered, rather than people-oriented or environment-informed. The obsession with state capability leads to the preference for economic growth over the preservation of nature.

Given the principle of sovereignty and the anarchic nature of the state-system, the tragedy of the common is more difficult to overcome at the global level than the national one. A national government can, if it wants to, introduce measures to steer the actions of its people so as to, for example, prevent the ground water as a common pool of resources from disappearance. On the contrary, no nation can be compelled to sign an international treaty on water conservation.

The balance sheet of international efforts to do justice to the environment is nicely presented by Chris Brown as follows.

'Global economic growth has taken place without reference to environmental consequences such as global warming, ... , and the international system has proved unable to prevent the situation from getting worse... The reason for this inability is clear: the system of sovereign states allows, even encourages, individual states to act selfishly...; the effective impossibility of sanctioning the most powerful countries – who are also the biggest polluters – means that steps to avoid catastrophe rely upon the good will of those states and their willingness to adopt an enlightened, long-term definition of their self-interest. The environmental politics of the last few years makes it clear that this cannot be relied upon'.¹⁶

Left alone, national governments will, according to Realism in international theory, act in the same rational way as Chowdhury in the above story does, i.e. 'if I do not exploit nature, my neighbors will'. To overcome this realistic, rational reasoning at the international level, one precondition must be fulfilled, i.e. the sense of a global community with shared values or principles. For a respect for Creation to emerge as a principle of international justice, senses of national communities are insufficient. Nationalism today is already too strong, not too weak. We need a sense of a single Earth community or even a Cosmo-community. It is a utopia at the moment. Sure, that we are one community has entered into speeches of national

¹⁶ *Sovereignty, Rights and Justice: International Political Theory Today*, Cambridge: Polity Press, 2002, p. 234.

leaders and international declarations. The discourse on ethical principles for such a community is emerging. Yet, these, sense of a single Earth community and ethical principles, are not yet widely shared. There is no effective mechanism to give substance to that one global community in terms of principles such as the obligation to future generations, the polluter pays, the rich nation does not insulate itself from environmental harm by pushing problems on to the poor, ect.

Water and Respect for Creation

In writing this commentary, the author has been frustrated by failure to find any mention of the respect for Creation in international political events. In comparison, there are activities in domestic and international civil society that sometimes relate environmental concerns to Creation. Here, religion plays an important role as catalyst.

Water has a central place in the practices and beliefs of Catholicism. The Church believes that through baptism in water, we are liberated from sin. Water is also God's creation. What can a catholic ethic on water bring in the respect for Creation? We need perhaps to go back to the source, Genesis in the Old Testament. There, we have two messages that can be interpreted very differently.

According to Genesis 1:28, after having created and blessed Man, male and female, God said, 'Be fruitful and multiply, fill the earth and subdue it, rule over the fish of the sea and the birds of the air, over every living creature that moves on the ground'. The idea of dominion, 'to subdue and to rule', can give rise to a wanton disregard for the nature thereby destroying the ecosystems created by God.

However, in 2:15, Genesis continues: 'Yahweh God took Man and placed him in the Garden of Eden to till it and take care of it'. This message suggests a principle of stewardship, 'to till and to take care of', that we owe to the other creatures.

Today, both the idea of dominion and that of stewardship coexist in the West. As an example of the former, we see the Wise Use movement which, though not the mainstream, has been gaining influence since the late 1980s in the United States. It is reaching new constituencies and has the sympathetic ears of the executive.¹⁷ On the contrary, an Evangelical Environmen-

¹⁷ For more information, consult "The Perversion of "Wise Use"" in the *Brooklyn Rail: Critical Perspectives on Arts, Politics and Culture*, May 2006, by Stephanie Hendricks, avail-

tal Network with a *Creation Care* magazine was founded to cherish and care for Creation.¹⁸ They submit that many environmental problems are fundamentally spiritual problems. Their Evangelical Declaration on the Care of Creation stresses on the biblical call to reduce pollution and environmental degradation and the harm they cause to people and the rest of creation. In *Jesus and the Earth*,¹⁹ James Jones, the Anglican bishop of Liverpool, admits to an ecological conversion by re-reading the Gospels to find a firm case that we have a God giving us the responsibility to care for the earth that He gave for our use. In short, my limited search of the websites for current developments in the Christian environmental movement suggests that the idea of stewardship is taking hold in the West and spreading to the East.²⁰

The above revisitation of the Old Testament in search for theological food serves to bring home the fundamental problem that underlines 'international justice' as an issue related to Creation of the Earth, including water. It boils down to the problem of attitude and spirit, whereas the problem of water crisis is superficial. Deplorable as may be physical scarcity, technological bottlenecks, mishaps in resources management, bad global governance, they can be corrected by human actions. Yet the final correction requires a sense of justice as moral approval oriented towards the environment. Such a sense of justice can only be grounded in the respect for Creation. Otherwise, we can easily fall back into the human-welfare-oriented, utilitarian trap of distributive justice when addressing global environmental problems like the water crisis.

At the behavioural level, the attitudinal and spiritual problem is ultimately a problem for each individual, although it becomes more complicated when manifested at the collective levels such as neighbourhood, city, state, and the world. Therefore, without belittling the appropriate role for sovereign governments in the intermediation of international justice, we must recognize that individuals and groups in civil society with the right attitudes and spirit can change the course of events through morally

able on <http://www.brooklynrail.org/2006/5/books/the-perversion-of-wise-use> and, for more details, David Helvarg, *War Against the Greens: the 'Wise Use' movement, the New Right and Anti-environment Violence*, San Francisco, CA: Sierra Club Books, 1994.

¹⁸ For details about the Evangelical Environmental Network, consult <http://www.creationcare.org/>.

¹⁹ SPCK Publishing 2003.

²⁰ See <http://www.jeef.or.jp/ASIA/korea2/07KCEMS.html> for the Korea Church Environmental Movement Solidarity for Peace and Integrity of Creation.

approved actions. By way of conclusion, let me reproduce below a story of attitude change among engineers that has led to a more effective way of dealing with flooding. The story makes us hopeful for a sustainable Earth Community of Creation.

In Chapter 31 'Learning to Love the Floods' in *When the Rivers Run Dry*, Fred Pearce gives many concrete examples of how urban engineers have learned to restore the rivers' health and our hydrological future by respecting nature. In short, there are two ways of beating floods. The first, a fast option, is to eliminate the water quickly by building city drains, straightening rivers, constructing ever bigger and bigger dams, and the like. Yet, '(f)rom the Mississippi to the Danube, the flood-free future has failed to arrive' (p. 285). At the end, engineers in many places have turned to an alternative option, i.e. to hold on to the water. The new strategy is to go with the flow of nature such that every city should be porous and every river should have room to flood naturally. For instance, after the floods in 2000 that cost \$1.5 billion, England's Environment Agency broke banks to re-flood the ancient Thames floodplain at Otmoor, outside Oxford, and created new wetlands further downstream. Similar strategy is adopted in a housing development across Berlin. Not a drop of rain water leaves the Zehlendorf suburb. Rain from the roofs, gardens, and drives of 160 houses is collected to irrigate parkland.

For the time being, the 'love the floods' strategy remains an isolated case in a limited area of application, the challenge is whether it can gain wider acceptance and form the basis for a more general environmental ethic that is truly grounded in the respect for Creation.

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SESSION XI

FACING GLOBALIZATION
INTERNATIONAL MIGRATION,
THE HUMAN FACES OF GLOBALIZATION:
IMMIGRANT FAMILIES AND THE EDUCATION
OF IMMIGRANT YOUTH

MARCELO M. SUÁREZ-OROZCO

Introduction

During the last century, basic formal education has become a normative ideal the world over. Across Africa, the Americas, Asia, Europe, and Oceania, more children are now attending school than ever before. According to a 2007 report of the American Academy of Arts and Sciences, 'Access to education increased enormously in the past century, and higher proportions of people are completing primary, secondary, or tertiary education than ever before' (Cohen, Bloom, and Martin, 2007). In what are otherwise vastly different countries, schools tend to share a number of basic features. They are designed to prepare children and youth to become engaged citizens, ethical human beings, and productive workers who will contribute to the societies in which they live.

But for the most part, schools today are out of sync with the realities of a global world. Psychologist Howard Gardner (2004) writes that there is new tension between the glacial pace of institutional change in schools and the forces of globalization. Because of globalization – the ongoing process of intensifying economic, social, and cultural exchanges across the planet – young people the world over need better ethical grounding, more innovative thinking and cultural awareness, higher-order cognitive skills, and more sophisticated communication and collaboration skills than ever before.

Education faces new challenges in a world more globally connected yet ever more unequal, divided, and asymmetrical. For many youth growing up in the developing world, crippling poverty continues to define everyday life.

It is estimated that every 3.6 seconds, a person dies of starvation: that person usually is a child under the age of five. The infant and under-five mortality rate in low-income countries is over fourteen times greater than in high-income countries. (See Figure 1; see also www.worldbank.org/depweb/english/beyond/global/glossary.html).

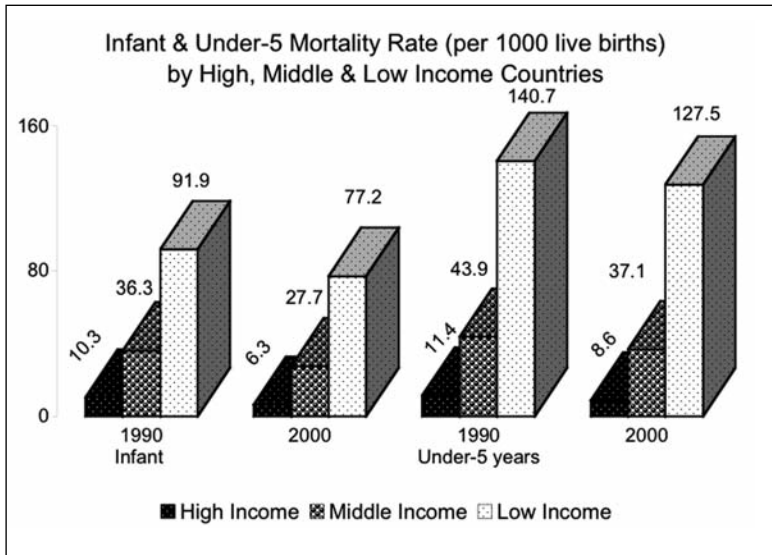


Figure 1.

About 600 million children in the developing world live on less than one U.S. dollar a day (UNESCO, 2006). A recent World Bank study suggests that a large proportion of children growing up in India may be cognitively impaired – largely because of malnutrition – before they ever reach school (see Pritchett & Pande, 2006). Global poverty deprives one billion children of the basic resources for life: clean water, proper nutrition, safe shelter, and the proper supervision required for survival and positive human development (UNESCO, 2006). As a consequence, life expectancy at birth in low-income countries is on average more than twenty years less than in high-income countries (see Figure 2, next page). Individual country comparisons reveal even more striking inequalities: The average life expectancy at birth in Malawi is 38.8 years versus 78.9 years in Canada. In other words, the

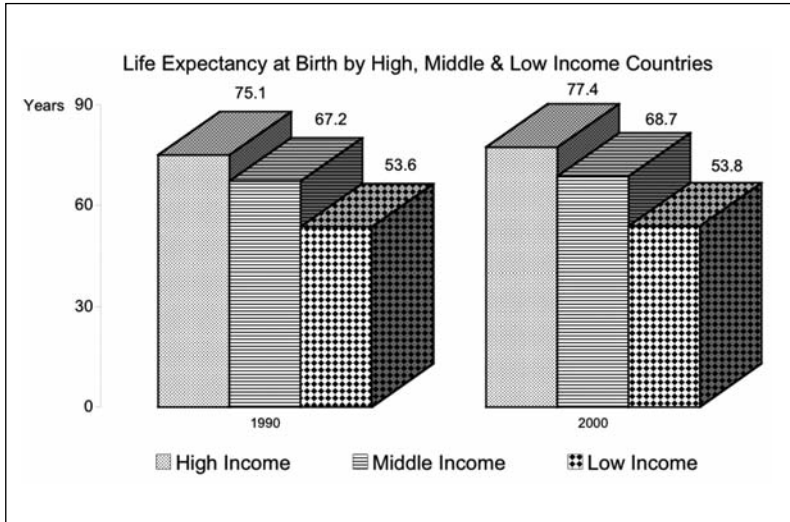


Figure 2.

average Canadian born in 2000 is expected to live forty years longer than the average Malawian born in the same year.

Basic primary and secondary education remains an elusive luxury for millions and millions of children (see Figure 3, next page; see also Cohen & Bloom, 2006); illiteracy remains a worldwide epidemic (see Figure 4, next page). Yet everywhere today, more is asked of education. It is the Camino Real for development and a powerful engine of wellness. The data presented by Robert LeVine (2007) suggest that education – almost any form of education that inculcates and supports basic literacy – generates powerful virtuous cycles. A recent UNICEF study concludes:

Education is perhaps a child's strongest barrier against poverty, especially for girls. Educated girls are likely to marry later and have healthier children. They are more productive at home and better paid in the workplace, better able to protect themselves against HIV/AIDS and more able to participate in decision-making at all levels (UNICEF 2004, 1; see also Bloom, 2005).

The worldwide disparities in health and education mimic a massive and growing gap in income distribution worldwide (see Figure 5, page 586). And world inequalities – access to jobs and north-south wage differentials – are a forceful component of global migration.

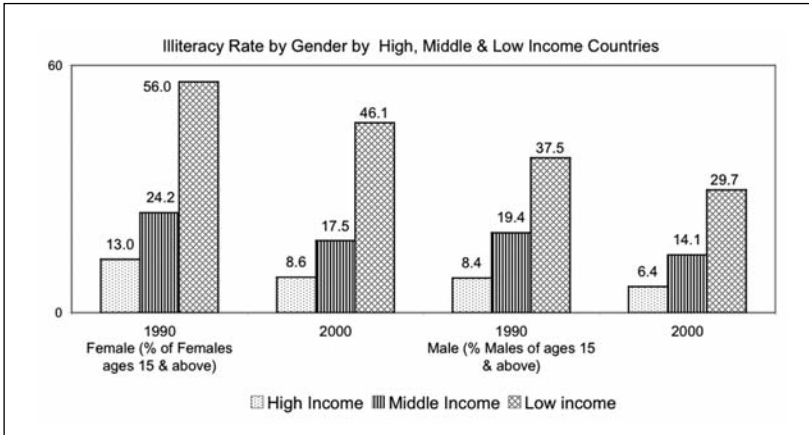


Figure 3.

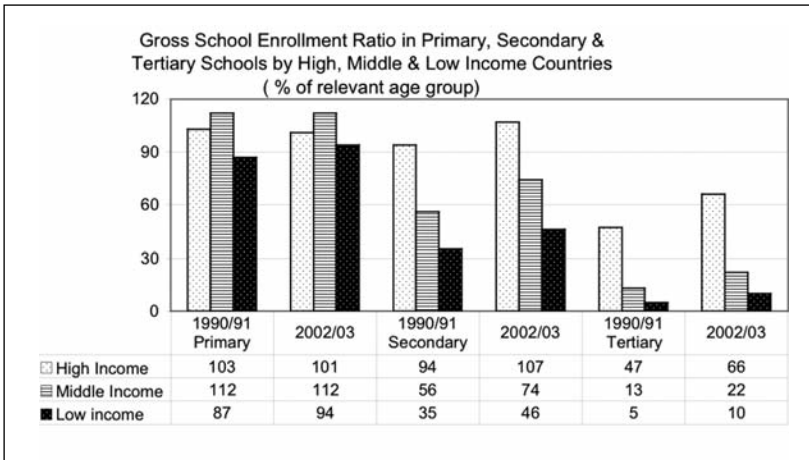


Figure 4.

Facing Globalization and the Human Faces of Globalization

International migration is the human face of globalization. There are now between 185 and 200 million transnational migrants, making migration a global phenomenon involving every region of world (United Nations Global Commission on International Migration, 2005). Some regions are becoming important centers of out-migration. For example, over the last

decade, approximately 1 million Latin Americans left the subcontinent every year (United Nations Population Division, 2006). Other regions, such as Asia, are experiencing massive waves of internal migration. China is leading the way: More than 150 million people in that nation are migrants from rural to urban areas (Newsweek International, 2007).

Some countries, such as Mexico, are becoming not just major sources of out-migration but also important transit regions. Migrants from every continent on earth routinely choose Mexico as the favored route to enter the United States – mostly without legal documentation (Alba, 2002). Other regions of the world – notably the wealthier post-industrial democracies of the Northern Hemisphere, but also countries as far-flung as Australia and Argentina – continue to attract millions of immigrants annually (United Nations Population Division, 2006).

The United States is now in the midst of the largest wave of immigration in history – with more than 1 million new immigrants arriving each year, for a total immigrant-born population of more than 36 million people, or approximately 12.4 percent of the US population (US Census, 2007). Approximately 70 million people in the United States are now either immigrants or the second-generation children of immigrants. But this is a global phenomenon: the children of immigrants are a fast-growing sector of the child and youth population in such countries as Australia, Canada, the United States, Sweden, Germany, the Netherlands, and France (Sussmuth, 2007). These new demographic realities have immense implications for education and schooling in sending, transit, and receiving countries.

Immigration and Education in the United States

In the first decade of the new millennium a new cycle of public concern about the benefits and harms of immigration erupted publicly. In mid-2006, exactly twenty years after the last major US immigration overhaul (the United States Immigration Reform and Control Act of 1986), the quiescent public discourse regarding immigration began rumbling, eventually erupting into a full-throated national debate. Suddenly, immigration talk saturated the airwaves: popular television and radio commentators decried the ‘broken borders’ and the ‘illegal-alien invasion’, which some called the ‘Mexican reconquista’. At about the same time, by the end of May 2006, millions of people – especially undocumented immigrants and significant numbers of children of immigrants – had taken to the streets of major US cities, clamoring for the right to stay in the United States.

The harsh spotlight on border controls tended to blind the broader picture, however. To a large extent, there is a failure to consider how immigration is transforming US society: immigrant-origin children and youth are the largest growing segment of the US child population – now constituting twenty percent of our nation’s children and projected by the year 2040 to make up a third of all American children and youth.¹ Nevertheless, the United States has virtually no policy at all to smooth the transition of immigrant adults and their children to their new society. Indeed there is an urgent need to develop an ambitious, workable, and humane approach to immigration that considers the integration of youth and their access to a decent standard of living and to the public goods and that is in synch with the realities of the 21st Century.

Immigrant youth and their families arrive from multiple points of origin and add new threads of cultural, linguistic, religious, and racial difference to the American tapestry.² Some are the children of educated professional parents while others have parents who are illiterate. Some have received excellent schooling while others arrive from educational systems that are in shambles. Some are escaping political, religious, or ethnic persecution; others are motivated by the promise of better jobs and the hope for better educational opportunities. Some are documented migrants while others, estimated at 1.8 million, are unauthorized young migrants.³ Some settle in well-established communities with dense social supports that ease the transition of youth into the new educational system while others move from one migrant setting to other forcing students to often change schools. The social and educational outcomes of immigrant youth will thus vary substantially depending upon the specific constellation of resources and the settlement context.⁴

¹ See Suárez-Orozco, Carola and Marcelo Suárez-Orozco, (2007). ‘Education’. In *The New Americans: A Guide to Immigration since 1965*. Mary C. Waters and Reed Ueda with Helen B. Marrow, Eds. Cambridge, MA: Harvard University Press, pp. 243-257.

² In this article we define immigrants as the foreign born population of the United States – now estimated at approximately 36 million people. If we add the generation born in the US to immigrant parents, there are now over 55 million people in the US who are either immigrants, usually termed the first generation, and the offspring of immigrants, usually termed the second generation.

³ The total unauthorized immigrant origin population of the United States is estimated to be between 11 and 12 million – see Bean, Frank and L. Lowell, (2007). ‘Unauthorized Migration’. In *The New Americans: A Guide to Immigration since 1965*. Mary C. Waters and Reed Ueda with Helen B. Marrow, Eds. Cambridge, MA: Harvard University Press, pp. 70-82.

⁴ See Portes, Alejandro and R. Rumbaut. (2001). *Legacies: The Story of the Immigrant Second Generation*. Berkeley: University of California Press.

How immigrant youth fare academically has long-term implications for their future wellbeing. The global economy is largely unforgiving to those who do not achieve post-secondary education and beyond. More than ever, schooling processes and outcomes shape socio-economic mobility: in the US the average annual earnings of those without a high school diploma is \$19,169 while the average college graduate earns \$51,554, if he has a Bachelor's Degree, and \$78,093 if she has an advanced degree.⁵

Immigrants defy easy educational generalizations. Recent studies suggest that, while some are successfully navigating the American educational system, large numbers struggle academically, leaving school without acquiring the tools that will enable them to function in the highly competitive labor market and ever more complex society.⁶

Data from the Longitudinal Immigrant Student Adaptation (LISA) study we co-directed at Harvard (1997-2003) assessed the academic performance and engagement of recently arrived immigrant youth from Asia (born in China), the Caribbean (born in the Dominican Republic and in Haiti) and Latin America (born in Mexico and in various Central American countries) and then examined changes over time (see Figure 6, page 586).⁷ Strikingly, over time the achievement (including grade point average (GPA)) of students coming from Mexico, Central America, the Dominican Republic, and Haiti all declined in a statistically significant manner; while a similar trend emerged for the Chinese-origin students, the decline did not reach significance (see Figure 7, page 587). The GPA of immigrant boys declined significantly more than that of girls for all groups (see Figure 8, page 587). For both girls and boys, their grades in the first two years are considerably higher than their grades in the last three years. The second year both girls and boy's GPA peaked and from the third year on, both girls and boys experience steady decrease in their GPA. And girls consistently have significantly higher GPAs than boys throughout the five-year period (see Figure 9, page 587).⁸

⁵ See US Census (2006) Census Bureau Data Underscore Value of College Degree. <http://www.census.gov/Press-Release/www/releases/archives/education/007660.html>

⁶ See C. Suárez-Orozco and M. Suárez-Orozco (2002). *Children of Immigration*. Cambridge, MA: Harvard University Press. See also Alejandro and R. Rumbaut. (2001). *Legacies: The Story of the Immigrant Second Generation*. Berkeley: University of California Press.

⁷ The children participating in the LISA study were all immigrant – that is, foreign born and had spend approximately two thirds of their lives in the country of their birth before migrating and settling in the US.

⁸ See Suárez-Orozco, Suárez-Orozco, and Todorova (2007). *Moving Stories: The Educational Pathways of Immigrant Youth*. Cambridge, MA: Harvard University Press.

Critical factors in the Study of Immigration and Education

The factors outlined below have the strongest implications for schooling performance and social adaptation of immigrant children.

A. Educational Background

Immigrant youth arrive in American neighborhoods and schools with varied educational skills. On one end of the spectrum, we find youth from upper status urban backgrounds. They are typically highly literate and have well-developed study skills. Their more educated parents are well-equipped to guide their children in how to study, access and make meaning of data and information, and can provide resources including additional books, a home computer, internet access, and tutors. In sharp contrast are those youngsters whose parents have little or no formal educational experience. Equally disadvantaged are the children who arrive from countries with compromised educational infrastructures who have missed critical years of classroom experience and often cannot read and write in their native language. Such varied experiences and backgrounds will have profound implications for their transition to the US setting. Unsurprisingly, those arriving with lower levels of education tend to decline academically more markedly once they settle in the US.⁹

B. Poverty

Although some immigrant youth come from privileged backgrounds, large numbers of them must face the challenges associated with poverty. Immigrant children are more than four times as likely as native-born children to live in crowded housing conditions and three times as likely to be uninsured.¹⁰ Poverty frequently coexists with other factors that augment risks such as single-parenthood, residence in suboptimal neighborhoods, as well as schools that are segregated, overcrowded, and understaffed. Children raised in circumstances of poverty are more vulnerable to an array of

⁹ See C. Suárez-Orozco, M. Suárez-Orozco, and I. Todorova (2007). *Moving Stories: The Educational Pathways of Immigrant Youth*. Cambridge, MA: Harvard University Press.

¹⁰ See C. Suárez-Orozco, M. Suárez-Orozco, and I. Todorova (2007). *Moving Stories: The Educational Pathways of Immigrant Youth*. Cambridge, MA: Harvard University Press.

psychological distresses including difficulties concentrating and sleeping, anxiety, and depression as well as a heightened propensity for delinquency and violence all of which have implications for educational outcomes.

C. Segregation

Where immigrant families settle shapes immigrant journey and the experiences and adaptations of children. Latin American immigrants in particular tend to settle in segregated, deeply impoverished, urban settings. In such neighborhoods with few opportunities in the formal economy, informal and underground activities tend to flourish. Immigrants of color who settle in predominantly minority neighborhoods will have virtually no direct, systematic, and intimate contact with middle-class White Americans which, in turn, affects a host of experiences including cultural and linguistic isolation from the mainstream. A pattern of triple segregation – by race, language and poverty – shapes the lives of many new immigrants especially those originating in Latin American and the Caribbean.

Segregated and poor neighborhoods are more likely to have dysfunctional schools characterized by ever-present fear of violence, distrust, low expectations, and institutional anomie. Lacking English skills, many immigrant students are often enrolled in the least demanding classes that eventually exclude them from courses needed for college preparation. Such settings undermine students' ability to sustain motivation and academic engagement. The least engaged students are most likely to decline in their academic performance over time.¹¹

D. Undocumented Status

Today there are approximately 1.8 million youth living in the US without proper documentation – and an estimated 3.1 million are living in households headed by at least one undocumented immigrant.¹² Research suggests that undocumented youth and their families resemble other immigrant families in basic ways. Many waited patiently for years for their visas to be approved so they could be reunited with family members

¹¹ See C. Suárez-Orozco, M. Suárez-Orozco, and I. Todorova (2007). *Moving Stories: The Educational Pathways of Immigrant Youth*. Cambridge, MA: Harvard University Press.

¹² See 'Size and Characteristics of the Unauthorized Migrant Population in the U.S.' Jeffrey S. Passel, Pew Hispanic Center. 2006. <http://pewhispanic.org/reports/report.php?ReportID=61>

already in the US. Frustrated by the seemingly interminable waiting lists – over five years in many cases, another way our immigration policies are out of touch – many immigrant youth finally venture forth without the required papers.¹³ LISA data suggest that undocumented students often arrive after multiple family separations and traumatic border crossings. Once settled, they may continue to experience fear and anxiety about being apprehended, being again separated from their parents, and being deported. Such psychological and emotional duress can take their toll on the academic experiences of undocumented youth. Undocumented students with dreams of graduating from high school and going on to college will find that their legal status stands in the way of their access to post-secondary education.¹⁴

E. *English Language Acquisition*

Texas Assessment of Knowledge and Skills (TAKS), the Regents exams in New York, and the MCAS in Massachusetts have real implications for college access. Second language acquisition issues can serve to mask actual skills and knowledge. Even when immigrant students are able to enter colleges while they are still refining their language skills, they may miss subtleties in lectures and discussions. They may read more slowly than native speakers and may have difficulty expressing more complex thoughts on written assignments. This is likely to bring down their grades in turn impacting access to graduate or professional schools.

In many schools, the separation and segregation between the immigrant English language learners and their native-born peers is nearly complete. The hermetic *status quo* results in less exposure to the linguistic modeling their US-born peers could provide, and US students, in need of knowledge about the world beyond our borders, also miss out. Conversely, the data show that immigrant youngsters who report having even one native English-speaking friend acquire English skills more quickly and proficiently.¹⁵

¹³ See C. Suárez-Orozco, M. Suárez-Orozco, and I. Todorova (2007). *Moving Stories: The Educational Pathways of Immigrant Youth*. Cambridge, MA: Harvard University Press.

¹⁴ See C. Suárez-Orozco and M. Suárez-Orozco (2002). *Children of Immigration*. Cambridge, MA: Harvard University Press.

¹⁵ See C. Suárez-Orozco, M. Suárez-Orozco, and I. Todorova (2007). *Moving Stories: The Educational Pathways of Immigrant Youth*. Cambridge, MA: Harvard University Press.

F. *Promoting Academic Engagement*

Healthy social support networks are linked to better adjustment. Interpersonal relationships and social companionship serve to maintain and enhance self-esteem, acceptance, and approval. Instrumental social support provides individuals and their families with tangible aid (such as language tutoring) as well as guidance and advice (about good teachers and supportive counselors). Instrumental supports are particularly critical for disoriented immigrant newcomer youth. LISA data suggest that social supports also can play a role in moderating negative influences.¹⁶

G. *The Family*

Family cohesion and the maintenance of a well-functioning system of supervision, authority, and mutuality, are perhaps the most powerful factors in shaping the well-being and future outcomes of all children. Families can support children's schooling by establishing the value of education and promoting high expectations. They can also actively support children as they complete assignments. Immigrant parents who work long hours and may have limited schooling are at a distinct disadvantage in this regard. Immigrant parents are often unable to support their children in ways that are congruent with American cultural models and expectations. Many come from traditions that revere school authorities and expect parents to keep a distance from the day-to-day workings of their child's education. This stands in sharp contrast to US expectations of parental involvement.

H. *Peer Relationships*

Peers often play an important role that can sustain and support the development of significant social competencies in youth. Peers can specifically serve to support or detract from academic engagement. By valuing (or devaluing) certain academic outcomes and by modeling specific academic behaviors, peers can establish the norms of academic engagement. Peers can tangibly support academic engagement by clarifying readings or lectures,

¹⁶ See C. Suárez-Orozco, M. Suárez-Orozco, and I. Todorova (2007). *Moving Stories: The Educational Pathways of Immigrant Youth*. Cambridge, MA: Harvard University Press.

helping one another in completing homework assignments, and by exchanging information (about standardized tests, helpful tutors, volunteer positions, and other college pathway knowledge). Because, however, immigrant youth often attend highly segregated poor schools, they may have limited access to knowledgeable networks of peers beyond their immigrant group.

I. Communities and Community Organizations

Because no family is an island, family cohesion and functioning are enhanced when the family is part of a larger cohesive community. Culturally constituted patterns of community cohesion and supervision can support immigrant youth when they encounter the more socially toxic elements in their new settings. Youth-serving community based organizations, much like churches and some ethnic-owned businesses and extended family networks can enrich immigrant communities and foster healthy development among its youth through the support they provide to parents and families. Such urban sanctuaries, often affiliated with neighborhood churches, non-profit organizations, and schools provide youth out-of-school time that is not spent in isolation, unsupervised, or on the streets with one's peers. Community program staff can serve as 'culture brokers' for youth, bridging the disparate norms in place in children's homes and those in place at school. Adults who work in community programs such as those supported by the church provide tutoring, educational guidance, advice about the college application process, and job search assistance, information which is often inaccessible to immigrant youth whose parents have not navigated the academic system in the US and who attend schools with few guidance counselors.

J. Mentoring Relationships

In nearly every story of immigrant success there is a caring adult who took an interest in the child and became actively engaged in her life. Connections with non-parent adults – a member of the church, a community leader, a teacher, a coach – are important in the academic and social adaptation of immigrant adolescents. These children are often undergoing profound shifts in their sense of self and are struggling to negotiate changing circumstances in relationships with their parents and peers. Protective relationships with non-parent adults can provide immigrant youth with compensatory attachments, safe contexts for learning new cultural norms and practices, and information that is vital to success in schools.

Mentoring relationships may have special implications for immigrant youths. During the course of migration, loved ones are often separated from one another and significant attachments are ruptured. LISA data reveal that approximately eighty percent of immigrant youth were separated from one of both parents during the migration to the US.¹⁷ Mentoring relationships can give immigrant youth an opportunity to be involved in reparative relationships engendering new significant attachments. Since immigrant parents may be unavailable due to long work hours or emotional distress, the guidance and affection of a mentor may help to fill the void created by parental absence. The mentor can provide information about and exposure to American cultural and educational institutions, and help as the adolescent negotiates developmental transitions. If the mentor is bicultural, he or she can interpret the rules of engagement of the new culture to parents and hence, help to attenuate cultural rigidities. Bicultural mentors can serve as role models in the challenging process of developing a bicultural identity, exemplifying the ways in which elements of the ethnic identity can be preserved and celebrated even as features of the more mainstream culture of the United States are incorporated into youths' lives.

Taken together, these networks of supports can make a significant difference in immigrant children's lives. They can help immigrant youth develop healthy bicultural identities, engender motivation, model ethical conduct, and provide specific information about how to navigate schooling pathways. When successful, these relationships help immigrant youth and their families overcome some of the barriers associated with poverty and discrimination that prevent full participation in the new country's economic and cultural life.

Policy Implications

Major policy reforms must address two critical areas: the status of undocumented immigrants, and the structure of our nation's schools. Recent policy initiatives in the US have proven ineffectual in the short term, and thus irrelevant to the modern realities of migration in the longer term. The US immigration bill, approved by Congress on September 29, 2006 and

¹⁷ See C. Suárez-Orozco, M. Suárez-Orozco, and I. Todorova (2007). *Moving Stories: The Educational Pathways of Immigrant Youth*. Cambridge, MA: Harvard University Press.

subsequently signed into law by President Bush, failed to systematically address immigration reform. Nothing in the new bill addressed the fate of the undocumented immigrants already in the United States,¹⁸ or the need for more visas and possibly a guest worker program. Policies in several states that push newly-arrived immigrant children into the high-stakes world of No Child Left Behind (NCLB) are similarly short-sighted about the realities of immigration for children. Nowhere in any of these policies is there any discussion of how to aid the children of immigrants in becoming integrated and well-functioning members of our society.

The political class must develop a formula to regularize the status of undocumented immigrants. Without a clear and humane perspective, it will be impossible to develop any comprehensive policies to better the welfare of immigrant children. Regardless of exactly what the formula for regularizing status entails, the effects on access to opportunities for undocumented immigrant youth will be significant. Research suggests that undocumented immigrant youth as well as youth growing up in households headed by undocumented parents will most likely remain in the United States, rather than returning to their countries of origin. Without incorporating these millions of children into mainstream society, they are condemned to living in the shadows. The nation will be forced to bear the social cost of driving these youth deep into the world of illegality. Federal financial aid for higher education is not available to undocumented immigrants, and this produces ripple effects. Not only are employment opportunities limited for those with only a high school diploma, some undocumented immigrant youth begin to disengage from high school, knowing there would be no realistic way for them to pursue a college education. Some of these immigrant youngsters are making a premature transition to the labor market.¹⁹ Solving the problem of undocumented immigrants is a first and necessary step.

Current proposals in several states requiring newly-arrived immigrant students to be subject to take high-stakes testing after just one year in the

¹⁸ The U.S. House of Representatives' December, 2005 Immigration Bill, HR 4437, addressed the issue of undocumented immigrants by proposing to criminalize and deport millions of undocumented immigrants and harshly penalize anyone aiding them. The effects of this proposal – turning 11.5 to 12 million undocumented immigrants into felons overnight – would have been staggering.

¹⁹ See C. Suárez-Orozco, M. Suárez-Orozco, and I. Todorova (2007). *Moving Stories: The Educational Pathways of Immigrant Youth*. Cambridge, MA: Harvard University Press.

United States would have very negative results. The research data suggest that the vast majority of immigrant children cannot possibly be expected to master the complex intricacies of academic English in one year of study, particularly in the highly dysfunctional schools where huge numbers of newly arrived immigrant students are concentrated. Submitting newly arrived immigrant youth to the regular testing regimes required under the No Child Left Behind federal law would push more youngsters toward premature disengagement from school. Rather than requiring immediate integration into the testing regime, we need policies that ease the acquisition of English, and school cultures where immigrant and native students are well integrated and learn from each other. This is the best way to keep children in school, and support the development of English language skills. It is important to remember, however, that in our globalized economy multilingualism is an asset. Immigrant bilingualism and its accompanying linguistic diversity are cultural resources to be nourished. We should make normative multilingualism an educational objective for all youth growing up in the global era, immigrant and native alike.

Conclusions and Final Reflections

This is the first generation in human history in which the fortunes of youth growing up far apart will be demonstrably linked by ever more powerful global socio-economic, political, and demographic realities. In cities like Toronto, London, and Los Angeles, global cultural flows are increasingly normative: people understand immigration and come to see it as an expected part of daily life. Every morning in New York City (as well as in many other global cities), youth from more than 190 countries get up to go to school, marking the first time in human history that one city represents practically every country on the planet (Linares, 2006). Youth now habitually create and exchange ideas with peers in faraway places, wear similar clothing, share tastes in music, gravitate towards the same Web sites, and follow the achievements of today's global sports heroes – like soccer star Ronaldinho (a Brazilian who plays in Spain) or Beckham (an Englishman who now plays in Los Angeles).

Along with international migration and trade, new information, communication, and media technologies – are the high-octane fuel that drives global interdependence, as people across the world connect with one another instantaneously. These communication networks and the digitalization of data have another global effect with deep consequences for formal edu-

cation: They are putting a huge premium on knowledge-intensive work and making it possible for entire economic sectors to go global. Complex data for a tax company based in Boston can be entered in Bangalore; x-rays for a hospital in Brussels can be read and analyzed in Buenos Aires at a fraction of the cost. Fewer jobs are strictly local now, as larger sectors of the economy outsource work to other regions of the world (Friedman, 2005).

Although much of the concern in the United States about globalization and education focuses on competition – how the country can, for example, maintain its global edge – competition is, in fundamental ways, the least of our problems. In today's globally interconnected world, issues that place youth at risk in China can lead to disaster in Toronto – as the SARS (Severe Acute Respiratory Syndrome) epidemic that appears to have originated in Guangdong Province, China in November 2002 quickly spread globally claiming victims half a world away including in Montreal, Canada.

Competition is yesterday's challenge. Today's challenge is collaborating to solve global problems that spill over national boundaries. Globally immigrants move with an optimism and hope in the future that must be cultivated and harnessed – almost universally they recognize that schooling is the key to a better tomorrow. Unfortunately, over time however, many immigrant youth, especially those enrolling in highly impoverished and deeply segregated schools face negative odds and uncertain prospects in many if not all advanced post-industrial nations. Too many leave schools the world over without ever developing and mastering the kinds of higher order skills needed in today's global economy and society.

Reforming education to be more in tune with the new global reality will require focused energy, creativity, political will, and commitment of resources on a local, national, and international level. Education reform does not come easy or cheap, and it cannot be done without the political consensus to support costly interventions, such as major technological upgrades and intensive teacher training and mentoring. Schools can, however, replicate a number of elements from promising school models that may require less upfront financial investment.

First, schools need to restructure curriculum and pedagogy to place student engagement at the very center of learning. Educators should implement lessons built on key concepts and pattern recognition that are grounded in events and issues relevant to students' lives. For example, assignments that encourage students to think about certain normalized activities – the food they consume or the clothing they purchase – in such a way that they begin to identify how their actions are embedded in a much larger global

contexts and have widespread implications can help make the global local for students. Public debates over sweatshop labor, global warming, and outsourcing take on a new meaning when students develop a consciousness how they relate to their lives and quotidian practices.

Providing students with ongoing and timely feedback is another successful technique to promote and maintain student engagement. Using a host of evaluation and communication methods, teachers, students, and parents can become partners in tracking a student's development and collaborators in devising strategies to support continued academic growth. Setting up interactive websites where parents can get access to their children's homework assignments and grades and teachers can post suggestions for parents helping their children with assignments can be an important first step in connecting home and school efforts to support a child's progress. Additionally, virtual discussion boards where parents can communicate with teachers or with other parents, post messages, school announcements or other tips can facilitate further interaction and community-building.

Finally, generating a clear narrative of the school's basic mission and fostering a shared sense of purpose among students and school personnel can be one of the major factors in generating a positive school climate and an engaging academic community. But schools need to go beyond simply writing a global mission in their official website. There is talking the talk and walking the walk. Schools can adopt like-minded sister schools in other nations. Students in different parts of the world can work together on special units, developed and sustained via the Internet, around global topics of mutual interest and relevance. For example, youth in a country of emigration such as Ghana can work with youth in a country of immigration such as the United States on joint projects of study. What are the causes and consequences of global migration now affecting Ghana and the United States? Why are there now about as many Medical Doctors from Ghana in the United States as there are Medical Doctors in Ghana? What are the reasons for this extraordinary phenomenon? What are the economic, professional, and ethical issues implicated in this global dynamic? Whenever possible, meaningful human interaction, in the form of work visits and exchanges can have a tremendous impact in nourishing a global sensibility and world-view. There are schools that have very successfully implemented such exchanges – like the Tensta School in Stockholm, Sweden, where approximately 80 percent of the students come from immigrant and refugee origin homes and the Ross School in Long Island, New York.

In addition to taking immediate action, schools and school systems

must develop a broader agenda that incorporates the crucial elements of a comprehensive 21st century education. To lead successful ethical, personal and professional lives in the age of globalization, all students, immigrant and native alike, will need an array of skills and sensibilities.

Critical Thinking Skills

Students must feel at ease working with mathematical and statistical tools that enable them to understand – and, in some cases, manage – complex data in multiple domains. To comprehend how SARS rapidly became a global health threat students need a basic understanding the genetics of viruses, but also of the elementals of epidemiology, and a general knowledge of human migratory chains. Students will also need to master the concept of the scientific method in order to conduct formal and informal research on their own lives and to become informed consumers of scientific research that too often is unregistered, unquestioned, or unchallenged. Interdisciplinary thinking will have a greater premium moving forward because single disciplines can no longer fully address the global problems we face today. The complexity of challenges today necessitates solutions that incorporate many different disciplinary perspectives and strategies, and the ability to approach questions from a variety of angles is paramount. While it is common for schools to link concepts from science and math classes and integrate social studies and language arts curricula, educators must begin to think about and elucidate connections among all four subject areas. Schools that structure curriculum around thematic units whereby science, math, language arts, and social studies classes all address concepts related to same theme using different materials and analytic tools offer a promising example. Such innovation requires flexible scheduling, common planning time for teachers, and a significant commitment on the part of school administrators to support this approach.

Communication Skills

Students will need to effectively interact with people of different races, national origins, and religions. They should develop a familiarity with other cultures and various religious practices, values, kinship systems, systems of governance, and methods of communication around the world. Technology has opened up many avenues to link students in one classroom to another classroom across the globe, and assignments that require interna-

tional collaboration, facilitating electronic pen pals, and setting up exchange programs are just some of the ways schools can promote this kind of learning. Most important, students must use this knowledge to act ethically and in a globally conscious manner, and schools must take on the responsibility of helping students reflect on and understand their rights and responsibilities as citizens of an increasingly heterogeneous global society.

Language Skills

Fluency in more than one language and culture is no longer an option – it is becoming a prerequisite for career advancement. Many schools, particularly in the United States, do their students a great disservice by providing inadequate foreign language training, and by extension, inadequate exposure to cultures outside the English-speaking world. School systems must train and attract high-quality language instructors, provide a host of language options to equip students with the language skills and cultural awareness they need to live in a multicultural, multilingual, globally interconnected world.

Collaborative Skills

The ability to work collaboratively in a variety of environments has never been more important for both securing a good job and for responsible citizenship in the global era. Schools are now responsible for preparing students to work under such conditions. Group work and cooperative learning, in which the teacher becomes a facilitator rather than an instructor, needs to play an ever-expanding role, replacing traditional ‘chalk and talk’ pedagogical methods that confine students to their desks and dissuade them from interacting with their peers in their own classroom or around the world.

Technology Skills

New technologies can help promote collaboration, develop interpersonal skills, and facilitate cross-cultural exchange. In addition, advanced technological skills are no longer optional for students in the 21st Century. Schools must embed technology across the curriculum and view mastery of technology alongside literacy and numeracy as skills required of all graduates. In addition, schools need to take some responsibility for improving students’ information literacy and helping them develop into discerning, savvy media consumers.

Education for the global era is education for lifelong cognitive, behavioral, and ethical engagement with the world (Suárez-Orozco, Suárez-Orozco, & Todorova, in press). For students to develop the ethics, skills, sensibilities, and competencies needed to identify, analyze, and solve problems from multiple perspectives, schools must nurture students who are curious and cognitively flexible, who can tolerate ambiguity, and who can synthesize knowledge within and across disciplines. Students will need to be able to learn with and from their diverse peers, work collaboratively, and communicate effectively in groups (Gardner, 2004; Organization for Economic Cooperation and Development, 2005). They will need to be culturally sophisticated and ethically grounded to empathize with peers of different races and religions and with different linguistic and social origins. Education for globalization should aim to educate the whole child for the whole world.

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THE ACCESS OF IMMIGRANTS AND THEIR FAMILIES TO A DECENT STANDARD OF LIVING AND TO THE PUBLIC GOODS: AN ISSUE OF CITIZENSHIP

PIERPAOLO DONATI

SUMMARY

The paper by Marcelo Suárez-Orozco is a very important and well documented contribution in order to understand the issue of how to integrate young immigrants in our contemporary society and in the next future. Professor Suárez-Orozco rightly suggests that we must develop educational systems so to be able to give young immigrants good life chances while dealing with the globalisation of the world (in his words: 'basic formal education has become a normative ideal the world over'; 'education for globalization should aim to educate the whole child for the whole world').

What I wish to underline is the fact that the perspective adopted in the paper by Marcelo Suárez-Orozco leaves aside many issues. I restrict myself to only a couple of them.

1) First, the paper proposes the north-american educational model as a sort of an ideal type ('Education for the global era is education for life-long cognitive, behavioral, and ethical engagement with the world...For students to develop the ethics, skills, sensibilities, and competencies needed to identify, analyze, and solve problems from multiple perspectives, schools must nurture students who are curious and cognitively flexible, who can tolerate ambiguity, and who can synthesize knowledge within and across disciplines. Students will need to be able to learn with and from their diverse peers, work collaboratively, and communicate effectively in groups...They will need to be culturally sophisticated and ethically grounded to empathize with peers of different races and religions and with different linguistic and social origins'). In short: a) the paper does not problematize the educational system of the U.S. which

seems to be quite in trouble vis-à-vis the multicultural issues; b) the paper does not mention the difficulty to apply the suggested model of integration to other countries which have different educational systems and policies (for instance France, with its assimilationist model, or the countries which adopt an inter-cultural model).

2) Second, the paper deals with the educational issues of young immigrants basically with reference to the school system. This perspective needs to be integrated. We must wonder how it could be possible to recognize and implement the right to education of young immigrants who are not full citizens of the host country, since we know that the right to education is contingent on many factors which go beyond the school system.

In other words, the aim of my intervention is to widen the perspective suggested by Marcelo Suárez-Orozco and take into consideration the issue of the human and social rights of young immigrants when their families do not have a full citizenship in the host countries. How can we grant them a decent standard of life and access to public goods?

This challenge implies a new reflexivity about the concept of citizenship. I will argue that the modern conception of citizenship as linked to the nation-state is not adequate to tackle our issue in a satisfactory way. Therefore we must look for a post-national citizenship.

The need to protect migrants and their families is not new. But it has assumed a new configuration as a consequence of the globalisation processes. It is still dealt with mainly in terms of the international relations issues and the related problems of charity and justice. In my intervention I stress the fact that the issue of recognition of immigrants' rights, before involving international relations, affects the way our societies conceive of citizenship and how we put it into practice.

As a matter of fact, if the states, including those which have a well developed democracy, conceive of citizenship as a national affair and build it up as a fortress in order to guarantee better and better welfare basically to its citizens, this course of action has inevitable and negative consequences on migrants. Young immigrants are necessarily put into a disadvantaged condition, they are excluded from many educational and life chances at the very beginning of their careers. That is why – I feel – we must ask ourselves whether we should not think of another kind of citizenship. In the full text of my commentary, I suggest that we might (and indeed should) adopt a post-national model of citizenship, one that thinks in terms of cosmopolitanism, and, as such, can contribute to the development of solidarity at the world level.

We know that the concept of citizenship indicates both a complex of rights and duties for the people who belong to a political community, and the model of political integration of that community. Now, the question is: in respect to these two dimensions, which kind(s) of citizenship is(are) adopted by nation-states in the world of today? Are these models adequate to the social issues of immigrants and migrant people at large?

We know that the answer is negative. But why is it so?

In my intervention I claim that the present western model of citizenship which is exported to the whole planet as a compromise between the capitalist market and the political democracy still sticks to the Hobbesian model, in so far as it is configured according to a lib-lab ideology.¹ According to the lib-lab scheme, social inclusion is understood and practiced as a free giving of entitlements to the people, be they citizens or denizen or migrants, to get market provisions; entitlements are granted on an individual basis by an enlightened political system (i.e. political elites) that adopts what sociologists are used to call 'institutionalised indivisualism' (for a clear statement of this conception: see Ralph Dahrendorf).²

What we realize today is the fact that this model cannot work any longer, for a number of reasons which I cannot deal with in this short commentary. Let me just recall the fact that it cannot work because it does not recognise cultural differences as constitutive elements of the complex of citizenship. It does not recognise the primary role of the family and intermediary social formations either. It conceives of citizenship as a structure of social opportunities granted to individuals on the basis of two pillars: the open competition on the market on the one side, and the political control for equality of opportunities on the other side. Such a view can perhaps support a citizenship which builds up a national power which must become able to compete with other national powers. But it is completely deficient with respect to the challenge of integrating immigrants and their families into a shared society,

¹ See P. Donati, The end of classical liberalism in the lib/lab interplay: what after?, in E. Banús, A. Llano (eds.), *Present and Future of Liberalism*, Eunsa, Pamplona, 2004, pp. 169-212; Id., Nuevas políticas sociales y Estado social relacional, in *Revista Española de Investigaciones Sociológicas*, Madrid, CIS, n. 108, Octubre-Diciembre 2004, pp. 9-47; Id., Welche soziale Inklusion? "Lib/lab'sches Neo-Panopticon" und sozietale Staatsbürgerschaft: zwei verschiedene sozialpolitische Strategien, in *Soziologisches Jahrbuch*, Trient, vol. 16, 2002/2003, pp. 392-426.

² See R. Dahrendorf, The Changing Quality of Citizenship, in B. van Steenberger (ed.), *The Condition of Citizenship*, Sage, London, 1994, pp. 10-19.

so that a differential access to public goods between natives and immigrants can be fully legitimised.

Citizenship becomes progressive, and adequate to the globalisation processes, when it becomes capable of including the outsiders, or at least of avoiding increasing gaps, inequalities and exclusions towards the outsiders, so that its boundaries can be crossed in both directions without exceeding conflicts. To achieve such a citizenship, it is necessary to configure the complex of citizenship beyond the Marshallian formulation of half a century ago. In my paper I suggest that we could rethink citizenship in terms of a new societal drawing, which must rely upon an articulation of the territorial dimensions (from local institutions up to the supernational communities) and a well understood pluralism of those intermediary bodies which generate a civil society.

In other words, I argue that we must look for a model of an 'open citizenship' whose central feature is the ability to establish its borders upon a cosmopolitan view of society, so that internal differences and inequalities must not be too distant and dissimilar from those existing outside of it.

The alternative is between a national citizenship, which is inherently 'closed', and a cosmopolitan citizenship, which is inherently 'open'. While the former is configured as a 'club', pursuing an Hobbesian welfare for the individuals who belong to it, the latter is conceived of as a societal construction made up by all who want to adhere to it on the basis of a solidary and developmental political constitution which is open to 'civil constitutions' (as emerging in a globalised society).³ In such a way, the recognition of the rights of immigrants and their families will become a matter of interchanges between those who are 'in' and those who are 'out' of the complex of citizenship. Then, co-existence between natives and immigrants, insiders and outsiders, will not mean – simply and reductively – avoiding fights and conflicts. It will mean to strengthen those circuits of social reciprocity between human beings, as different as they may be, so that solidarity and subsidiarity can work together in order to produce a more equitable and peaceful common world.

³ See Gunther Teubner, Hybrid Laws: Constitutionalizing Private Governance Networks, in R. Kagan, K. Winston (eds.), *Legality and Community*, California University Press, Los Angeles, 2000; Id., Societal Constitutionalism: Alternatives to State-centred Constitutional Theory, in C. Joerges, I.-J. Sand, G. Teubner (eds.), *Constitutionalism and Transnational Governance*, Hart, London, 2003.

1. LA SOCIETÀ DELLA PAURA E LA TENTAZIONE DI RICORRERE ALLA VECCHIA SOLUZIONE HOBBIANA

1.1. La società globale sta diventando una società di paura a causa dei crescenti divari fra paesi ricchi e paesi poveri. Le minacce del terrorismo e il confronto fra le diverse società e civiltà creano nuove tensioni. Le debolezze interne ad ogni società e le pressioni esterne portano ad una situazione di precarietà e malessere per quote crescenti di popolazione, in cui ciascuno cerca di lottare per ottenere il proprio benessere a discapito degli altri. Che cosa succederà se il mondo del secolo XXI diventerà una società di grandi paure dovute alle disuguaglianze sociali e alle loro conseguenze sui conflitti sociali?

Un numero crescente di studiosi paventa un possibile declino, e perfino una “nuova barbarie”. Se la connessione fra benessere e sicurezza sociale non funziona più in modo soddisfacente, ciò che viene messo in crisi è il complesso della cittadinanza. Di fronte all’insicurezza diffusa, molti pensano di ricorrere alla “soluzione hobbesiana dell’ordine sociale”.⁴ Tale soluzione dice così: siccome gli uomini tendono per loro natura a regredire ad una condizione di vita in cui valgono solo la forza e la frode, occorre che il Potere politico (il *Leviatano*) detti loro delle regole, e li faccia passare dallo stato di natura allo stato civile. Il Potere politico decide le regole per tutti i consociati, assicurando le libertà proprietarie dei singoli individui alla sola condizione che ciascuno non leda le libertà altrui. Questa è la cittadinanza hobbesiana.

La soluzione hobbesiana della cittadinanza ha retto l’ordine sociale della modernità. Ma può affrontare anche l’attuale crisi della cittadinanza nazionale, quando si vede confrontata da crescenti processi migratori?

In effetti, ci sono studiosi che propongono un nuovo contratto sociale di tipo hobbesiano (si veda ad esempio la proposta di Rossi 2006). Vale la pena di approfondire se veramente tale strada sia percorribile per dare sicurezza e benessere alle società contemporanee e future in cui i processi migratori tendono a diventare un fenomeno “normale” e di crescente importanza.

1.2. La mia opinione è che l’*impasse* della cittadinanza nazionale sia dovuta proprio alla crisi della soluzione hobbesiana.

La soluzione hobbesiana del problema della sicurezza e del benessere sociale configura la cittadinanza come una moneta con due facce: da un lato, mira alla coesione interna attraverso il controllo delle disuguaglianze

⁴ Così è stata chiamata da T. Parsons, con riferimento al pensiero di Thomas Hobbes (1588-1679).

e delle libertà illegittime che possono scatenare conflitti interni; dall'altro, difende i propri cittadini dall'esterno (dallo straniero, dai potenziali immigrati, ecc.) concedendo loro dei privilegi. È un patto *ad escludendum*. La sua legittimità sta nel comporre i conflitti di interesse fra attori materialistici, utilitaristici e individualistici, che non possono vivere in pace fra di loro e difendersi da potenziali nemici (fra cui gli immigrati) se non si sottomettono al Potere politico. Il Potere non è autoritario, ma, anzi, consente tutte le libertà individuali possibili, a condizione che non vengano pregiudicate le libertà altrui. Questo è il senso dell'affermazione secondo cui la cittadinanza moderna (il welfare state) ha una origine hobbesiana e viene a poco a poco configurato come compromesso (contratto sociale) fra democrazia politica e mercato capitalistico.

La crisi di questo modello è stata analizzata in lungo e in largo da una letteratura sterminata, che qui non posso neppure sintetizzare. I paradigmi di crisi della cittadinanza nazionale a fronte dei migranti sono stati enunciati, di volta in volta, nei seguenti modi: come crisi endemica dei sistemi fiscali; come impossibilità di far fronte alla rivoluzione delle aspettative crescenti di benessere; come assistenzialismo passivizzante, come difficoltà a integrare le minoranze etniche e culturali. A questi paradigmi, oggi dobbiamo aggiungere il fatto che la cittadinanza hobbesiana entra in crisi perché la globalizzazione riduce la sovranità degli Stati nazionali, crea nuove povertà e nuove sfide ecologiche che non hanno più confini nazionali. La cittadinanza entra in crisi, ma pochi vedono che la crisi sta proprio nel mantenere il modello hobbesiano.

I nuovi rischi e malesseri diffusi, dei migranti come degli autoctoni, le paure di una guerra di tutti contro tutti, vengono di solito imputati al capitalismo selvaggio. Non si pensa neppure che possano essere imputati allo Stato hobbesiano, e quindi anche al modello di cittadinanza oggi dominante. Anzi, la tendenza è a chiedere "regole" (di cittadinanza) in chiave hobbesiana. Senza vedere che proprio questa soluzione favorisce lo stato di paura.

Pochi arrivano ad affermare la intrinseca insostenibilità di continuare a ricorrere alla soluzione hobbesiana. Tant'è vero che il *master plan* dell'Europa è ancora formulato in termini hobbesiani, come compromesso fra le libertà competitive di mercato da un lato (*lib*) e i controlli di equità imposti dal potere politico dall'altro lato (*lab*).⁵

⁵ Come ha affermato l'ex-Presidente della Commissione europea Romano Prodi: "l'interazione fra le forze del libero mercato e della concorrenza, da un lato, e l'eguaglianza di opportunità per tutti i cittadini, dall'altro, è il *master plan* della nuova costruzione europea" (Prodi 2002, p. 20).

In questa sede, avanzo la tesi che il modello *lib-lab* di cittadinanza diventa sempre più intrinsecamente insostenibile come fondamento di una cittadinanza adeguata ai fenomeni migratori qualora sia pensato nei termini della soluzione hobbesiana dell'ordine sociale. Il che non significa certamente che sparisca del tutto. Bisogna qui fare attenzione.

La caratterizzazione che io faccio della teoria che ritengo dominante (*lib-lab*) può apparire semplicistica, perché gli Stati nazionali di welfare conferiscono un certo numero di diritti sociali, oltre che economici e talvolta politici. La mia risposta a questa possibile obiezione è che, per quanto i *welfare states* diano alcuni diritti sociali come l'istruzione dei figli) ai migranti, seppure con politiche di immigrazione molto diverse fra loro, tali diritti rimangono in gran parte "derivati" dal mercato o dallo Stato, o da una loro combinazione, anziché avere uno statuto proprio, basato su esigenze di integrazione sociale anziché di compromesso fra mercato e regolazione politica. Ciò rimanda al bisogno di una nuova visione della società, che differenzia i vari sotto-sistemi, e distingue nettamente fra Stato, mercato, terzo settore, quarto settore delle famiglie e reti informali (Donati 1999, 2006).

Il fatto che gran parte degli Stati nel mondo non abbiano ancora uno statuto proprio dei diritti sociali dei migranti è riconosciuto generalmente da tutti. Si può e si deve raccomandare agli Stati nazionali di procedere allo sviluppo di un "bill of rights", di diritti sociali e civili dei migranti e delle loro famiglie. Infatti, i diritti dei migranti sono ancora in gran parte dei diritti "civili" individuali, e per altra parte diritti sociali di categorie professionali e rappresentanze sociali, ma non già di diritti delle persone in relazione alle loro famiglie tali da essere realmente indipendenti dalle posizioni individuali sul mercato o dalle benevole elargizioni degli Stati membri. Non c'è ancora un "diritto sociale" dei soggetti migranti della società civile come soggetti di cittadinanza.

Pertanto, questo assetto, che io chiamo *lib-lab*, non solo non può affrontare i bisogni emergenti di welfare dei cittadini, ma – a maggior ragione – non può andare incontro ai bisogni sociali degli immigrati e dei residenti non-cittadini (*denizens*). Ma c'è di più. Questo assetto rivela di essere patogeno, in quanto genera i problemi di cui si suppone rappresenti la soluzione.⁶

Ci sono mille ragioni per cui la soluzione hobbesiana diventa improponibile. Tali ragioni sono di ordine politico, culturale, economico e sociale.

⁶ Ho trattato a lungo questi problemi in Donati (2000), testo a cui debbo rimandare per ragioni di spazio limitato.

Ma non posso qui soffermarmi. Il punto è che la cittadinanza nazionale deve essere riprogettata. L'ipotesi che avanzo è che essa debba diventare una "cittadinanza per progetto", con una costituzione reticolare e un nuovo ordine di giustificazione. Vediamo che cosa ciò significhi.

2. QUALE CITTADINANZA NAZIONALE IN UNA SOCIETÀ GLOBALE? RIPENSARE IL FRAMEWORK DELLA CITTADINANZA

2.1. Prendo come punto di riferimento l'Unione Europea perché lo considero il caso più emblematico di una cittadinanza hobbesiana in crisi.

Fiorella Dell'Olio (2005) ha osservato che la cittadinanza europea è ancora basata sul principio della nazionalità come suo criterio primario. Ella critica il fatto che la UE abbia rafforzato l'ideologia della nazionalità, in quanto ha esaltato il senso del "noi" (autoctoni) in contrapposizione al senso del "loro" (gli immigrati). A suo avviso, vari Paesi europei (come la Gran Bretagna e l'Italia) hanno rafforzato il legame fra cittadinanza e nazionalità, e, di conseguenza, hanno fallito nel forgiare una identità europea. Dell'Olio vede un pericolo nella concezione attuale della cittadinanza europea in quanto è intesa come una identità sopranazionale che legittima la discriminazione e l'intolleranza verso gli immigrati e i residenti che hanno una nazionalità extra-europea. Ella sostiene che, per creare una cittadinanza europea non discriminatoria, occorre che la UE riformuli il concetto di "status legale" (legalità) in modo da eliminare la nazionalità come precondizione per l'esercizio di certi diritti, quelli sociali. La definizione di ciò che è "legale" (la legalità) dovrebbe essere stabilita al livello della UE (come modello di legalità diverso dai modelli nazionali) in base alla semplice residenza e non già in base al criterio della nazionalità. Per fare questo, ella suggerisce che la separazione fra nazionalità e Stato sia garantita attraverso una costituzione disegnata in modo tale da assicurare la preservazione dell'identità nazionale (come valore culturale) e allo stesso tempo favorire un concetto post-nazionale di diritti civili, politici e sociali.

Condivido in buona parte le sue tesi. Soprattutto là dove l'Autrice sostiene che bisogna dare precedenza ai diritti sociali su quelli puramente politici che sono legati alla cittadinanza nazionale. Ma debbo muoverle alcune osservazioni critiche. Primo, il "regime politico più inclusivo" che ella auspica fa ancora troppo affidamento al potere politico (come nell'approccio hobbesiano), anziché rivolgersi anche alla società civile. Certamente la cittadinanza, se ridefinita nel modo da lei suggerito, può essere usata per

promuovere e difendere una concezione post-Westfaliana (post-hobbesiana) dei diritti individuali che promanano distintamente dallo Stato nazionale e dalle istituzioni sovra-nazionali. Ma una cittadinanza riferita ai soli individui (diritti individuali, e non relazionali) sotto la garanzia dei poteri politici (ancorché distinti in nazionali ed europei) mi sembra ancora troppo interna alla modernità. Una cittadinanza cosmopolita richiede una visione più ampia dei diritti che promanano dalla società (non dal sistema politico) e che debbono essere realizzati dalla società.

Secondo, ella non considera che a livello delle amministrazioni locali (si veda il caso del Comune di Bologna 2004), molti diritti sono già praticati per gli immigrati sulla base della semplice residenza (per esempio nella partecipazione a bandi pubblici per l'assegnazione di una casa, per il diritto all'istruzione dei figli, per i servizi sanitari di base), per i quali una base di legittimazione già esiste nei diritti umani riconosciuti dalle Carte internazionali.

In breve, la proposta di Dell'Olio dà eccessiva enfasi alla "legalizzazione" giuridica dello status di residente per godere dei diritti di cittadinanza e ne affida la realizzazione a livello europeo come se l'Europa fosse uno Stato sovranazionale, mentre molti di tali diritti non possono essere realizzati se non con strumenti amministrativi (a livello locale) e con nuove costituzioni civili (nell'accezione di Teubner 2005, 2006).

Sono d'accordo con Dell'Olio sul fatto che una effettiva cittadinanza europea debba essere costruita rivedendo il legame fra Stato e nazionalità. Ma per produrre il cambiamento auspicato occorre un'uscita netta dalla concezione hobbesiana dell'ordine sociale.

2.2. A mio avviso, è possibile realizzare una cittadinanza post-hobbesiana se si ha come riferimento una "cittadinanza cosmopolita" (*cosmopolitan citizenship*) che si distingua sia dalla "cittadinanza nazionale" (*national citizenship*) sia da una astratta "cittadinanza globalizzata" (*global citizenship*). Nella cittadinanza cosmopolita includo le forme cosiddette "glocali", cioè quelle forme di cittadinanza (anche amministrativa e con statuti civili) che sono espressione di esigenze locali indotte da processi di globalizzazione.

Come potrà essere configurata una tale cittadinanza? Per quanto molte siano le configurazioni possibili, provo a delineare alcune caratteristiche di fondo che sembrano emergenti.

Se e nella misura in cui la società diventa post-hobbesiana (nei termini che dirò qui appresso), la cittadinanza deve prevedere una sempre maggiore *soggettività* da parte dei cittadini, deve farsi "reticolare", deve rendere possibili *altri mondi* (non un unico sistema entro il quale fare scelte già vin-

colate), cioè mondi in cui all'uguaglianza e alla libertà si affianchi il principio di solidarietà come principio simmetrico rispetto agli altri due. La società diventa post-hobbesiana per almeno tre grandi ordini di ragioni.

(i) Emerge una società civile che non è certamente quella del Seicento: gli individui sono più consapevoli del carattere inalienabile dei loro diritti fondamentali, sono mediamente più informati, e cresce la soggettività dei singoli cittadini e delle loro associazioni; la cittadinanza deve riconoscere alle persone una soggettività che non è più quella di individui hobbesiani (cioè proprietari liberi ed uguali che alienano i loro diritti al Sovrano), ma è attiva, partecipativa, rivendicativa di diritti non alienabili.

(ii) La società contemporanea non è più gerarchica e per ordini di ceto, ma si struttura in reti; le persone attivano reti organizzate per risolvere autonomamente i loro problemi, reti che non necessitano di un *government* (potere vincolante) ma di una *governance* (coordinamento aperto); inoltre, l'espansione del terzo settore, nonché del privato sociale, modifica radicalmente la relazione fra Stato e mercato.

(iii) Più in generale, con i processi di globalizzazione, non è più possibile ricorrere ad un'autorità del tipo Leviatano per mettere ordine nella società. Il grado di complessità diventa troppo elevato perché la complessità possa essere "ridotta" con strumenti che operano in modo esterno e coercitivo nei confronti degli individui. La riduzione della complessità deve aprire nuove possibilità (altri mondi), non chiuderle. Questi "altri mondi" devono essere capaci di vita sensata, il che comporta che siano cooperativi e solidali piuttosto che individualistici ad anomici.

Le alternative al paradigma hobbesiano della cittadinanza debbono partire dai suoi deficit. Per quanto io possa vedere, i nodi del modello hobbesiano, sia nella versione materialistica-utilitaristica europea sia nella versione normativo-volontarista nordamericana, possono essere sintetizzati come segue.

1) La cittadinanza non può essere costruita su una visione antropologica negativa come quella hobbesiana. Un'altra modernità, quella della visione positiva dell'uomo, della sua dignità e dei suoi diritti, si sta affacciando all'orizzonte come soluzione alternativa. Se partiamo dall'idea che l'uomo sia una bestia, costruiremo una cittadinanza da bestie. Se partiamo dall'idea che l'uomo sia un essere ferito e debole, ma intrinsecamente capace di comportamenti altruistici, solidali o almeno non auto-interessati, ovvero di "scambi umani", allora possiamo costruire una cittadinanza dal volto umano. Un'antropologia negativa porta a dispiegare dinamiche negative, un'antropologia positiva porta a suscitare e alimentare (*empowerment*) le migliori capacità

umane. Anche chi ricorre alla forza e alla frode può essere stimolato a diventare cooperativo e onesto, non perché si sottomette ad un padrone o ad un sistema, ma perché viene considerato potenzialmente capace di cooperazione e onestà. Il povero è una risorsa, ma non come vuole il padrone.

2) La cittadinanza non può più essere costruita sulla base della distinzione moderna (hobbesiana) fra pubblico (Stato) e privato (il mercato dell'*homo homini lupus*). La sfida diventa quella dei “servizi di interesse generale” (*s.i.g.*), su cui la Unione Europea ha posto l’attenzione in vista di una nuova normativa con la quale aprire uno scenario di servizi di welfare che sono da considerare “pubblici” in quanto sono di interesse generale a prescindere dalla natura dell’ente proprietario o erogatore del servizio.

3) Le identità culturali, incluse quelle religiose, non possono essere “privatizzate”, non possono essere dichiarate irrilevanti per la sfera pubblica, e quindi per la cittadinanza (il welfare “pubblico”). La cittadinanza tipicamente francese (quella che neutralizza le identità culturali, e in particolare quelle religiose, com’è stata recentemente riaffermata in Francia con il Rapporto della Commissione Stasi 2003) non è più sostenibile, perché nella vita quotidiana la gente reintroduce spontaneamente i problemi di identità nelle culture del benessere, ne fa una questione di confronto fattuale nella sfera pubblica, prima che nell’ordinamento giuridico.

4) Il controllo organizzativo centralizzato nelle istituzioni di cittadinanza viene sostituito da reti sociali (originarie e originali), che sono intrecci plurali di relazioni formali e informali. La qualità sociale di tali reti è data dalla capacità di generare capitale sociale che include il diverso attraverso relazioni di fiducia, cooperazione e reciprocità (Donati/Colozzi a cura di 2006).

È tutta la moderna concezione hobbesiana dell’ordine sociale come compromesso e confusione fra libertà e controlli che vacilla e – almeno in settori rilevanti – crolla. Al suo posto subentra un “ordine societario”, una cittadinanza societaria (Donati 2000, 2006), che nasce da un radicale cambiamento delle definizioni di ciò che è pubblico e di ciò che è privato e dalla connessa ripresa del valore pubblico delle identità culturali. Questi fenomeni segnano la fine del sogno di poter realizzare nuovi compromessi fra le ideologie moderne (*lib* e *lab*). Chi tenta di riesumare una visione della cittadinanza come *mix* di individualismo e olismo metodologico va incontro alle più grosse delusioni, perché non coglie il nuovo sentire “associazionale” (Walzer 1991) che sta alla base del nuovo ordine societario.

Il lento declino della cittadinanza statale moderna viene oggi percepita come “crisi” senza che se ne vedano i possibili sbocchi, e senza che si riescano ad osservare i fenomeni di positiva innovazione.

Per dirla in breve, io osservo che le teorie correnti della cittadinanza cercano di riproporre, ai vari livelli territoriali (dal Comune, alla Regione, allo Stato, alle comunità politiche sovra-nazionali), il modello moderno o una sua revisione di tipo *lib-lab*, quando invece si deve prendere atto che tale modello è sempre meno capace di risolvere i problemi. La mia tesi è che la cittadinanza vada incontro a processi di differenziazione sociale (non solo funzionale, ma relazionale) che richiedono forme sempre più articolate e distinte di cittadinanza.

3. LA DIFFERENZIAZIONE DEI PROCESSI CHE SVILUPPANO LA CITTADINANZA

Nella mia prospettiva, siamo di fronte all'esigenza di attivare nuovi processi di costituzionalizzazione della cittadinanza, che riguardano non solo il sistema politico a livello degli Stati-nazione, ma anche (i) le regioni e le comunità locali (Statuti o Carte della convivenza civile a livello delle amministrazioni civiche locali) e (ii) le emergenti costituzioni civili che devono garantire determinati diritti umani fondamentali nelle reti di società civile che non sono legate ad un territorio definito e vanno al di là dei singoli sistemi politici (diritti interculturali, diritti nel campo bioetico e della scienza, diritti nell'uso di Internet e dei mass media, ecc.).

I processi di costituzionalizzazione si differenziano perché debbono fare fronte all'esigenza di attuare i crescenti diritti civili, sociali e umani laddove le vecchie costituzioni politiche del passato (dal Settecento al Novecento) non riescono più a regolarli e implementarli, soprattutto a causa di un sovraccarico del sistema politico e della sua costituzione (politica) fondamentale.

Secondo la mia ipotesi, la differenziazione della cittadinanza avviene nel modo seguente, lungo quattro direttrici (fig. 1).

G = *goal attainment*) Le costituzioni politiche devono essere "leggere" ed essere costituite, grossomodo, da due parti. Nella prima parte devono essere sanciti i diritti fondamentali della persona umana, dei cittadini come dei residenti (*denizen*) e dei migranti, in termini di diritti civili, politici, sociali e umani.⁷ La seconda parte dovrebbe delineare il regime politico democratico e le sue istituzioni. L'essenziale, qui, è che il potere politico non si comporti come un *Leviatano*. Non deve aumentare le libertà individuali negati-

⁷ Tale differenziazione comporta la necessità di una profonda revisione della teoria della cittadinanza di T.H. Marshall: cfr. Donati (2000, cap. 5).

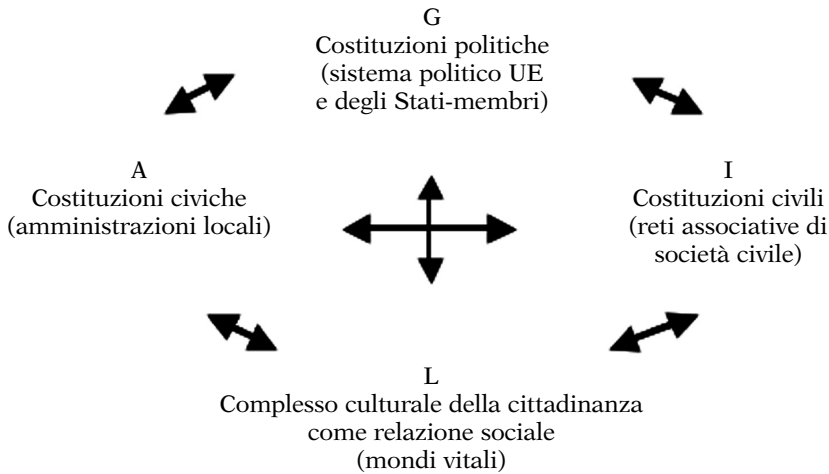


Figura 1. Sfere e attori di un'Europa, concepita come sistema societario democratico altamente sviluppato (differenziato), che costituzionalizza una cittadinanza aperta (cosmopolita) post-hobbesiana.

ve (cioè la semplice cancellazione dei vincoli, secondo la nota definizione di I. Berlin) in cambio del controllo dell'uguaglianza di opportunità, ma deve promuovere le libertà positive (creazione di relazioni sussidiarie) in base al principio di reciprocità fra le parti.

A = *adaptation*) Gli enti territoriali (dalle Regioni alle città) realizzano i diritti i fondamentali su un determinato territorio attraverso costituzioni civiche (Statuti propri) che tengono conto delle peculiarità delle popolazioni in un determinato territorio. Ogni territorio ha una composizione etnica e multiculturale specifica, che ha esigenze particolari (in alcuni è prioritario il problema linguistico, in altri quello della distribuzione ambientale delle risorse, o della partecipazione amministrativa, ecc.).

I = *social integration*) Gli enti non territoriali, di società civile, sono quelli che hanno a che fare con l'economia (imprese, associazioni economiche) e con le formazioni sociali intermedie (le "forme associative") (Hirst 1994), soprattutto del terzo settore e del privato sociale (Donati/Colozzi 2004). Questi enti che hanno un ruolo decisivo nella vita dei migranti possono creare dei diritti-doveri di cittadinanza che io chiamo "civili" perché vengono elaborati ed implementati da organizzazioni di società civile, fra cui la Chiesa, che è la prima e più fondamentale istituzione di società civile. Si

pensi ai diritti dei lavoratori e dei consumatori nei confronti delle imprese, o ai diritti dei membri delle associazioni di volontariato, di cooperazione sociale, di fondazioni o enti non profit, soprattutto in relazione a bisogni non standardizzabili e ai problemi della qualità della vita delle famiglie che risiedono in un territorio a prescindere dal fatto di avere una certa cittadinanza nazionale o un'altra. Per esempio, le imprese economiche possono attuare i diritti di conciliazione tra famiglia e lavoro attraverso dei patti o contratti (alleanze, ecc.) che non comportano necessariamente l'intervento né del potere politico né di pubbliche amministrazioni locali. Esistono già delle Carte dei diritti dei malati nei confronti dei sistemi sanitari, o Carte di diritti dei bambini nei confronti dei mass media emanati da ordini professionali (per es. dei giornalisti), che definiscono dei diritti di cittadinanza di vari soggetti specifici. Le possiamo definire "costituzioni civili" perché riconoscono dei diritti fondamentali che non sono scritti né nelle costituzioni politiche né in quelle civiche. Questi diritti sono "societari" in quanto hanno a che fare con reti associative non territoriali e non politiche. Sono particolarmente importanti nel caso di persone e famiglie migranti.

L = *latency*) Le costituzioni politiche, civiche e civili non possono sostenersi se non viene coltivata la cultura della cittadinanza come modalità di riconoscimento dell'Altro e come significato del vivere assieme ad altri su un territorio, quale che sia la cittadinanza nazionale di ciascuno. Qui hanno un ruolo le istituzioni culturali che attuano i processi di socializzazione. A tali istituzioni è affidato il compito di elaborare un sistema di valori comuni, che sono quelli che legittimano i diritti fondamentali nelle varie costituzioni (politiche, civiche e civili) e li rendono operativi nella concreta vita quotidiana. Tale ruolo viene ricoperto dalle religioni, dalle Chiese, dai movimenti sociali e culturali, che hanno un'influenza rilevante sui sistemi scolastici e sulle istituzioni della comunicazione (i mass media). Si noti la differenza: mentre nelle costituzioni hobbesiane la religione è un vincolo da cui liberarsi (la religione rappresenta un elemento che deve essere neutralizzato nella sfera pubblica), al contrario nelle costituzioni post-hobbesiane la religione è una risorsa per l'integrazione socio-culturale della società civile (è un elemento che viene rispettato e promosso nella sfera pubblica). Dunque: non soltanto vi è una libertà (privata e individuale) di religione come diritto di cittadinanza, ma le formazioni sociali a base religiosa sono riconosciute come soggetti aventi propri diritti di cittadinanza nella sfera pubblica.

La differenziazione fra le diverse sfere che costituzionalizzano la cittadinanza attraverso i suddetti processi pone, ovviamente, dei problemi di relazione e integrazione fra i vari tipi di costituzioni. Nello schema che

propongo (fig. 1) vengono indicate le *inter*-dipendenze e anche gli *inter*-scambi che sono necessari per un funzionamento virtuoso dell'intero sistema societario. Tali dipendenze reciproche vanno lette⁸ nel senso che le costituzioni politiche (G), hanno la funzione di scopo di guida e decisione collettiva vincolante; le costituzioni civiche (A) hanno la funzione di strumenti amministrativi a livello delle comunità locali; le costituzioni civili (I), che sorgono nelle reti della società civile, hanno la funzione di integrazione e coesione sociale; la cultura della cittadinanza (L), intesa come cultura diffusa nella popolazione, ha la funzione di legittimare le costituzioni politiche e di orientare e sostenere le altre costituzioni (amministrative e civili).

Per capire il senso di questi processi, occorre porsi dal punto di vista della singola persona, che può essere cittadino o solo residente o solo migrante, il quale ha di fronte a sé differenti ordini di istituzioni (politiche, amministrative, economiche, sociali e culturali) nelle quali, e attraverso le quali, elaborare un nuovo "complesso di diritti-doveri di cittadinanza".

Pensare la cittadinanza in questo modo (fig. 1, p. 454), mette in rilievo il fatto che i diritti-doveri di cittadinanza: (i) vengono creati e perseguiti da una pluralità di soggetti (non solo dalle istituzioni politico-amministrative), (ii) vengono implementati attraverso *networks* di *multistakeholders*, (iii) implicano l'estensione del principio di sussidiarietà da una concezione ristretta e puramente difensiva, ad una concezione attiva e promozionale in varie direzioni (verticali, orizzontali e laterali).

In questo senso, la forma della cittadinanza è *aperta verso l'interno* del sistema politico (nazionale o sopranazionale) nei confronti delle sue articolazioni (cioè verso gli Stati-membri), ma è anche *aperta verso l'esterno* (cioè verso altri Stati, che sono confinanti o con esistono degli scambi), e quindi verso i migranti. L'apertura è possibile in quanto questa concezione della cittadinanza ridefinisce il senso del *confine*. Il confine non è più una barriera che viene eretta, oppure spostata avanti o indietro, perché non è una cosa, ma è una relazione. Non significa includere o escludere qualcuno o qualcosa, ma significa instaurare una relazione a livelli differenziati con "gli altri", ossia i migranti. La cittadinanza aperta è multidimensionale (secondo le varie dimensioni delle costituzioni della cittadinanza in AGIL: fig. 1) perché può estendere certi diritti sociali o umani attraverso le reti associative di società civile trans-nazionale, anziché attraverso le costituzioni politiche o civiche.

⁸ Nella fig. 1 utilizzo lo schema relazionale AGIL come da me rivisto nella teoria relazionale della società (Donati 1999, 2000).

Nei confronti di Paesi limitrofi, tale relazione può essere di compartecipazione alla cittadinanza da un minimo (compartecipazione dei frontalieri o degli immigrati a certi diritti-doveri) fino ad un raggio più ampio.

In tal senso, la cittadinanza di cui abbiamo bisogno per un giusto trattamento dei migranti è una cittadinanza *cosmopolitica*: il fatto di appartenere ad una cittadinanza nazionale identifica un modo di essere nel mondo, che è diverso da quello di altre cittadinanze (per esempio, quelle chiuse e assimilazioniste, o prive di reciprocità come negli Stati confessionali islamici). Il cosmopolitismo sta nel fatto che in questa cittadinanza si respira un'aria universale, che è potenzialmente capace di attrarre tutti coloro che ne vogliono *in qualche modo* essere partecipi.

Già oggi la società civile mondiale è più avanti delle sue istituzioni politiche nel realizzare questo "complesso della cittadinanza". Ma il problema è che non ne ha una sufficiente coscienza riflessiva.

4. INCLUDERE/ESCLUDERE: PERCHÉ E COME? LA COSTITUZIONALIZZAZIONE DI UNA "CITTADINANZA COSMOPOLITA" (POST-HOBBESIANA)

4.1. Il senso della concezione della "cittadinanza aperta" deriva dalle sue qualità, in quanto si tratta di una cittadinanza *relazionale, sussidiaria, societaria e plurale*. Il suo compito è precisamente quello di gestire i processi di inclusione sociale dei migranti e delle loro famiglie senza necessariamente generare forme strutturali (cristallizzate o irreversibili) di esclusione sociale, sia all'interno del Paese ospitante, sia nei confronti dell'esterno.

Per comprenderla, occorre aver ben chiaro che si tratta di una forma di cittadinanza *dopo-moderna*⁹ che emerge attraverso discontinuità forti con la modernità. Essa deve includere le persone senza presupporre un patto fittizio di alienazione delle libertà originarie, ma elaborando un sistema di cittadinanza capace di relazionarsi in maniera sussidiaria, societaria e plurale sia con chi volontariamente gli appartiene sia con chi ne sta fuori (cioè sta nel suo ambiente in senso sistemico). Sarebbe illusorio pensare che la cittadinanza possa solamente includere, perché ogni criterio di inclusione costituisce al tempo stesso la base di una esclusione. Il problema è come pensare una cit-

⁹ Il termine *dopo-moderna* deve essere intesa come discontinuità forte con la modernità, e non deve essere confusa confuso con *post-moderno* che indica una fase di radicalizzazione della modernità (Donati 2001).

tadinanza che organizzi le persone e le loro formazioni sociali in modo che tutti possano avere un posto decente nella città, riparando eventuali esclusioni temporanee che potrebbero essersi prodotte. Ciò implica un modo di gestire i confini che non operi con il criterio *lib-lab* di inclusione/esclusione, ma con criteri relazionali di scambio reciproco (Donati 2002/03).

Diversamente dal patto hobbesiano, che crea una cittadinanza difensiva la quale obbliga i cittadini alla lealtà interna in funzione della guerra verso l'esterno (Walzer 1970), il patto di cittadinanza che sorge dall'adozione del principio di sussidiarietà ha un carattere relazionale, cioè articola le differenze interne e i rapporti con l'esterno sulla base della valorizzazione delle reciproche autonomie. Opera per mezzo di scambi sociali basati sul principio di reciprocità.

I punti di discontinuità forti stanno su due fronti, che contraddicono apertamente la soluzione hobbesiana.

Il primo fronte riguarda la definizione di benessere che la cittadinanza deve assicurare. Tale benessere non può più essere concepito come puramente materiale, utilitaristico e individuale (dell'individuo proprietario hobbesiano), com'è anche nella soluzione rawlsiana, né può ricorrere a soluzioni normativo-volontaristiche, ma deve farsi relazionale, nel senso che la felicità sta primariamente nelle relazioni umane e non negli oggetti-merce. Il secondo fronte riguarda i contenuti etici delle azioni di welfare. Le misure di welfare non possono più essere eticamente indifferenti o neutre, ma devono diventare eticamente qualificate. Ciò significa che il fine etico deve essere introdotto nella funzione-obiettivo delle azioni di welfare, sia per quanto riguarda gli aspetti economici sia per quanto riguarda quelli socio-relazionali.

Una tale modificazione delle basi culturali e normative del welfare non può essere gestita da un nuovo Leviatano, che per sua natura assolve solo funzioni di integrazione sistemica (organizza le istituzioni in una macchina). Occorre una configurazione di cittadinanza cosmopolita capace di mettere in sinergia l'integrazione sistemica con quella sociale (l'integrazione sociale è quella delle relazioni di mondo vitale). Il che significa che occorre una *governance* del sistema politico ispirata al principio di sussidiarietà sia all'interno sia verso l'esterno (Donati 2005).

Vale la pena di sottolineare che il principio di sussidiarietà introduce una discontinuità radicale nei confronti dell'ordine (sociale, economico, culturale, politico) tipicamente moderno. Infatti, l'adozione del principio di sussidiarietà come principio architettonico di un nuovo ordine sociale, che va dal livello micro (relazioni interpersonali) al livello macro (relazioni

internazionali), passando per tutti i livelli intermedi, configura una società alternativa sia a quella strettamente liberale (*lib*) sia a quella strettamente socialista (*lab*), sia anche ai loro *mix* (modelli *lib-lab*).

L'alternativa allo Stato hobbesiano non è uno Stato minimo à la Proudhon (come sostengono i *lib-lab* radicali), ma uno *Stato relazionale* (Donati 1999). Lo Stato sociale post-hobbesiano non coincide con lo slogan "meno Stato, più mercato", ma con uno Stato che si interfaccia con una società che non è concepita come mercato di profitto, bensì come economia civile e come welfare civile.

Lo sviluppo del welfare civile è in corso in molti Paesi, ben al di là di quanto avviene nel modello nord-americano (Evers/Laville 2004). Più in generale, si affermano in molte parti del mondo dei processi di *devolution* dallo Stato alla società civile.

I processi migratori implicano una revisione dei sistemi scolastici, sanitari, di assistenza sociale, di previdenza e sicurezza sociale, in breve di tutto lo sterminato campo dei bisogni di benessere nella vita quotidiana. Il criterio di gestione dei sistemi di welfare in condizioni di elevate migrazioni diventa quello del *nesso fra libertà e responsabilità non solo per quanto riguarda il comportamento dei singoli individui, ma anche per quanto concerne le conseguenze dei loro comportamenti nei confronti degli "altri", siano essi cittadini o solo residenti o migranti*. Una cittadinanza non più intesa come graziosa concessione di uno Stato illuminato, ma come esercizio delle libertà e responsabilità dei soggetti sociali, è l'alternativa alla soluzione hobbesiana. Cerchiamo allora di capire più a fondo il senso della nuova "cittadinanza aperta".

4.2. La cittadinanza aperta si basa su alcune scelte di valore e programmatiche, che sono pensate come criteri di azione per il futuro. Due sono i grandi criteri-guida.

a) Il primo criterio-guida è quello di orientarsi verso un modello di integrazione sociale, che potremmo chiamare di *pluralismo relazionale*, cioè di convivenza aperta fra tutti coloro che decidono di risiedere sul territorio, sulla base dei valori di solidarietà, uguaglianza e libertà, in primo luogo della libertà religiosa, e del rispetto dei diritti umani che dovranno essere regolati sul metro della reciprocità fra etnie, religioni e culture differenti. In questo modo, vengono respinti sia i modelli di migrazione cosiddetti "assimilazionisti" che tendono a imporre a tutti determinati criteri di vita, sia i modelli cosiddetti "separatisti" che tendono a segmentare il tessuto sociale in comunità etniche e culturali separate fra loro.

b) Il secondo criterio-guida è quello di puntare ad un *bilanciamento fra diritti e doveri* di tutti i residenti in modo che, da un lato, nessuno si senta discriminato, e dall'altro tutti siano effettivamente chiamati a impegnarsi per la massima integrazione sociale possibile senza chiedere particolari privilegi. Ciò significa che le istituzioni pubbliche si impegnano a eliminare eventuali discriminazioni che dovessero manifestarsi nei riguardi di persone, famiglie o gruppi sociali a causa della loro origine etnica, della loro appartenenza religiosa o delle caratteristiche culturali, ma nel contempo chiedono che tutti i cittadini residenti si adeguino alle norme che regolano la vita comune, norme che debbono essere imparziali e quindi debbono ispirarsi a criteri oggettivi nella fruizione di ciò che la città può offrire senza fare della condizione di immigrato un motivo né di sfavore né di privilegio.

La cittadinanza aperta non pone la questione della convivenza interculturale delle migrazioni in termini di "compatibilità" fra culture autoctone e culture di immigrazione (come propongono, ad esempio, i liberali come Giovanni Sartori 2000). Porre il problema in termini di compatibilità non è costruttivo. In tal caso ci troveremmo davanti a due soluzioni: o le istituzioni pubbliche democratiche selezionano *a priori* le culture e le religioni ammissibili e quelle non ammissibili (e questo sappiamo che non è possibile per la nostra tradizione civile), oppure si privatizzano i valori religiosi e culturali (come è stato suggerito da Sartori). La scelta della Francia di vietare segni religiosi nella sfera pubblica ha soprattutto questo secondo significato.

Credo che nessuna di queste due soluzioni sia oggi percorribile. La crisi della modernità è proprio dovuta al fatto che la nostra società non può più privatizzare i valori ultimi delle persone (Seligman 1992).

Una cittadinanza adeguata all'epoca della globalizzazione non è più concepibile come combinazione di mercato e di controllo politico. La cittadinanza ritorna ad essere prima di tutto un compito della comunità civile, che deve incorporare un modello di civilizzazione capace di mettere in sinergia le diverse etnie, religioni, culture.

La cittadinanza aperta che qui io propongo allude ad un processo costituzionale di tipo nuovo, intendendo per processo costituzionale la costruzione di valori e regole fondamentali di convivenza civile.

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COMMENT ON THE PAPER BY MARCELO SUÁREZ OROZCO

ROCCO BUTTIGLIONE

I wish to bring the point of view of an immigrant – I have been for a large part of my life an immigrant myself – the point of view of a citizen of a country that has been a country of great migration and is now a country of great immigration. Until the 70s Italians still used to wander through the world seeking jobs. And now we are a country of great immigration. And I wish also to bring you perhaps a more practical point of view, being, among other things, a politician.

So, first of all, I wish to problematize the concept of immigrant: who is an immigrant? It is not so clear who is an immigrant. When I was in Liechtenstein, as a professor, a person coming from Feldkirch, just beyond the Austrian border, a person who spoke the same language, who had the same education or capacitation as a true Liechtensteinian, was a foreigner, an immigrant in Liechtenstein. Just in the same way as a man coming from Ceylon? Just in the same way as a man coming from Turkey? Perhaps not. And if you look at immigrants in Italy today, it is easy to make clear-cut distinctions. On the one hand we have those coming from countries belonging to the European Union, I do not know whether we should still consider them as immigrants, to a very large extent they have the same rights as the Italian workers. Then, you can rank those who come from countries that have a civilisation that is very similar to ours or that is mainly the same as ours. Then you have people coming from countries that are further away and very different from ours. This has a tremendous impact on the possibility of integrating people. Let us imagine that people coming from other countries belonging to the European Union are still immigrants or foreigners. I imagine that many of you know the name of Yves Montand. Yves Montand is one of the idols of my youth, his songs have been sung by almost everybody throughout Europe and most people think he is a Frenchman: that is not

so, he is an Italian. What does that mean? That after twenty years an Italian can become a Frenchman, still remaining an Italian somehow. But we know that people coming from Turkey, in Germany, after three generations can still be Turks. You have difficulties in integration; different is the capacity for integration. If you consider the rate of criminality as an index of the capacity for integration you see that people coming from the Philippines, this is rather odd, but they are very easily integrated, they have less criminality than Italian-born people. Is that because they are mainly Christian? Is that because they are mainly women? Perhaps. It is a matter of fact that they are easily integrated. If you take people coming from Latin American countries it is a little bit more difficult, they are not as good as those coming from the Philippines, but, after all, they are not much worse than Italians. If you put 1 as the index of the Italians, they make 1.2. If you consider the stress of immigration and that sort of things, they are easy, comparatively easy to integrate with the exception of one Latin American country, which I will not name, but there are particular reasons for this exception. But if you take people coming from Maghreb, from Islamic countries, you can have twenty, thirty, forty times the rate of criminality of Italians.

And here, from this very simple matter of fact, a first or a second question arises. Do we have a right to select immigrants, to facilitate immigrants who come from countries that stand nearer to us from a cultural point of view and can be more easily integrated, or not? Should we have a legislation that makes distinctions? Some of you know Cardinal Biffi, he said very bluntly, we should facilitate the integration of Christian immigrants. I shall not put it so bluntly, I shall say it in a more politically correct way, shall we have a right of allowing more easily people who stand near to our civilisation and can be more easily integrated? We could make even further distinctions, take Argentinians: most Argentinians have at least one Italian grandfather or grandmother. Should we facilitate them? Perhaps yes, perhaps not, but in any case this is a first milestone for an immigration policy, whether we have the right to select immigrants. Another way of selecting immigrants may be that of selecting those who can be more easily integrated because they have a higher level of education. It goes without saying that another criterion is those who can more easily find a job in our country. And here we enter into another domain that needs careful consideration. We want people who come to work with us and for us, but they are men and they bring with them their families, and these families are made up of human being who have rights. We want workers but what really arrives are

men. And here we have, I think, a distinction between two kinds of countries. There are countries in which you have comparatively high wages and comparatively low welfare. What is due to the worker is given to the worker completely or almost completely. The United States is a liberal country in which you have low welfare and it is easy to find a job, and most of what is due to the worker is given directly to them and the use he or she makes of it is his or her own business. And you have countries in which you have comparatively low wages and high social benefits. And so you have two categories of immigrants: those who come to work and receive wages, and those who come and assert a right to welfare, to social benefits. Shall we allow under the same rules the first and the second kind of immigrants? Can we make a distinction between the first and the second kind of immigrants? What kind of distinction? How should we manage the permission to enter into our countries? This is important not only from the point of view of the relation between legal and illegal immigration, because you must not imagine that if we say, you will not come, they will really not come, some of them will come anyway and you will have a different proportion between legal and illegal immigration, but this is one of the few questions that a politician would ask.

BONDS ACROSS BORDERS: MIGRANT FAMILIES IN A GLOBAL WORLD

MAURIZIO AMBROSINI

It's hard denying the fact that nowadays international migrations represent one of the main factors of social change in both sending and receiving countries.

It stands to reason that by now it doesn't make sense being in favour of or against immigration, we need instead to decide the way we want to incorporate it in our society: as 'reluctant importers' (Cornelius, Martin and Hollifield, 1992), namely following an attitude in which undeniable needs and unconfessable conveniences of receiving societies coexist with distrust, closure, implicit and declared resentment; or following ways more suited to receiving countries' realities (not just in respect of economic systems needs, but also taking in account family and sanitary system needs, and so on) and more future oriented, both in the programming of entry flows, and in the promotion of social integration.

In this picture, immigrant families have not been a deeply investigated issue by European sociologists, at least until the latest years,¹ while in the American tradition they received higher attention, even if remaining an underdeveloped branch, in the migration studies scenario.

Four factors seem to explain this relative lack of interest (Kofman, 2004): a) the influence of economic theory, that tends to put aside family units and the activities that occur within them because they are not easily measurable in economic terms; b) the tendency to consider migratory movements as relations between the single migrant and the State; c) the dichotomy between economic and social aspects, in a framework that puts

¹ But an exception, in the Italian debate, was represented by Scabini and Donati (1993). That insight has not been followed by a sufficient investment in the research on migrants' families.

the economic reasons first, seeing them as the ones that make people move, while the family would represent the 'social side' that comes just after, both in time and in terms of theoretical relevance; d) the handling of family migration in terms of social policy as a secondary kind of immigration, that comes after the first wave of labour migration.

It's worth noticing also the influence of ideological biases, such as the ones that tend to find in migrant families just patriarchal and oppressive traits, the ones that foresee the loss of social relevance of this institution; or, on the theoretical ground, the ones that favour the individual actor as the focus of the sociological research, against those that give prominence to the great structural social processes. In many cases, political, social and mediatic forces have driven the scientific production itself to the more troublesome and emergent aspects of migration: many more studies are financed about the women involved in the prostitution business than about mothers.

Talking about family and migration means instead asking ourselves questions about the living hopes and sufferings, about separations and reunions, about the way families tenaciously build their future day by day. On the theoretical side, it means putting at the centre an intermediate actor, the family, between the individual and the great structural processes that make migrations happen, rendering visible women and men's migratory networks and kin relationships (cf. Ambrosini, 2005).

The relationship between families and migration has a long history that I will try to depict briefly.

1) First, the choice to leave is generally mediated by the family, as the new economics of migration has shown (Lauby and Stark, 1988): it means that migration is an investment made by the family on one of its members, so that it can produce benefits for the others, in terms of remittances (that can be used as emergency stock or invested in the country of origin) and as support networks available for further migrations, etc. This entails quite ambivalent and differently evaluated aspects, such as the fact that women are, generally, the ones that are (educated to be) more responsible for family needs and welfare: so, the decision to leave for them is often a sign of persistent moral obligations and love ties. In these authors' view, women's migrations are generally more dependent on family reasons than men's migrations. Then, they are correlated to variables such as the number of siblings, the whole dimension of the family unit, the father's occupational status, and so on.

In the relationship between female migrants and families we can detect sometimes patriarchal schemes, so that the resources gained by the self-

sacrifice of the woman are used not just for the welfare of the children, but for the necessity of other family members, such as parents, husband, siblings. But the other side of this sacrifice is the fact the resources gained by the women drive a change in the family members, reciprocal positions and power balances, in terms of gender and generation. Becoming the pivots of family upper mobility and status defence, women can occupy more relevant positions, in terms of influence and negotiation capacity. Therefore, much more than stated by the *new economics of migrations*, in migrant families we can't just find cooperation and solidarity for the family unit's sake, but negotiations, conflict and struggle as well (Foner, 1997).

2) Secondly, we should grasp the dynamic dimension of family migration. Very few families arrive as a whole in receiving societies, and when it happens it's generally the case of the extreme poles of the migration flows' stratification: highly skilled migrants (such as managers, the professional elite of researchers, politicians, technicians, entrepreneurs) who, when they go abroad for a short period or forever, bring with them their whole nuclear family; or, in the opposite case, refugees who escape from war or disasters with their families. For all the others, the family has to face a period of separation, when the one that has the greater possibility to find a job abroad decides to leave; then comes the time of long-distance intimacy; later, the time of the reunification, either in the country of origin, or, more frequently nowadays, through the relatives' migration to the receiving country, when the first to leave has been able to gain an acceptable level of integration, in terms of income and housing. This, is the so-called 'three migrants' families' dynamic (described by Esparragoza, 2003).

The rejoined family, actually, is quite different from the one left at home years before, or the one nostalgically longed for and met during the holidays, and not just because the children have grown. Meanwhile, the migrant himself or herself has changed, as well as his or her spouse, the power relationships around and within the couple. Living together again can take the shape of a difficult path, in an environment that's new and deeply different from the one where the couple met and started its relationship, a reality in which just one spouse knows the country, the language, the institutions and their daily practices, together with the fact that part of the family support network could still have been left abroad; the social integration of children can become a further source of stress, for the recently reunited couple.

Some other factors can further complicate this framework: when the reunification process is 'role reversed', namely, when it happens with the woman coming first (cf. Lagomarsino, 2006), the husband can face serious

frustrations, risk losing his role, together with authority and power, since he can find it quite hard to insert himself in a labour market shaped by care and domestic work needs, and hegemonized by female networks.

Sometimes, family reunions are incomplete (especially in the case of widows or separated women that decide to be followed just by their children), and the reunion can take place in a family context that, meanwhile, could have welcomed or generated new members. Emigration can also represent a way for women to escape from difficult family realities: for instance, in the Philippines it is often called 'Filipino divorce'. Marriage breaks after the reunification are not uncommon, and further unions can complicate a picture in which the family is more and more – for immigrants as well – a diversified, frail and changing unity.

It's worth noting the phenomenon (quite relevant as an entry door even in the older immigration countries) of marriage migration too, not forgetting sham and forced marriages as a way of getting around immigration policies.

We should mention as well another rising (and under-researched) theme: mixed unions, as a sign of successful integration, but also as an ambivalent social process, that can take the shape of wives 'bought' from abroad (mail order brides). Some years ago in Germany around 3.000 agencies 'specialized' in importing Thailand and Eastern European brides were counted (Kofman, 1999).

3) Third, the vicissitudes of migrant families show the *gendered* and *gendering* nature of migration processes. On the one hand, they're influenced by gender relationships, on the other, they contribute to the changing of the same relationships (Hondagneu-Sotelo, 1992). At a distance, patriarchal schemes can be altered and, in many situations, women become more autonomous and competent in the managing of money: fathers' and husbands' authority lessens, while the wives' grows. The very housework organization tends to be revised, because during separation men are sometimes forced to learn domestic chores, and women become more able to take decisions and to manage economic affairs. Among women, gendered-networks can be formed, to counterbalance husbands' power: this can also force husbands into unwanted reunions.

4) Related to this, we can grasp another dynamic dimension of family migration that's quite discussed nowadays: the problems and functioning of so-called transnational families. Families separated by migration are not new in history, since they constitute the rule rather than an exception: characters such as the Italian emigrants' 'white widows' are still in the collective memory of many sending localities.

The difference is that until it was the males who left (fathers, husbands, sons), studies didn't see a new form of family emerging, nor were they seeing any form of suffering or distress in this, except for the mentioned widows. We started talking about transnational families when adult females started migrating, leaving behind their children in the care of their mothers, sisters, daughters or, occasionally, of their husbands and also of paid caretakers, showing the formation of a sort of international chain of care (Ehrenreich and Hochschild, 2004).

The perception of an anomaly in this kind of family led to the identification of a new family form, and it's quite obviously related to the void that the departure of the one that is (in almost all cultures) the main caregiver – the biological mother – leaves behind. It's in relation to this absence that the discourse is growing on transnational families, their feeling of sorrow and the efforts they make to remain part of the lives of the ones left behind, showing love and interest, through frequent travel, if it's allowed by money and distances, or through letters and phone calls, as well as through the exchange of e-mails and tapes, trying to take part, even at a distance, in the main family happenings and in family decisions (see on this Parreñas, 2001; 2005).

The struggle for long-distance parenting cannot be seen as separated from the role these same mothers play in the receiving countries' informal welfare systems, the solution to many families' care needs: many children and teens in richer countries (let alone even more elders), gain benefits from the work of mothers forced to leave their children (and parents) in the country of origin. We are facing therefore an international stratification of care resources,² on the top of which we find the families living in the developed countries, helped by nannies, domestics and maids, and at the bottom the poorest countries' families, forced to substitute with temporary solutions the mothers gone away to take care of others' parents and children.³

Another consequence of the forced separation from family members can be detected in the development of the strategies through which fam-

² I'm elaborating on the 'stratified reproduction regime' concept proposed by Colen (1995).

³ In the course of a trip to Ecuador in October 2005, I personally verified how the departure of parents, particularly the departure of small children's mothers, is perceived as an emergency by the communities more touched by this phenomenon (the inner region of Sierra): the local Catholic Church (from the hierarchies to the local units) is involved in enormous efforts to assist and educate the children left at home, and it's displaying considerable efforts (without success, at least until now), to discourage further migration to the United States and to Europe.

ily members keep themselves emotionally connected despite physical separation (Bryceson and Vuorela, 2002). A first strategy could be called *frontiering*, and denotes the means used by members to keep relationships alive across frontiers, in a situation of dispersal: political frontiers cease to be rigid and insurmountable obstacles, and start being spaces crossed by living relationships. The second strategy is called *relativising*, and it's related to the way individuals create, maintain or break off specific family ties. Family is forming as an 'imagined community', with shared memories and obligations, as a sense of mutual belonging, that doesn't depend on geographical proximity. In the experience of transnational families cohabitation lessens, while long-distance relationships expand, and remittances are a concrete trace of this process. Traditional roles (such as mother, father, son) as well as the more extended relationships (uncle, cousin...) are re-defined, some are surrogated, others are suppressed: while some relevant relationships are lost, others are reconstructed through fictive-kin in the new environment, and start acquiring a new relevance (as the appellative of 'tio' that is starting to be given to preeminent personalities or to benefactors). In front of the dispersal and the distance of some relatives, it starts raising the urge to explain why some are still part of the family; relationships are constantly rebuilt as well as family history and narratives.

5) In contrast with the picture generally depicted by the international literature (mainly North American), in the case of recent European migratory flows, the 'transnational phase' is just a step generally passed by families rather than a fixed and compulsory condition. Therefore, another step arrives in the migrant families' life-cycle, the reunification phase, with the offspring's insertion in the new society (with all the worries it entails), and the building of their future in the new place. As the literature has shown (cf. Ambrosini e Molina, 2004; Queirolo Palmas, 2006), second generations represent a challenge for the receiving societies: not only do they show the irreversibility of the process of immigrant population settlement, but they force the receiving society to redefine national community boundaries through citizenship granting, as well as the distribution of social benefits that membership entails, as well as the chances for social mobility. If the inclusion process doesn't work, there is the risk of the formation of underdog rancorous ethnic minorities, tempted by self-isolation and hostility, that can turn into 'downward assimilation' (Portes and Rumbaut, 2001) through deviant practices and lifestyles, refusing even the scarce ways of integration that the receiving society offers them.

In these processes, immigrant families are part of the problem as well as part of the possible solutions: exposed to the loss of authority and control over their children, willing to convey to them, despite of everything, at least some of the most salient aspects of their cultural identities, they are at the same time advocating the value of education and social mobility of their children. The search for a synthesis between identitarian references and the will to take part actively in the new context, between internal cohesion and societal insertion, between the maintenance of a sense of respectability among the coethnics and the conquering of full social acceptance among the majority, it's a worthy task that's up to parents and children, well aware of the fact that one's priorities and opportunities do not always overlap with the others' hopes and ambitions. But from this point of view, immigrant families reflect and amplify the same contradictions and negotiations that take place as well in native families with teens.

The formation of new identities, well exemplified by the so-called 'hyphenated identities' (Mexican-American or Moroccan-Italian, and do on), is the natural outcome of all these processes: whether the more troublesome aspects will prevail, or, on the contrary, a process of reciprocal enrichment and cultural innovation prevails, it's a dilemma that takes shape from the very first steps of the family's settlement, that has the families at the forefront, but involves the whole institutional (economic, political, social, cultural...) framework in which they are going to fit in.

6) A great amount of the literature about immigrant families has swung back and forth between the two poles of the unlucky histories of 'social disorganization', and the longing for idealized family traditions (Rumbaut, 1997). Immigrant families have been seen as, on the one hand, very cohesive unities, still carrying normative values and 'traditional' social practices, such as clear gender role division, the children's devotion to their parents, sacrifice to the family's interests to the detriment of personal achievement; on the other hand, as victims of a process of disintegration and loss of authority that happens in the clash with the Western world and its values. More accurate analyses have tried to examine the dynamics of the match between traditional practices and lifestyles and the new ones learned in the foreign context, that quite often take place in the family, leading to a variety of outcomes, that deeply diversify migrant families' way of life. In this sense, the family is a place in which a dynamic interaction between culture, structure and agency, between social, cultural and personal interpretations is taking place, hand in hand with an active cultural elaboration.

Structural bonds and conditions in which the family fits contribute to shape the way family structures adapt, relationships change, the roles of the subjects are redefined, their orientations to the wider society are revised. They tend, e.g., to make the shift to more nuclear units probable (to the detriment of extended families), lowering the number of children per couple.

On the other side, the cultural codes that the migrant families bring with them can still have a persistent influence on family orientations, roles and behaviours (Foner, 1997): for instance, the rate of endogamy (the marriages that take place within the same ethnic group), remains generally quite high, even in the second generation, and through this kind of unions families can better preserve religious and cultural identities.

Three insights, in the more recent studies, tend to question conventional visions of migrant families. The first leads us to reflect upon the fact that the concept of family that is generally used to analyse immigrant experiences is a model that receiving countries have elaborated upon their experiences: generally, it's the nuclear family that is used as a parameter, instead of more extensive units that are typical of other cultures and regions. Therefore, when we talk about the immigrant family, about its reorganizing efforts and troubles, we start with a definition suited to the visions and institutional frameworks of the receiving countries. A second point is the greater caution that we should have when we tend to link immigrant families with traditional values and organizations, with respect to which receiving countries should represent 'modernity', a modernity that needs acculturation and adaptation. The reality is that 'modern' behaviours and relationships,⁴ claims for emancipation and refusal of the traditional order are taking place in the country of origin as well, where we can face (to a greater or lessen extent) a growth of separations and divorces, children born out of wedlock, cohabitations *more uxorio*, and so on. Third, the idea of women always sacrificed in the migration process has been questioned (cf. Bayley and Boyle, 2004), women who always face a regress in their living conditions, in their autonomy and job opportunities. It's quite often the opposite that happens: women are able to find a better occupation than men, in many developed countries, and this of course has an effect upon family and gender relations.

⁴ When we call them modern, we are simply referring to the fact that these changes took place at first in the more developed countries, this of course doesn't imply any value judgement.

Immigrants are not passive agents, but they actively redefine their family lifestyle: within the family, each member tries to influence the power distribution trying to serve his or her own interests. The very reference to 'traditional values' can represent a way to reinvent the past to give sense to the presence and find a solution to current dilemmas, as Yanagisako (1985) has shown in her study about Japanese immigration in America. In this sense, immigrants' paths have been compared to a 'tightrope', when they challenge some traditional family rules, while at the same time trying to keep others alive (Foner, 1997: 962).

Therefore, several studies have shown that the idea of a cohesive, strictly organized family represents an idealized picture: some migration flows, such as the ones from the Caribbean, are characterized by high rates of single mothers who are, single-handedly, in charge of working, caring and providing an education for their children. The latter are generally left at home in the care of other relatives and then, after several years of separation, are reunited abroad with their mothers: these long separations and subsequent reunions can become a serious source of stress in intergenerational relationships (Waters, 1997).

In other migration flows, such as the ones from South-East Asia and Vietnam, the father is missing because he lost his life in one of the wars that spread through the country for years. Refugee families generally arrive in the receiving countries already broken and scattered, so that they have to face complicated processes of reunion. Therefore, the process starts from the traditional family in the country of origin, pushes through uprootings and breaks, and ends with reconstitution in the new country: in the case of the families from Vietnam, when they try to adapt to the new country keeping some features from the past alive, they seem to be successful, and the family plays a pivotal role in influencing the youngsters' adaptation to the American society, not allowing them to forget their roots and the standards prescribed by the family tradition. This happens of course even because these families don't live in a void, but they deeply depend upon their ethnic community: the community, linking families to each other, provides them with formal and informal cooperation devices, and helps them to transform traditions and aspirations in concrete means of social control, as well as in a system of benefits for the younger generation (Zhou and Bankston, 1998: 92).

7) The link between families, cultural identities and religious institutions is another salient aspect of the processes through which the migrants try to forge a system of meanings and to find a way for themselves and their

children. Already in the first migrations to North America scholars noted how the aggregation around religious institutions was for Catholic families a way to preserve their languages and cultural traditions, while they were trying to adapt to an obscure and often hostile environment. For the children, Catholic schools were an educational system that constituted an alternative to the discrimination they were facing outside, especially in the Protestant public schools. Churches represented, therefore, not just a place of worship, but places where people could socialize, by the forming of associations and informal groups, and through educational and spare-time activities, welfare benefits and mutual aid associations. They provided as well the chance to take on leadership roles and experience civic participation, not accessible in the surrounding society. To quote a classic text on the matter 'The Church was the first defence line behind which immigrants could organize and through which they could preserve their group identity' (Warner and Srole, 1945: 160).

In other words, as noted already by Thomas and Znaniecki (1968) [1918-20] in their study about Polish immigration to America, churches and religious associations (educational, recreative, mutualistic...) represented for years a clearing house that allowed immigrants to adapt to the new context without losing their roots and immigrant networks. This role has revealed long lasting – maybe more than the same authors could expect – and capable of passing from one generation to another.

Nowadays history repeats, even through the establishment of new religions such as the oriental ones: they tend to take on organizational features similar to the Christian ones, with stable ministers, weekly appointments, educational and recreational activities, especially aimed at youth and children: for the families, they represent a place to meet and find help for their educational and care burdens, being able to mediate traditional arrangements to the new context.

'We're better Hindus here', claims the title of a study about religion and ethnicity among immigrant Indians in the United States (Kurien, 2002). Most of the people interviewed assert that they've become more religious after their arrival, since there they started to reflect seriously for the first time on the meaning of their religious identity, which they could take for granted in the country of origin. Apart from that, while traditional Hindu religious activity is not generally practiced as a group except for festivities, one of the main reasons for the development of these kinds of religious groups, for the ones who never had similar experiences before, is the need for community support.

More generally, in intergenerational relationships the issue of cultural reproduction comes out, especially when children start being enrolled in school. In this sense, religion acts as a vehicle for the transmission of the most salient aspects of their cultural heritage, providing children reasons that can explain to them the meaning of their difference, offering them answers, with the help of the ministers, for the difficult questions that the same children ask their parents (Warner, 2000).

The phenomenon of the conversions to Christian churches, widespread among Asian immigrants in the United States, is a sign of the faith's power of attraction for families who try to redefine their identities in a new environment that's sometimes opaque and difficult to accept.

This appears to happen less easily in a secularized context such as the European one, in which quite often the loss of religious practices by the migrants (especially by second generations), is seen as a positive fact, a display of successful assimilation (cf. Tribalat, 1995). Fears and anxieties that result from the settlement of Islamic minorities can fuel these trends, obscuring the positive contribution that religious belonging can bring to the process of integration of migrants and their children.

8) Therefore, we can reflect upon another relevant issue: the role played by the family in the immigrants' integration process, a relationship between them and the host society that I tend to see as an active and positive interaction, based on principles of equal treatment and on the reciprocal opening of both parts (Commissione per le politiche di integrazione degli immigrati, 2000).

We're facing here a contradiction that's reflected in the related public policies: at a sociological level, the changing composition of migration flows from singles (especially if males) to families represents a normalizing factor for the immigrant population, that in turn reassures the native population; at the political level instead, family reunification is granted only when the immigrant can prove his or her integration (showing adequate income and housing).

A condition that should be favoured, since it's seen as a retaining wall against undesirable, dangerous and anomic behaviours, is instead made difficult to obtain, because of the priority given to other things, such as the State budget, because of the fear of the arrival of inactive members.⁵

⁵ I owe this consideration to Paola Bonizzoni, a PhD student engaged in a dissertation about transnational families.

Thereby, we're facing a remarkable political-philosophic dilemma: shouldn't poor immigrants be granted the right to live with their families? This is accordingly reflected in public policies: should immigrant families be seen as a burden to avoid, or an investment to promote, in so far as they contribute to social integration?

I will end with this final consideration: whether immigrants become part of our society as a means of development or as a marginal and stigmatized parcel of it will greatly depend upon the way we're welcoming their families, upon the way we're going to relate to them.

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SESSION XII

ROUND TABLE

INTERNATIONAL JUSTICE AND POVERTY. ARE THE MILLENNIUM GOALS ENOUGH TO FREE THE POOREST FROM POVERTY? THE MILLENNIUM GOALS AND THE ROLE OF THE FAMILY

OMBRETTA FUMAGALLI CARULLI

1. I MILLENNIUM DEVELOPMENT GOALS COME OCCASIONE DI RILANCIO DELL'ONU

I mutati scenari geostrategici conseguenti alla caduta del Muro di Berlino ed alla dissoluzione dell'URSS hanno determinato, nel corso degli anni '90, una crisi del sistema delle Nazioni Unite e della diplomazia multilaterale che tuttora persiste e, probabilmente, è più forte di allora. Tale crisi ha riguardato e riguarda la difficoltà dell'ONU di offrire strumenti idonei alla risoluzione pacifica delle controversie internazionali, tanto da dover essere affiancata o rimpiazzata da singole potenze o da organizzazioni aventi carattere regionale (in tal senso è emblematico il caso del Quartetto e della Road Map).

In questo contesto, l'adozione dei Millennium Development Goals, nell'autunno del 2000, è stata, per i leader mondiali, un'occasione per riaffermare la fiducia della comunità degli Stati nella possibilità di creare un mondo più giusto, più pacifico e più prospero attraverso l'Organizzazione delle Nazioni Unite.

Si è manifestata, infatti, la volontà di dare una nuova prospettiva di speranza all'umanità, ponendo degli obiettivi ambiziosi, ma che al tempo stesso parevano allora realistici, formulati con specifico riferimento ad indicatori quantitativi di riduzione della povertà assoluta, di miglioramento dell'accesso alla salute e all'istruzione, di miglioramento nella situazione delle donne e delle bambine, della qualità dell'ambiente e della cooperazione internazionale allo sviluppo.

Successivamente, nel corso di importanti occasioni in sede internazionale, è stato ribadito l'impegno della comunità internazionale e dei singoli governi a conseguire i Millennium Development Goals. Questa insistenza

non è solo frutto di una disinteressata preoccupazione per i destini dell'umanità, specie quella meno fortunata, ma pare essere determinata, altresì, dall'auspicio che il progresso e lo sviluppo dei paesi conseguente al raggiungimento dei Millennium Development Goals favorisca il raggiungimento della pace ed il miglioramento della sicurezza collettiva.

Sotto tale profilo, quindi, i Millennium Development Goals costituiscono un'occasione, un'opportunità per l'ONU, oltre che per la giustizia sociale internazionale, al fine di dimostrare che la diplomazia multilaterale è tuttora in grado di favorire lo sviluppo dei popoli della terra e lottare contro la povertà, l'ignoranza, la malattia, l'ingiustizia, la violenza, il degrado e la distruzione della natura.

2. LE RAGIONI DEL RITARDO NEL RAGGIUNGIMENTO DEI MILLENNIUM DEVELOPMENT GOALS

2.a. *L'inerzia degli stati e delle organizzazioni internazionali*

Con riguardo all'implementazione dei Millennium Development Goals, il primo problema è dato dal fatto che se le cose continueranno così come sono andate finora (e ciò appare molto probabile), i Millennium Development Goals non saranno di certo raggiunti entro la scadenza prefissata (2015). Questo fatto è grave non solo perché da parte di alcuni era stato ipotizzato e proposto che entro il 2015 potesse essere fatto di più e meglio di quanto stabilito ma, soprattutto, perché nel 2000 – quando sono stati fissati i Goals – nessuno dubitava che il termine posto fosse realistico.

C'è da chiedersi, allora, perché, trascorso metà del tempo a disposizione, non sia stato fatto quanto doveva essere fatto.

Non è certamente immune da colpe il sistema delle Nazioni Unite (ONU, agenzie specializzate e ONG ad esse collegate) che, evidentemente, senza quella riforma istituzionale di cui si parla da tempo, non è in grado di stimolare e, per quanto nei suoi poteri istituzionali e organizzativi, realizzare le politiche necessarie.

Anche le istituzioni finanziarie mondiali (Banca Mondiale, Fondo Monetario Internazionale) rendono difficile il raggiungimento dei Millennium Development Goals poiché le loro politiche sono spesso incompatibili, se non contrarie, al perseguimento di questi obiettivi.

Ma la responsabilità dell'attuale fallimento va ricercata, in particolare, nei governi nazionali.

Nell'attuale situazione i paesi in via di sviluppo possono liberarsi dagli effetti paralizzanti del sottoinvestimento solo con il sostegno dei paesi sviluppati dato che, a breve e a medio termine, la loro unica *chance* di sviluppo risiede nell'aumento dei trasferimenti in loro favore.

Tuttavia, da una parte, i paesi sottosviluppati non sono sempre in grado di assumersi le responsabilità indispensabili a far sì che i Goals possano essere raggiunti (lotta alla corruzione, ricerca della legalità, impegno per gli aspetti sociali dello sviluppo), d'altro canto, i governi dei paesi sviluppati fanno mancare il loro sostegno o non si preoccupano di verificare che i finanziamenti siano utilizzati proficuamente, specie nei paesi dove non c'è una democrazia reale.

A tale proposito va detto che l'azione di cooperazione allo sviluppo trova un ostacolo nella burocrazia che viene imposta ai paesi beneficiari, allo scopo di monitorare e valutare i finanziamenti erogati. Ciò si risolve molto spesso in un mero aggravio di adempimenti formali a carico dei paesi beneficiari (in taluni casi essi sono chiamati a compilare ogni anno qualche migliaio di rapporti da inviare ai paesi donatori) senza, però, consentire a questi paesi di sviluppare procedure autonome, realistiche ed efficaci per la gestione ed il controllo delle somme erogate.

Siamo, però, ormai troppo abituati a valutare ogni cosa secondo criteri di efficientismo economico e, quindi, anche in questo caso, pare che ogni responsabilità vada attribuita ai governi ed alle organizzazioni internazionali che avevano il compito di attuare i Millennium Development Goals. In realtà, invece, non è da escludere che il ritardo che sta incontrando il raggiungimento dei Millennium Development Goals sia dovuto alla loro incapacità di cogliere fino in fondo e risolvere i problemi dell'umanità.

2.b. *I Millennium Development Goals privi di un'anima*

Vi è, infatti, il rischio che i Millennium Development Goals vengano considerati atomisticamente, senza tener conto delle finalità ad essi sottostanti. Nel leggerli, invece, bisogna aver presente che i Goals ed i Targets sono stati posti al fine di garantire un maggior sviluppo sociale ed incrementare la giustizia sociale, a livello internazionale; quindi, in ultima analisi, essi sono orientati affinché l'umanità del nuovo millennio possa godere di una maggiore dignità.

Emerge, quindi, il secondo problema relativamente al ritardo nell'attuazione dei Millennium Development Goals. In sé e per sé essi sono assolutamente condivisibili. Chi è che non vuole ridurre la fame, la povertà, garan-

tire l'educazione dei fanciulli, promuovere la parità tra uomo e donna e via dicendo? Ma se poi si esaminano in dettaglio, non tanto i Goals ed i relativi Targets, ma le pratiche concrete con cui si vogliono raggiungere questi, sorge più di un dubbio sul fatto che i Millennium Development Goals siano effettivamente orientati a dare maggiore dignità all'uomo.

Mi riferisco, ad esempio, al ragionamento secondo cui la mortalità delle madri in corso di gravidanza o durante il parto si potrebbe ridurre sensibilmente se le donne potessero accedere a cure per la salute riproduttiva e, in particolare, a servizi di pianificazione familiare. Sappiamo che dietro a questa terminologia si nasconde l'aborto. Ma, allora, ha senso dire che il problema della mortalità delle gestanti e delle partorienti si risolve, anziché garantendo una maggiore assistenza medica, facendo sì che queste non restino incinte? Un simile ragionamento non è accettabile non perché suggerisce pratiche contrarie al magistero della Chiesa ma molto più banalmente perché è illogico.

Più in generale, tutta l'elaborazione dei documenti relativi ai Millennium Development Goals sembra portare il marchio del Cairo e di Pechino (mi riferisco all'International Conference on Population and Development tenutasi al Cairo nel 1994 e alla Fourth World Conference on Women svoltesi a Pechino nel 1995), ponendo l'accento sul controllo della popolazione, più che sullo sviluppo. È, infatti, ricorrente il richiamo alla salute riproduttiva della donna che considera l'aborto alla stregua di una dimensione della politica demografica e di un servizio sanitario.

La liberazione dalle ingiustizie deve promuovere la libertà e la dignità umana mentre l'esame di quanto viene proposto per raggiungere i Millennium Development Goals sembra mortificare la libertà e la dignità umana e, quindi, non pare idoneo a liberare l'umanità dalle ingiustizie e dalle miserie che la affliggono.

D'altro canto, il riconoscimento e la tutela della dignità umana ha come presupposto che l'individuo sia in vita mentre qui si tende, addirittura, a negare la possibilità di nascere.

3. MILLENNIUM DEVELOPMENT GOALS E FAMIGLIA

Parlare di Millennium Development Goals e famiglia parrebbe, *prima facie*, trattare di due tematiche parallele, destinate a non avere alcun punto di contatto. Infatti, né i Goals e neppure i Targets fanno mai menzione della famiglia e ci sarebbe da domandarsi le ragioni di questa assenza.

In ogni caso, non si può pensare al progresso dell'uomo se non all'interno delle varie formazioni sociali in cui esplica la sua personalità. Tra queste, quella più immediatamente vicina al singolo individuo, è la famiglia che è elemento fondante della società umana e forza maggiormente necessaria per il pieno sviluppo della persona umana.

Quali, allora, i punti di contatto tra la famiglia e i Millennium Development Goals? Vediamone alcuni.

3.a. *Educazione e famiglia*

Il secondo Goal si pone come obiettivo il raggiungimento, a livello universale, della scolarità di primo grado.

Il tema dell'istruzione e, più in generale, dell'educazione investe la famiglia, "prima educatrice", la cui missione educativa trova complemento normale nelle istituzioni educative. A tale proposito, va ricordato che la Dichiarazione Universale dei Diritti dell'Uomo riconosce ai genitori il diritto di decidere e dirigere l'educazione dei propri figli (art. 26.3) e, quindi, di scegliere l'istituzione educativa cui affidare i figli.

Tuttavia, il contesto in cui deve trovare realizzazione il secondo Goal è tale per cui molto spesso non c'è una facoltà di scelta da parte dei genitori circa gli strumenti formativi per i propri figli dato che si è di fronte a sistemi di istruzione molto carenti.

Nel perseguimento dell'obiettivo della scolarizzazione primaria universale occorre, però, in prospettiva garantire il diritto dei genitori a tale scelta, onde evitare che, col pretesto di garantire a tutti le medesime opportunità educative, si pongano in essere pratiche volte a far sì che la famiglia trascuri o deleghi la propria funzione educativa o, peggio ancora, che la famiglia sia privata di tale sua funzione.

3.b. *Uguaglianza tra uomo e donna e famiglia*

Il terzo Goal prevede la promozione dell'uguaglianza tra uomo e donna e, più in dettaglio, fissa degli obiettivi in ordine alla scolarizzazione primaria e secondaria delle ragazze, all'alfabetismo ed alla rappresentanza politica. Va rimarcato, invece, il fatto che nulla viene detto circa la parità tra l'uomo e la donna all'interno della famiglia.

Occorre, allora, ricordare che il rapporto tra i coniugi dovrebbe essere connotato (come è negli ordinamenti ispirati alla cultura cristiana) dalla parità tra gli stessi e solo la tutela della dignità della donna all'interno del-

la famiglia – prima società naturale – consente di raggiungere un'autentica promozione della donna.

Infatti, solo quando si riconoscano ed evidenzino le differenze tra i sessi come complementari e venga accolto e valorizzato il contributo originale tanto dell'uomo quanto della donna, si raggiungono una vera uguaglianza tra l'uomo e la donna e l'attribuzione della pienezza di prerogative alle donne.

Questa non è, però, solo una questione di principio. Il rapporto UNICEF di quest'anno, infatti, richiama uno studio in cui si è giunti alla conclusione che se la donna e l'uomo avessero la stessa influenza nelle decisioni, l'incidenza dei bambini sotto peso sotto i 3 anni nell'Asia meridionale potrebbe diminuire di 13 punti percentuale e, di conseguenza, ci sarebbero 13,4 milioni di bambini malnutriti in meno.

Non bisogna, poi, tralasciare la disuguaglianza di genere tra i bambini. Il già menzionato rapporto UNICEF 2007 segnala che i dati anagrafici e di censimento in Asia rivelano una percentuale insolitamente alta di nascite di bambini maschi e una sproporzione tra maschi e femmine sotto i 5 anni, soprattutto in India e Cina, sottintendendo evidentemente la pratica di feti-cidi e infanticidi selettivi a danno delle bambine. Inoltre, ricorda che più di 115 milioni di bambini in età d'istruzione primaria non frequentano la scuola e tra questi, per ogni 100 bambini che non frequentano la scuola primaria, sono 115 le bambine nella medesima situazione.

Nella nostra sessione ordinaria dell'anno scorso abbiamo visto come vi sia il rischio di una discriminazione dei fanciulli, a causa della loro età. Il rischio è che a questa, si aggiunga un'ulteriore discriminazione a causa del genere. Le bambine, allora, sarebbero duplicemente discriminate.

3.c. *Salute e famiglia*

Il quarto ed il quinto Goal pongono degli obiettivi circa la riduzione della mortalità infantile e materna, mentre il sesto riguarda la lotta all'AIDS, alla malaria e alle altre malattie. Troppo spesso, infatti, la fame, la siccità, l'AIDS, la malaria ed altre malattie, uccidono madri e bambini, portando il lutto e la sofferenza all'interno delle famiglie ed impedendo il sorgere o la crescita di nuove.

Tuttavia, accanto a politiche condivisibili, i Millennium Development Goals pongono pratiche inaccettabili per la riduzione della mortalità ed il contrasto dell'AIDS. Come spesso è sottolineato dalla Santa Sede, una società che intenda ispirarsi al messaggio evangelico non può approvare la tendenza, da parte dei governi e delle organizzazioni internazionali, ad

accettare un esercizio della sessualità al di fuori del matrimonio, anche per gli adolescenti, la diffusione della contraccezione e, persino, la promozione dell'aborto, a fini di tutela della salute di controllo delle nascite.

3.d. *Disoccupazione e famiglia*

L'ottavo Goal ha come unico Target la riduzione della disoccupazione giovanile. Si tratta di un obiettivo fondamentale per la promozione della famiglia poiché – come ha affermato Giovanni Paolo II – *il lavoro è il fondamento su cui si forma la vita familiare la quale è un diritto naturale ed una vocazione dell'uomo. Questi due cerchi di valori - uno congiunto al lavoro, l'altro conseguente al carattere familiare della vita umana - devono unirsi tra sé correttamente, e correttamente permearsi. Il lavoro è, in un certo modo, la condizione per rendere possibile la fondazione di una famiglia, poiché questa esige i mezzi di sussistenza, che in via normale l'uomo acquista mediante il lavoro* (Laborem Exercens, 10).

4. CONCLUSIONI

A metà del percorso verso il termine prefissato per il conseguimento dei Millennium Development Goals occorre dare un impulso forte se si vuole davvero tentare di raggiungere quegli obiettivi, per *promuovere e consolidare tutto ciò che c'è di positivo nel mondo e superare, con buona volontà, saggezza e tenacia, tutto ciò che ferisce, degrada e uccide l'uomo*, seguendo l'invito formulato dal Santo Padre nel discorso di quest'anno al Corpo Diplomatico.

In primo luogo, occorre una riforma istituzionale dell'ONU per renderla più incisiva nei processi di sostegno dei paesi in via di sviluppo, in particolare attraverso il coinvolgimento della "società civile" che nell'ECOSOC trova la sua rappresentanza.

In secondo luogo, servono delle strutture finanziarie più forti, in grado di favorire lo sviluppo dei paesi più poveri, anche mediante il condono del debito estero, nonché un sistema commerciale più equo.

Inoltre, è fondamentale un gesto di generosità da parte dei paesi più sviluppati non solo perché la politica dei condoni dell'indebitamento continui e sia realmente efficace, ma anche perché vengano messi a disposizione dei popoli meno fortunati i risultati delle ricerche scientifiche e tecnologiche, specie in campo sanitario. A tale riguardo sono necessari ampi investimen-

ti per lo sviluppo di farmaci per il trattamento dell'AIDS e della malaria da mettere a disposizione – senza alcuna finalità di lucro – delle popolazioni dei paesi meno sviluppati.

Infine, sarebbe opportuno inserire tra i Targets dei Millennium Goals, alcuni specificamente riguardanti la famiglia poiché abbiamo visto che questa è la prima cellula di socialità dell'uomo e costituisce uno strumento fondamentale per la diffusione della libertà e della giustizia nel mondo.

Queste e altre proposte possono essere perseguite, cercando di dare ampio spazio a quella *fantasia della carità* – per riprendere un'efficace espressione della *Novo Millennio Ineunte* – che oggi è quanto mai necessaria per liberare i più poveri dalla povertà.

ENDING POVERTY THROUGH THE UN MILLENNIUM DEVELOPMENT GOALS: SOME REFLECTIONS

WILFRIDO V. VILLACORTA

1. DIFFERENT PERSPECTIVES FOR ENDING POVERTY

Two streams of thought pervade the goal of eradicating global poverty. The first, which is influenced by the Bretton Woods institutions – the World Bank and the International Monetary Fund – as well as the World Trade Organization, emphasizes the importance of macroeconomic fundamentals, good governance, economic efficiency and growth. The second is the right-to-development approach promoted by United Nations agencies – the UNDP, UNICEF, ILO, etc. The UN Millennium Development Goals (MDG) initiative embodies the thrust of the second approach. It adopts a multidisciplinary perspective, recognizing the role of non-economic factors – such as malnutrition, environmental degradation and diseases – as causes and consequences of economic and political failures (Sachs, 2001: 192-193).

The Church comes close to the second perspective. In his encyclical *Deus Caritas Est*, Benedict XVI observed that ‘It must be admitted that the Church’s leadership was slow to realize that the issue of the just structuring of society needed to be approached in a new way’. He writes of the universalization of the concept of ‘neighbor’ to extend to the entire mankind: ‘Anyone who needs me, and whom I can help, is my neighbor’.

Two earlier encyclicals – *Populorum Progressio* (1967) and *Sollicitudo Rei Socialis* (1987) – anticipated what was to become the more advanced form of materialism: untrammelled globalization. They were an indictment of what has been proffered as the supreme end of human society – maximum accumulation of material wealth and unlimited access to goods and services, while ignoring the ever increasing deprivation among most people of the world.

In *Populorum Progressio*, the reminder of Paul VI on development assistance extended by rich countries to the poor countries rings true to this day:

‘...dialogue between those who contribute wealth and those who benefit from it, will provide the possibility of making an assessment of the contribution necessary, not only drawn up in terms of the generosity and the available wealth of the donor nations, but also conditioned by the real needs of the receiving countries and the use to which the financial assistance can be put. Developing countries will thus no longer risk being overwhelmed by debts whose repayment swallows up the greater part of their gains...And the receiving countries could demand that there be no interference in their political life or subversion of their social structures. As sovereign states they have the right to conduct their own affairs, to decide on their policies and to move freely towards the kind of society they choose. What must be brought about, therefore, is a system of cooperation freely undertaken, an effective and mutual sharing, carried out with equal dignity on either side, for the construction of a more human world’.

John Paul II’s *Sollicitudo Rei Socialis* likewise paid due attention to the disadvantaged position of developing countries. It stated that ‘if the social question has acquired a worldwide dimension, this is because the demand for justice can only be satisfied on that level. To ignore this demand would encourage the temptation among the victims of injustice to respond with violence, as happens at the origin of many wars’.

The Encyclical presaged the debacles at the start of this century when it warned that ‘peoples excluded from the fair distribution of the goods originally destined for all could ask themselves: why not respond with violence to those who first treat us with violence? And if the situation is examined in the light of the division of the world into ideological blocs a division already existing in 1967 – and in the light of the subsequent economic and political repercussions and dependencies, the danger is seen to be much greater’.

2. THE MILLENNIUM DEVELOPMENT GOALS

The eight UN Millennium Development Goals, which assumed the target date of 2015, form a blueprint agreed to in 2002 by all member states of the United Nations and all the world’s leading development institutions:

Goal 1: Eradicate extreme poverty and hunger

- Reduce by half, between 1990 and 2015, people living on less than a dollar a day.
- Reduce by half, between 1990 and 2015, people who suffer from hunger.

Goal 2: Achieve universal primary education

- Ensure that, by 2015, all boys and girls everywhere complete a full course of primary education.

Goal 3: Promote gender equality and empower women

- Eliminate gender disparity in secondary education preferably by 2005, and at all levels not later than by 2015.

Goal 4: Reduce child mortality

- Reduce by two thirds, between 1990 and 2015, the mortality among children under five.

Goal 5: Improve maternal health

- Reduce by three quarters, between 1990 and 2015, the maternal mortality ratio.

Goal 6: Combat HIV/AIDS, malaria and other diseases

- Halt by 2015 and begin to reverse the spread of HIV/AIDS.
- Halt by 2015 and begin to reverse incidence of malaria and other major diseases.

Goal 7: Ensure environmental sustainability

- Integrate the principles of sustainable development into country policies and programmes; reverse loss of environmental resources.
- Reduce by half, by 2015, the proportion of people without sustainable access to safe drinking water.
- Achieve by 2020 significant improvement in the lives of at least 100 million slum dwellers.

Goal 8: Develop a global partnership for development

- Develop further an open trading and financial system that is rule-based, predictable and non-discriminatory, includes a commitment to good governance, development and poverty reduction – nationally and internationally.
- Address the least developed countries' special needs. This includes tariff – and quota-free access for their exports; enhanced debt relief for their exports; enhanced debt relief for heavily indebted poor countries; cancellation of official bilateral debt; and more generous official development assistance for countries committed to poverty reduction.

- Address the special needs of landlocked and small island developing states.
- Deal comprehensively with developing countries' debt problems through national and international measures to make debt sustainable in the long term.
- In cooperation with developing countries, develop decent and productive work for youth.
- In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries.
- In cooperation with the private sector, make available the benefits of new technologies – especially information and communication technologies.

The Director of the Millennium Project for the UN Secretary General Jeffrey Sachs, in his book *The End of Poverty* (2005), defines poverty reduction by clarifying its objectives: (a) 'to end the plight of one sixth of humanity that lives in extreme poverty and struggles daily for survival. Everybody on Earth can and should enjoy basic standards of nutrition, health, water and sanitation, shelter, and other minimum needs for survival, well-being and participation in society'; and (b) 'to ensure that all of the world's poor, including those in moderate poverty, have a chance to climb the ladder of development' (Sachs, 2005: 24).

Sachs regrets that 9/11 has significantly diverted already limited development assistance from rich countries to counter-terrorism programmes:

'A purely military approach to terrorism is doomed to fail, just as a doctor fights diseases by prescribing only medication, but also by bolstering a person's immune system through adequate nutrition and by encouraging a healthy lifestyle for his patient, so, too, we need to address the underlying weaknesses in which terrorism lurks – extreme poverty; mass unmet needs for jobs, incomes, and dignity; and the political and economic instability that results from degrading human conditions' (Sachs, 2005: 215).

3. EXAMINING THE ROOTS OF THE 'POVERTY TRAP'

In dealing with the problem of poverty, we must be careful about our understanding of the nature and causes of poverty as it applies to different societies, and ensure that poverty alleviation efforts do not lead to disincen-tive and de-motivation, if not dependence. This knowledge will enable us to come up with workable solutions and to understand why some solutions fail.

As references, I found the recent works of our fellow academicians – Professor Partha Dasguspta and Professor Joseph Stiglitz – very instructive.

Professor Dasgupta, in his recently published book, *Economics: A Very Short Introduction* (2007), dissects the foremost issues facing the world such as poverty and globalization. He identifies the conditions that sustain the poverty trap: undernourishment in early childhood and unproductivity in generating ideas which prevents the poor from coming up with new ideas for new products and cheaper ways of producing old products.

Dasgupta believes that institutions play an important role. Countries experiencing poverty lack institutions that permit and encourage accumulation of such factors as machines, transport facilities, health, skills, ideas and the fruits of these ideas (Dasgupta, 2007: 26-27). There is also the issue of bad governance and corruption, which raise production costs and decrease production.

Professor Stiglitz, in his book *Making Globalization Work: The Next Steps to Global Justice* (2006), brings in the international dimension of poverty and asserts that the key is managing globalization well. Joseph Stiglitz attributes the continuance, if not worsening, of global poverty to the failures of globalization. He provides examples of how trade agreements have sometimes created an even more unlevel playing field and how legal frameworks have allowed corporations to denude host countries of their natural resources with impunity.

He cites the example of China which has been able to lift several hundred million people out of poverty because it was slow to open up its own markets for imports and has not succumbed to the temptation of a short-lived boom. It has likewise not allowed the entry of hot, speculative money (Stiglitz, 2006: 10).

Stiglitz points to the failure of international financial institutions in averting economic crises. He thinks that the International Monetary Fund did not succeed in ensuring the world's economic stability, as evidenced by the crisis of the late 1990s. Stiglitz explains that 'as the IMF crafted policies to respond to the crisis, it seemed more often to focus on saving the Western creditors than on helping the countries in crisis and their people (*Ibid.*: 18)'.

4. DIFFERENT APPROACHES TO POVERTY REDUCTION

There is indeed no single panacea that applies to all poverty-stricken countries in the world. Culture, level of economic and political development, resources, access to overseas development assistance and foreign investment are among factors that determine responses and approaches of countries to poverty reduction.

Many of the poor countries have populations talented in the arts and other traditions – what may be called ‘soft skills’. They may be poor materially but rich culturally and even spiritually. Take the example of Bhutan. As Prof. Sabourin would tell us, the thrust of the pristine Buddhist Kingdom is ‘Gross National Happiness’, instead of Gross National Product.

Countries that have excess skilled labor and professionals have encouraged overseas employment. As pointed out by Prof. Suárez-Orozco, their remittances to their home countries can amount to billions of dollars. Indeed, migrant labor can be described as quick fixes for two reasons: they don’t stay in their countries to directly participate in development, and many of them, especially the women, suffer negative experiences. The price is also family separation, with all its emotional consequences. But it cannot be denied that many overseas workers get exposed to better living standards than if they were to stay at home and their remittances help their families and build needed infrastructure for their homelands, assuming that their governments and families use their remittances well.

Another approach taken by developing countries is regional integration and cooperation. It is based on the realization that joint efforts and a collective voice are more effective in securing better terms from developed countries in trade, diplomacy and development cooperation. Among themselves, member countries will benefit from freer flow of capital, people, goods and technology. The ten member-countries of ASEAN (Association of Southeast Asian Nations) are beginning to reap the benefits of regional cooperation and integration.

They instituted the Initiative for ASEAN Integration (IAI). It is based on the philosophy of ‘prosper thy neighbor’ and aims at narrowing the development gap among and within member states. The six older states – Brunei Darussalam, Indonesia, Malaysia, Philippines, Singapore and Thailand – provide development assistance – in cash and in kind – to the new member states: Cambodia, Laos, Myanmar and Viet Nam. There is clamor on the part of some older member states to provide assistance to pockets of underdevelopment within their territories.

ASEAN has eleven Dialogue Partners: Australia, Canada, China, European Union, India, Japan, New Zealand, Republic of Korea, Russia, and the United States, as well as the UNDP. In addition to their bilateral economic relations and development cooperation with each of the ASEAN member states (with the exception of Myanmar for a few Dialogue Partners), all the Dialogue Partners have established development funds for the regional projects of ASEAN, particularly in capacity building.

Much remains to be done in terms of cooperation among member states and between them and the Dialogue Partners. Within most of the individual member states, there is still need to mainstream ASEAN priorities and to harmonize their policies and laws with those of neighboring countries. Moreover, Dialogue Partners' contributions are never enough, especially for infrastructure crucial for economic growth.

The ASEAN countries have adopted an ASEAN Millennium Development Compact (AMDC). Its long-term and ultimate goal, according to Dr. Romeo Reyes, its main proponent, is to help narrow the development gap across and within ASEAN member states, thereby removing a major constraint to the pace of ASEAN economic integration.

The immediate and instrumental objective of AMDC is to use the MDGs, especially Goal 1 – Eradicate Extreme Poverty and Hunger, as the basic planning framework for narrowing the development gap, and the MDG indicators for target setting and for benchmarking the baseline situation and progress towards realizing the targets.

The strategy is for ASEAN member states to help each other, through various sub-regional cooperation modalities, realize the appropriately localized and adapted MDG targets for narrowing the development gap. Sub-regional cooperation modalities include: (a) exchange of experiences, learning, and documented good practices; and (b) sharing of resources, including exchange of visits by technical experts, particularly between MDG Plus states and the less developed member states.

The areas where experience and learning could be exchanged and resources, including expertise, could be shared include the following:

- Raising awareness, understanding and appreciation of MDGs by government (national and sub-national), parliament, civil society organizations, academe, media, private business sector, and engaging them in MDG processes;
- Mainstreaming of poverty reduction strategy formulation and action planning into development management functions of government;
- Localization of MDGs at sub-national levels as explicit targets of poverty reduction strategies/action plans, and mobilization of financial resources for their implementation;
- Linking sub-national poverty reduction interventions to national poverty reduction programs and pro-poor policies;
- Poverty mapping and targeting of beneficiaries in designing poverty reduction programs and projects; and
- MDG costing, monitoring and reporting.

Among some member states, there have been challenges in putting the MDG-related programs in place. The 'poverty trap' could be behind shortfalls, with some national economies being incapable of making the necessary investments. Compared to the European Union, the ASEAN is obviously not as endowed in resources. Sizeable pockets of poverty remain because of imbalances and inconsistencies in carrying out the Goals. But leaders of ASEAN member states believe that once they realize economic integration by 2015, joint economic progress will result in significant reduction in poverty and social inequality.

5. CONCLUSIONS

Our discussions on the experience of developing countries in poverty alleviation lead us to the following tentative conclusions:

a. The improvement of globalization cannot be left to the hands of the rich countries. It would be wishful thinking to expect the rich to take the leadership in improving global governance. Only the poor in the developing world can best promote their interests and help themselves.

b. We cannot expect the rich countries and the rich in poor countries to take the lead in poverty eradication, or even to live up to their commitment in development assistance. It is the poor themselves who should help themselves.

That the world is nowhere near the realization of the Millennium Development Goals is unfortunate but not surprising. Moral commitment is rarely matched by policy and action in the real world.

c. There should be more serious studies on the relationship between aid and economic progress. Studies have found that aid does not always contribute to poverty eradication.

d. In addition to aspiring to achieve the Millennium Development Goals, the developing countries must be creative in looking for complementary and alternative ways. Because the causes and character of poverty, as well as the political will to solve poverty, are not the same in all poor countries, the approaches to poverty eradication must of necessity be different from each other. They need not ape the development model of the West and must find out what their strengths are and build on these strengths.

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LES OBJECTIFS DU MILLÉNAIRE EN MATIÈRE DE DÉVELOPPEMENT

LOUIS SABOURIN

Dans le cadre de cette brève intervention, je souhaiterais faire le point sur les “Objectifs du millénaire en matière de développement” en faisant état du pourquoi, du comment et de l'évolution de ce vaste projet des Nations Unies. Dans la conclusion, je tenterai d'en faire un bilan provisoire en soulevant quelques perspectives.

1. LE POURQUOI?

J'évoquerai d'abord *le contexte* qui a mené à la mise en place du projet des *OMD*.

Beaucoup d'observateurs internationaux se rendaient compte vers la fin des années 1990:

1. que les principaux objectifs définis à l'ONU au début de chacune des quatre précédentes “décennies du développement” n'avaient pas été atteints;

2. que la quête, définie en 1974, en vue de l'établissement d'un nouvel ordre économique internationale était demeurée vaine;

3. qu'un peu partout dans le monde s'installait une sorte de fatigue psychologique en matière d'aide au développement;

4. que les propositions en vue de réformer la Charte de l'ONU s'avéraient très difficiles à adopter et qu'il en était de même au FMI et à la Banque mondiale. En fait, nous vivons présentement un malaise profond au FMI, à la Banque mondiale, à l'OMC et de façon étonnante à l'OCDE où, pour la première fois depuis sa création, cette dernière institution commence à faire l'objet de critiques, notamment au regard du pouvoir croissant de l'Union européenne.

En plusieurs milieux, on devenait persuadé que l'on n'arriverait pas à réduire la pauvreté – c'est devenu le *leitmotiv* de l'heure – ni à réformer l'ONU; il fallait donc imaginer un vaste plan qui permettrait d'atteindre les buts suivants, deux déclarés et deux non déclarés.

Buts déclarés

1. On devenait convaincu qu'il fallait mobiliser l'ensemble des États autour de cibles quantifiées, assorties d'une date de réalisation qui devrait permettre de résoudre les problèmes de l'extrême pauvreté dans toutes leurs dimensions: pauvreté de revenu, sous-alimentation, maladie, VIH, manque de logements corrects, et l'exclusion sociale tout en facilitant l'avènement de l'égalité des sexes et de la viabilité environnementale. Ainsi, on pourrait entre 2000 et 2015 réduire de moitié la pauvreté dans le monde.

2. On souhaitait élargir la notion du développement en insistant moins sur des éléments strictement économiques, mais en mettant aussi l'accent sur les aspects sociaux, culturels et les droits humains, sans oublier l'environnement.

Buts non déclarés

1. On devenait persuadé qu'il fallait inciter les pays en développement à devenir moins dépendant de l'aide extérieure et à mettre en place des mécanismes internes et des politiques qui seraient favorables à la prise en main de leur développement, bien que, dans le cas particulier des pays au sud du Sahara, il faudrait une contribution internationale massive pour permettre un décollage qui serait réalisable si les grands pays donateurs respectaient leurs engagements.

2. L'autre but non déclaré était que, grâce à l'établissement de normes de convergence, de nouvelles structures, de mise en place de politiques et de programmes communs et surtout de création d'entités d'évaluation similaire, on amènerait progressivement la plupart des pays dans le giron de l'économie mondiale. C'est le point de vue exprimé par de nombreux altermondialistes.

2. LE COMMENT?

Réunis à l'ONU pour le Sommet du millénaire, en septembre 2000, la quasi-totalité des dirigeants mondiaux ont adopté pour la première fois dans l'histoire la "Déclaration du millénaire" engageant leurs pays dans un

partenariat mondial dont la finalité est de réduire la pauvreté, améliorer la santé, promouvoir la paix, le respect des droits de l'homme, l'égalité des sexes et la durabilité environnementale.

Dix-huit mois plus tard, ces mêmes dirigeants se sont rencontrés, en mars 2002, à la Conférence internationale sur le financement du développement, à Monteray au Mexique où ils établirent un cadre de référence de partenariat pour le développement mondial dans lequel les pays développés et les pays en développement ont accepté de faire cause commune pour réduire la pauvreté. Peu après, toujours en 2002, les États Membres de l'ONU se sont à nouveau réunis au Sommet mondial pour le développement durable à Johannesburg en Afrique du Sud où ils ont entériné les Objectifs du millénaire et le délai de mise en œuvre (2015).

Dans un rapport d'étape présenté en 2005, le professeur Jeffrey Sachs de l'Université Columbia et son équipe chargés du projet par le Secrétaire général Kofi Annan ont tracé un tableau faisant état des aspects positifs et des problèmes de diverses natures. Les espoirs entretenus et les objectifs définis en l'an 2000 ont rencontré sur leur route le 11 septembre 2001 et le désastre irakien. Les phares de l'actualité internationale ont été aussi braqué sur des désastres naturels à commencer par le tsunami en Asie, les crises d'Afghanistan, de la Palestine, du Liban, d'Iran, de la Corée du Nord, de Haïti, du Darfour sans oublier la guerre en République du Congo qui a causé déjà plus de 3 millions de morts, ainsi que sur la trentaine de conflits ouverts ou larvés qui existent dans l'un ou l'autre des 193 États que comptent maintenant les Nations Unies, et tout cela, au moment où l'ensemble de la communauté mondiale devient de plus en plus préoccupé par les problèmes de gouvernance, par le terrorisme et par les changements climatiques. Je rentre d'un séjour en Océanie où l'on commence, face à la montée des eaux, à parler de survie même des populations locales. En fait, plus de quarante États risquent d'être très affectés par ce phénomène. Les conflits et ces préoccupations écologiques ont frappé de plein fouet la quête des Objectifs du millénaire en matière de développement.

3. UN BILAN PROVISOIRE

Il faut reconnaître toutefois que des progrès sensibles ont été atteints: les revenus moyens ont beaucoup augmenté dans plusieurs pays. On estime que le nombre de personnes vivant dans l'extrême pauvreté a diminué de 130 millions, notamment en Chine. Le taux de mortalité infantile est

passé de 88 à 70 pour 1000 naissances vivantes. L'espérance de vie aurait globalement passé de 63 ans à 65 ans. La population des pays en développement ayant accès à l'eau potable a augmenté de 9%.

Dans le cadre du programme des OMD, chacun des pays en développement doit préparer un rapport annuel qui exige une coopération entre les divers ministères et cela avec le concours d'experts qui peuvent émaner des secteurs associatif, para – public et privé. Ces rapports sont révélateurs. J'ai pu, en octobre dernier, causer avec les auteurs de l'étonnant et surprenant rapport sur le Bhoutan, ce petit pays, je l'ai découvert sur place, persiste depuis 1987 à ne pas trop traiter de son PIB mais avec ténacité, de sa quête du "bonheur national brut". Ailleurs, on découvre que le taux de croissance du Brésil a été fort sous-évalué au cours de la dernière décennie.

Mais, à côté de ces nouvelles positives, on constate que l'Afrique au Sud du Sahara demeure l'épicentre de la crise puisqu'on y observe une insécurité alimentaire continue, un accroissement de l'extrême pauvreté, des taux de mortalité infantile et maternelle élevés et un nombre effarant de personnes vivant dans des taudis ainsi qu'un retard quasi général dans les réalisations dans la plupart des OMD. La pauvreté qui prévaut dans les régions rurales s'étend aussi aux villes.

L'Asie est la région où les progrès sont les plus rapides mais, même là, des centaines de millions de personnes restent encore dans l'extrême pauvreté et dans les pays où la croissance est la plus rapide – on songe à la Chine, l'Inde, la Malaisie – certains objectifs non monétaires n'ont pas été atteints. D'autres régions du monde obtiennent des résultats contrastés, notamment l'Amérique latine, les pays en transition de l'Asie centrale, le Moyen Orient et l'Afrique du Nord où, les progrès étant faibles ou nuls, la réalisation de certains des OMD demeure problématique.

Évidemment, les obstacles sur la voie des OMD sont très nombreux et on ne doit pas présumer de l'absence d'imagination des humains à se ressaisir et à se développer comme ont réussi à le faire tant de pays à commencer par l'Europe. L'histoire n'est pas linéaire, mais elle peut être imprévisible ou vengeresse. Les déséquilibres internationaux sont trop évidents et le balancier est en voie de se déplacer. À ce stade-ci, il faudrait mieux saisir la portée des injustices structurelles fondamentales qui existent à l'échelon international. Je résumerais ce déséquilibre de façon suivante: un enfant qui naît aujourd'hui à Montréal, à New York, à Paris ou à Sydney a 40% de chance d'aller un jour à l'université et de se préparer au monde de demain qui sera fondé sur la connaissance et le savoir. Un enfant né à Ouagadougou a moins de 5% d'y accéder.

4. CONCLUSION: PERSPECTIVES

Le tableau n'est pas totalement sombre pour autant, selon les Nations Unies. Au chapitre des bonnes nouvelles, on note que la proportion de personnes vivant dans des conditions de pauvreté extrême (avec moins d'un dollar par jour) est passée de 23,4% en 1999 à 19,2% en 2004. Si cette tendance se maintient, l'objectif de réduction de la pauvreté des OMD sera atteint pour le monde dans son ensemble et pour la plupart des régions, sauf pour l'Afrique sub-saharienne. L'extrême pauvreté y frappe encore plus de 40% des habitants. Cette région de l'Afrique n'est pas encore sur la voie menant à l'accomplissement de l'Objectif de réduction de la pauvreté de moitié pour 2015.

Par ailleurs, la lutte contre la faim porte lentement ses fruits. Selon l'ONU, 27% des enfants de moins de cinq ans dans les pays pauvres sont en déficit de poids, un indicateur-clé pour mesurer la faim, contre 33% en 1990, et ce chiffre peut encore être réduit de moitié d'ici 2015. Les progrès en Asie orientale ont été contrebalancés par l'Afrique sub-saharienne et l'Asie du Sud où 46% des jeunes enfants souffrent de malnutrition.

Des avancées notables ont également été accomplies en matière d'éducation dans les pays en développement. Cette progression a surtout eu lieu depuis 1999. En 2005, l'Afrique sub-saharienne comptait toutefois 72 millions d'enfants en âge d'aller à l'école primaire qui n'étaient pas scolarisés. Il s'agirait même d'une sous-évaluation du nombre d'enfants qui ne vont pas à l'école. Près de 60% de ces enfants sont des filles.

Je terminerai en soulignant que si le projet des Objectifs du Millénaire en matière de développement demeure un programme à la fois mobilisateur et un outil pédagogique qui a influencé les dirigeants dans de nombreux pays, il a rencontré des événements et des obstacles qui l'ont détourné de la voie envisagée ainsi que des gouvernements qui n'ont pas su ou voulu respecter leurs engagements en la matière.

L'ÉCONOMIE DE L'OMBRE, OBSTACLE À LA CHARITÉ ET À LA JUSTICE ENTRE NATIONS

PIERRE MOREL

L'introduction à la session de l'Académie Pontificale des Sciences Sociales consacrée à la charité et à la justice entre les nations relève essentiellement les faiblesses et les insuffisances du système international actuel. Il faut y ajouter le développement des pratiques déviantes qui tendent à remettre en cause l'évolution même de ce dernier: ce n'est plus un simple débordement, mais l'amorce d'un système autonome et proliférant, qui tire parti de la globalisation et propage une banalisation croissante de la criminalité et de l'irresponsabilité.

Il ne s'agit pas ici de procéder à un inventaire, mais d'esquisser un constat de cette évolution récente, liée notamment à la fin de la guerre froide, en s'appuyant sur quelques exemples tels que l'économie "souterraine", le commerce de la drogue et la finance anonyme, qui tendent à s'insérer de plus en plus *dans* les processus de la mondialisation en cours.

Ces phénomènes, étroitement reliés entre eux, suscitent une prise de conscience, tempérée toutefois par un sentiment d'impuissance, de désordre et de déstructuration, qui vient contredire les bénéfices visibles de l'ouverture des frontières et de l'intensification des échanges. L'espoir d'un "nouvel ordre mondial" est ainsi miné par la mise en place d'une guerre latente, menée avec des "armes" différentes. Il y a certes des degrés dans l'économie de l'ombre, depuis le simple anonymat jusqu' à la violence extrême: mais la fluidité nouvelle des communications et des transactions donne désormais un avantage considérable aux stratégies les plus déterminées.

L'économie de l'ombre est généralement définie comme la production de biens ou de services marchands, légale ou illégale, qui n'est pas prise en compte dans les estimations officielles du PIB. Selon les travaux menés il y a quelques années, ce secteur, évalué à partir de l'observation de la demande de numéraire et d'une approche modélisée, a représenté, en 2000 – 2001:

- dans 22 pays en transition: 38% du PIB officiel et 30.2% de la population;
- dans 21 pays de l'OCDE: 16.7% du PIB officiel et 15.3% de la population.¹

Le système de contrôle multilatéral de la *drogue* remonte au siècle dernier, avec la Commission de l'opium de Shanghai en 1909 et la Convention de la Haye de 1912, et a longtemps permis une surveillance relativement efficace de l'usage des stupéfiants. L'évolution récente de l'économie de la drogue est liée à l'affaiblissement durable de pays marqués par des conflits prolongés, qui a favorisé l'émergence de pouvoirs capables de se substituer à l'Etat pour assurer un équilibre social élémentaire. Les quelques "narco-Etats", partiellement ou totalement placés sous le contrôle de "seigneurs de la drogue", peuvent apparaître comme autant de situations particulières: mais leur émergence n'est que la partie visible d'un réseau fortement globalisé qui "gouverne" en fait deux cent millions de drogués environ dans le monde, dont 11 millions d'héroïnomanes.

L'économie de la drogue agit sur l'évolution du système international à plusieurs niveaux:

- présence invisible mais effective de l'argent de la drogue dans les balances des paiements de certains Etats, où il figure sous la rubrique "transferts privés sans contrepartie", au même titre que les revenus des migrants ou la rémunération des services; son volume est devenu tel qu'il ne peut pas être ignoré des autorités;

- lien croissant avec les mouvements extrémistes ou terroristes, désormais privés des soutiens résultant de la confrontation idéologique de la guerre froide et donc à la recherche de nouveaux financements;

- imbrication toujours plus étroite avec le monde du crime organisé, devenu transnational; son chiffre d'affaires est évalué entre 2 et 5% du PIB mondial, et le trafic de stupéfiants en constituerait aujourd'hui la moitié;

- coordination et complémentarité avec les autres grands trafics, en particulier sur les personnes sur les armes, et sur les diamants;

- distorsion de l'activité économique et du système financier international par le biais du blanchiment de l'argent d'origine criminelle (money laundering); le montant global du blanchiment s'élèverait à 300 voire 500 milliards de dollars par an;

¹ Friedrich Schneider, Université de Linz: "The development of the shadow economies and shadow labor forces of 22 transition and 21 OECD countries", mars 2003.

– recours systématique à la corruption comme moyen d'action politique, affaiblissement accéléré des Etats déjà faibles, jusqu'au "retournement" que permet l'infiltration puis la maîtrise des appareils d'Etat.

Les conséquences sociales en termes de toxicomanie et de santé publique sont le plus souvent cumulatives, et le développement du VIH/SIDA suit ainsi les nouvelles routes de la drogue; le coût des traitements et de la réhabilitation des malades creuse l'écart entre les nations.

Les dommages environnementaux (déforestation, pollution par les pré-curseurs chimiques) doivent également être pris en compte.

La mobilisation s'est fortement accrue à différent niveaux (Nations Unies, Conseil de l'Europe, Union européenne, G8), mais de façon inégale: le temps initialement perdu, la complexité des politiques à mettre en œuvre sur une longue période et la réticence de divers Etats, prospères ou pauvres, qui hésitent à en faire une véritable priorité, ont donné aux "seigneurs de la drogue" locaux, nationaux ou régionaux une avance persistante dans le jeu de la globalisation. Créé en 1989, le groupe d'action financière sur le blanchissement des capitaux (GAFI) a élaboré 40 recommandations puis une liste de pays et territoires non-coopératifs, aujourd'hui close; mais il ne rassemble que 33 Etats.

Les *activités financières anonymes* ne sont pas récentes. Elles se sont longtemps concentrées dans quelques refuges traditionnels en utilisant le secret bancaire, qui s'est développé après la crise de 1929 et la généralisation du contrôle des changes. Depuis une dizaine d'années, elles ont toutefois cessé d'être un phénomène plutôt marginal. Il s'agit désormais d'une économie parallèle en pleine expansion, liée aux places "offshore", ou "paradis fiscaux", c'est-à-dire aux centres financiers peu règlementés, où l'argent étranger est accueilli sans prélèvement ni contrainte. On compte aujourd'hui trois millions de sociétés "offshore" et leur nombre augmente d'environ 140.000 par an.

Trois facteurs ont stimulé cette explosion:

– l'évasion fiscale, évaluée en 2005 à 255 milliards par an.² Dans les pays d'origine, cette fuite des capitaux accroît la pression fiscale sur les salaires ainsi que les charges sociales, avec un effet cumulatif qui crée un cercle vicieux bien connu;

² Source: "Tax justice network".

- le développement des activités criminelles évoquées plus haut: trafic de drogue, d'armes ou d'êtres humains, blanchiment, financement du terrorisme;
- la recherche de nouvelles opportunités sur des places financières plus discrètes, donc moins réglementées et moins surveillées; la crise financière asiatique de 1997 a souligné la fragilité qui en a résulté pour l'ensemble de la région.

Les institutions internationales et les gouvernements ont certes mis en place des mécanismes de contrôle (GAFI, FATF, Groupe d'Egmont, HTCI, Forum de Stabilité Financière, EITI, etc.), qui restent très relatifs en raison de leur emprise limitée et du manque de stratégie globale. Ce perfectionnement progressif des contrôles a certes freiné par intervalles le développement des places off-shore et imposé une plus grande transparence. L'impact du 11 septembre 2001 a également incité à plus de vigilance sur les mécanismes de financement du terrorisme. Mais la souplesse des montages financiers, le dynamisme de la croissance mondiale et la rapidité accrue des transactions ont très vite relancé les capacités des places offshore.

L'invocation du secret bancaire, de la libre compétition fiscale et de l'efficacité économique d'un recyclage rapide des liquidités a ainsi facilité et justifié le développement d'un système presque autonome, fortement opaque et irresponsable, qui mise en fait sur la vigilance et la concertation permanente entre les principales banques centrales pour éviter tout dérèglement catastrophique qui pourrait résulter de leurs propres actions. Par le biais de sociétés-écran, de prête-noms, de transferts successifs, de commissions et d'avances, l'argent masqué est le bénéficiaire le plus actif, et sans contrepartie, du développement du système financier international.

Le débat sur le rôle des centres financiers offshore concerne notamment leur rôle dans le développement des économies pauvres ou en transition. Deux arguments de fait méritent d'être mentionnés:

- le rôle de Hong Kong dans le développement de la Chine continentale est considérable: l'accès aux marchés financiers internationaux, l'acquisition d'une culture financière, l'apprentissage des normes établies de gestion et le recyclage ordonné des bénéfices de la croissance interne stimulent puissamment la transformation en cours de l'économie chinoise; sans Hong Kong, Pékin n'aurait pas pu parier aussi fortement sur la mondialisation; en outre, la rigueur des réglementations hongkongaises ou singapouriennes montre que les places offshore peuvent respecter avec succès les normes internationales;

- en sens inverse, et sans que l'on puisse disposer de références statistiques, il paraît certain qu'une bonne partie des ressources de l'Afrique, spécia-

lement dans le domaine des matières premières, échappe aux pays africains, notamment par le biais de sociétés-écrans dans les places off-shore, qui réinvestissent sur d'autres marchés le produit des grandes exportations africaines.

Cette analyse rapide permet de dégager quelques *conclusions*:

La dynamique de la mondialisation favorise le développement des activités hors-la-loi. *Un rapport nouveau s'est établi entre le marché et le crime*, parce que la mondialisation offre une courte échelle vers le profit et permet d'organiser un marché global parallèle, libéré de la discipline du droit.

Il ne s'agit pas d'une simple dérive parasitaire, mais d'un *système mondial* à la fois distinct et intégré *dans* le marché mondial règlementé qu'il pervertit, en développant un rapport très ambigu, sans dominant ni dominé mais interactif, qui mêle de façon pragmatique tolérance et vigilance.

Le recul des valeurs fondatrices d'un marché ouvert et transparent a entraîné un *abaissement général des normes en vigueur* et notamment du droit financier international, qui installe dans les pays et les places les plus fragiles un faux semblant de réglementation. En s'abritant derrière les concepts d'optimisation fiscale ou de dumping réglementaire, l'économie de l'ombre entraîne la mondialisation dans la voie du laxisme.

En outre, divers *pays en crise ou restés en marge* de la mondialisation sont tentés de tolérer, voire d'encourager le recours à l'économie de l'ombre comme un pis-aller et même une solution de rechange pour accéder à tout prix aux grands marchés internationaux. Les mesures de contrôle sont alors qualifiées par eux de diktat ou d'injustice.

L'économie souterraine globalisée et proliférante installe ainsi une entrave puissante à la justice et à la charité dans les rapports internationaux. *Une compétition masquée est engagée pour la maîtrise des processus de la mondialisation: le terrorisme international*, partiellement soutenu par certains Etats en fonction des circonstances, a été identifié comme l'ennemi principal, parfois au delà du nécessaire, et assume en fin de compte ce rôle jusque dans l'usage consommé des médias et la manipulation des opinions; mais la *criminalité transnationale*, aussi discrète, diffuse et multiforme que son "partenaire" terroriste est concentré et spectaculaire, se présente aujourd'hui comme un ennemi tout aussi redoutable, dont le potentiel reste sous-estimé. Une analyse systémique du tandem terrorisme international – criminalité transnationale est aujourd'hui indispensable.

Les *réponses* face à ces évolutions sont simples dans leur principe, mais difficiles à mettre en œuvre: responsabilité et sanctions; transparence et identification des actionnaires des sociétés enregistrées; politiques natio-

nales vigilantes et coordonnées; surveillance multilatérale et réglementation internationale efficace. Le dynamisme de la globalisation criminelle et anonyme nécessite une analyse intégrée des exigences de la sécurité et du développement, une coopération beaucoup plus étroite entre les gouvernements et entre ces derniers et les organisations régionales et internationales, ainsi que la mise en place de règles éthiques plus fortes de la part des institutions financières. Quinze ans après la fin de la guerre froide, la mondialisation démontre plus clairement sa profonde ambiguïté et la nécessité urgente d'un *nouveau multilatéralisme*.

REFLECTIONS AND ACTIONS CONCERNING A GLOBALIZED EDUCATION

ANTONIO M. BATTRO

I quote from the United Nations Millennium Declaration (18 September 2000):

‘We recognize that, in addition to our separate responsibilities to our individual societies, we have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level. As leaders we have a duty therefore to all the world’s people, especially the most vulnerable and, in particular, the children of the world, to whom the future belongs’.

19. ‘To ensure by the year 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education’.

20. ‘To ensure that the benefits of new technologies especially information and communication technologies, in conformity with recommendations contained in the ECOSAC Ministerial Declaration, are available to all’.

Seven years after this declaration there is new hope of reaching these goals because of the incredible advances in the information and communication technologies. It can be imagined as a ‘digital vaccination’ that will be spreading consistently amongst the children of the world, taking care of the new cohorts of students and enhancing collaboration without frontiers. It will connect and saturate thousands of communities in the most remote and isolated areas and in the poorest suburbia of the developing countries. In order to attain these goals we need to develop an international network of educators and empower them with robust computer tools, and give to the children the same opportunity. This latter point will make the great difference between the old and the new era of education.

Children are not only learners, they can be very good teachers, in particular when they use computers, as every parent and teacher knows. If we give a computer to a child that he or she can use as a pair of shoes during

the whole day the amount of learning opportunities we are opening to this child increases tremendously. Most experiences of giving computers to schools or furnishing computer labs in educational institutions have not been able to bridge the digital gap. The only way to achieve this goal is for the child to own the computer, to own a light robust portable computer, a laptop with the lowest possible energy requirements, capable of bypassing standard electrical constraints using mechanical or solar energy devices, that he or she can carry home.

The child-centered view of learning has been supported by decades of research but only now can it be put into mass practice thanks to the new digital technology. But no man is an island and children must interact and play together, without playing there is no learning. Therefore it is important for them to use these machines well before they can write or read, for instance to paint and draw, make music, talk to each other in videoconference, share the pictures or videos they have produced with their computer, etc. Later, with the help of the computer, they will develop their writing and reading skills. The learning disabled, the sensory and motor handicapped children may also have an opportunity to communicate and express themselves in ways unexpected in the old era of education where many of them stayed isolated and illiterate. And they make up something between 5% and 10% of the whole population. Offering this opportunity to all is a question of equity.

In the poor countries is it very difficult to find books. Many schools have no books at all, and the logistics to provide them with books is incredibly difficult and expensive. A way out is to use the computer as a library of hundreds of e-books. In order to be effective, the child should be able to carry the laptop under bright sun and still be able to read the book (most computers do not allow this), have a good grasp of the book and not be inhibited by the presence of the keyboard or by the weight of the computer. Good ergonomics has been the great advantage of the pocket book. Similarly we should provide a computer with a friendly interface for reading and browsing the pages. We need a good design to support e-books.

Education is about the way we humans share values and, in this sharing, communication skills are key. The digital era started with the possibility of instant communication via the network. The Internet is a good example of that. But how can we communicate in the poor regions or countries of the world where networks are nonexistent? A practical answer would be to give this laptop the power to mesh and to interact in a neighborhood, say by establishing a local network in a village where most live at a distance of 1 km or less from each other. If they live further apart, we can place small

inexpensive devices for transferring the signal from one laptop to the other. Finally, if one computer of this mesh is connected to the web, all the others in the mesh can follow use it as a gateway. It is not impossible to provide every school with a connection to the Internet, and this will suffice to connect the whole community of children and teachers to the web, in a sense to the world of knowledge.

This computer in the hands of the user, teacher or child, is also a perfect tool for health care and health education. If the computer is connected to the web, the user can ask questions and receive advice, send images and information on many health issues, use sensors to detect temperature or heart rate, etc. Education and health form a double helix and support each other. The high importance of this interaction is well known, but today it can be enhanced significantly because the information will flow instantaneously in a two-way communication between the user and the expert, the patient and the doctor, the student and the teacher.

Each of these objectives is perfectly achievable today. We have the technology to reach the Millennium Goals if we take good, fair decisions in education. An example is the model provided by The One Laptop Per Child (OLPC) initiative developed by a non-profit association headquartered in Massachusetts and with hundreds of experts working in many countries of the world (www.laptop.org), under the direction of Nicholas Negroponte, founder of the Media Lab at MIT. OLPC has designed and manufactured a new kind of laptop, called the 100 \$ laptop, which has been offered to governments willing to reach the Millennium Goals, among them Argentina, Brazil, Uruguay, Pakistan, Libya and Nigeria. We expect to start the OLPC program in these nations in the course of this year, providing them with the first millions of laptops they need. Many other countries will follow.

AFRICA AND THE MILLENNIUM DEVELOPMENT GOALS

PAULUS ZULU

1. INTRODUCTION

The Task Team that compiled the Millennium Project Report to the Secretary General of the United Nations in 2005 was pessimistic about the chances of Africa, especially Sub-Saharan Africa, meeting the targets set out in the Millennium Development Goals by 2015. An examination of each goal demonstrates the following:

The first goal was to eradicate extreme poverty and hunger. Indicators were:

- to reduce by half, between 1990 and 2005, the number of people living on less than a dollar a day; and
- to reduce by half, between 1990 and 2005, the number of people who suffer from hunger.

The Report extrapolates that by 2015 the absolute headcount of poor people in Sub-Saharan Africa will have risen from 345 million in 2005 to 431 million in 2015, a net gain of 86 million; and that the GDP per capita will have dropped from \$520 USD to \$509 USD, a net drop of \$11 USD. Finally, the Report suggests that people suffering from undernourishment will have risen from 228 million in 2005 to 255 million in 2015, a net gain of 27 million.

The second goal was to achieve universal primary education. By 2005 North Africa was on track with regard to this goal but while Sub-Saharan Africa had made some progress, it was lagging behind.

Goal number 3 was to promote gender equality and empower women. Indicators of this goal were:

- equal enrolment of girls and boys in primary school;
- equal enrolment of boys and girls in secondary school;
- parity in literacy between young women and men; and
- equal representation of men and women in national parliaments.

While North Africa had either met the first two indicators in 2005 or was on track, Sub-Saharan Africa had made progress but was lagging in both. Both North and Sub-Saharan Africa were lagging in the last two indicators.

Goal number four was to reduce infant mortality. Indicators were:

- to reduce mortality of children under five years by two thirds by 2015; and
- to immunize all children against measles.

North Africa was on track on the first indicator and had met the requirements of the second indicator by 2005. In Sub-Saharan Africa there was no change in both indicators. Child mortality was still very high by 2005 and the number of children immunized against measles was still very low.

The fifth goal was to improve maternal health. The indicator was to reduce maternal mortality by three quarters. By 2005 North Africa had reached moderate maternal mortality while in Sub-Saharan Africa there was still a very high incidence of maternal mortality.

Goal number six was to combat HIV/AIDS, malaria and tuberculosis. Indicators were:

- to halt and reverse the spread of HIV/AIDS by 2015;
- to halt and reverse the spread of malaria by 2015; and
- to halt and reverse the spread of tuberculosis by 2015.

By 2005 HIV/AIDS was stabilizing in Sub Sahara Africa. The incidence of malaria was still very high, and the incidence of tuberculosis was very high and on the increase, most probably because tuberculosis is an opportunistic infection in HIV/AIDS. While there was no data on HIV/AIDS in North Africa, the incidence of malaria was low, and in the case of tuberculosis low and decreasing.

The seventh goal was to ensure environmental sustainability. Indicators were:

- to reduce the loss of forests;
- to halve the proportion of people without improved drinking water in urban areas;
- to halve the proportion of people without improved drinking water in rural areas;
- to halve the proportion of people without sanitation in urban areas;
- to halve the proportion of people without sanitation in rural areas; and
- to improve the live of slum dwellers.

The Task Team Report states that by 2005 North Africa had met the indicators of improving drinking water and improving sanitation in urban areas as well as improving the lives of slum dwellers. The region was lagging in the case of sanitation in rural areas and had made little progress in improving

drinking water in rural areas. Sub-Saharan Africa had made no progress in all the indicators. In addition, the position was worse with regard to the loss of forests and improvement in slums.

The eighth goal called for a global partnership in development. One indicator that was traceable in 2005 was that of youth employment. In both North and Sub-Saharan Africa youth unemployment was still very high and there was no change in the position between 1990 and 2005.

2. EXPLAINING THE NON PERFORMANCE

The observations made above reflect regional tendencies. Besides these tendencies there are variations among states within the same regions. First for a country to perform competently in providing services to its citizens, including achieving the Millennium *Development Goals*, certain preconditions have to exist. These are:

- adequate human capital;
- essential infrastructure; and
- good governance.

A brief analysis of these preconditions will explain why there are variations across countries within the same regions.

2.1. *Human Capital*

A majority of governments in poor countries lack the requisite human capital to discharge their functions competently. For instance poor countries do not have sufficient resources to develop sufficient human capital, and what little they produce often leave their countries of origin in search of better opportunities. Rich countries in Europe, the United States and the Middle East attract highly qualified personnel from Sub-Saharan Africa. This leaves government programmes in Africa under the charge of second order personnel who lack both strategies and operational or technical skills to plan and carry out critical programmes. The absence of or insufficient support resources such as basic nutrition, inadequate health services, poor education in sexual and reproductive health, low levels of literacy in the population and a shortage of technical and entrepreneurial skills only exacerbate rather than alleviate the situation.

2.2. *Essential Infrastructure*

Essential infrastructure includes transport services, energy, information and communication technology, water and sanitation, essential resources for farming and a sustainable natural environment. Where these are absent or exist in scarcity potential investors are discouraged since costs rise and consequently prices follow suit. Pitched against poor markets because of poverty, investors see no reason to invest under such conditions. This forces poor countries to engage in a narrow range of economic activities that depend on physical endowments thus shutting themselves out of global markets.

2.3. *Good Governance*

Good Governance creates stability which in turn attracts private investments. The Task Team Report maintains that 'Economic development stalls when governments do not uphold the rule of law, pursue sound economic policy, make appropriate public investments, manage a public administration, protect basic human rights and support civil society organizations, including those representing poor people, in national decision making'. (Millennium Project Report to the UN Secretary General: 2005: p. 26).

A combination of these shortcomings exist in a number of Sub Saharan countries, sometimes not through deliberate bad governance but through circumstances beyond the control of governments. However in a number of cases such as in the Democratic Republic of Congo, Cote d'Ivoire, Burundi and other post-conflict countries it was bad governance which in the first place led to conflict which in turn resulted in conditions leading to weak governance in the post conflict era. Similarly, Zimbabwe's problems emanate from bad governance which has paralysed service delivery and polarised the citizenry. In all these countries the position is either deteriorating with regard to some goals or there are no improvements at all. It is against these three preconditions that middle income countries such as South Africa, Botswana and Namibia are making very good progress on all the Millennium Development Goals with the exception of HIV/AIDS, but even in this case the position had stabilised by 2005 and the number of persons on anti-retro viral treatment drugs is on a steep increase. Also, countries with stable governments such as Uganda, Mozambique and Tanzania have made good progress in spite of low incomes.

3. OTHER FACTORS

Besides internal conditions in the countries themselves, external conditions such as the behaviour of donor countries have not been kind to poor countries, especially Sub-Saharan countries. For instance, great portions of the loans have gone to salaries and fees of consultants from lending countries since the loans are given contingent upon the lending country sending its own nationals as programme designers and implementers because of the shortage or absence of technical staff in recipient countries. Secondly, a majority of poor countries are heavily in debt and have to spend large portions of their revenue derived from investment out of loans or donor funds in servicing debt. There is no coordination of lending and debt servicing in some of the donor countries themselves. Further, donor aid is not necessarily coordinated with the Millennium Development Goals and poor countries spend this on other development or what they deem to be priority programmes. Political realities may dictate otherwise and managing the tension between poverty reduction and other political imperatives is a normative rather than an ethical imperative.

4. CONCLUSION

Finally, the big question in the 21st century is: had the resources of the Sub-Saharan African countries not been plundered in the colonial era, and in the collusion between rich countries and African despots, how poor would Sub-Saharan Africa be? Secondly, should countries such as Angola, the Congo and others be owing these huge debts or should the question of reparation be brought into the equation? Perhaps dialogue in this direction may prove fruitful in the long run or Sub-Saharan Africa may never get out of its quagmire.

CONCLUSIONS AND BASES FOR THE AGENDA

JUAN J. LLACH

Then the King will tell them on his right hand, 'Come, blessed of my Father, inherit the kingdom prepared for you from the foundation of the world; for I was hungry, and you gave me food to eat; I was thirsty, and you gave me drink; I was a stranger, and you took me in; naked, and you clothed me; I was sick, and you visited me; I was in prison, and you came to me'. Then the righteous will answer him, saying, 'Lord, when did we see you hungry, and feed you; or thirsty, and give you a drink? When did we see you as a stranger, and take you in; or naked, and clothe you? When did we see you sick, or in prison, and come to you?' The King will answer them, 'Most assuredly I tell you, inasmuch as you did it to one of the least of these my brothers, you did it to me'.
(Matthew, 25: 34-40)

'Charity helps justice to be more inventive'
(HH Benedict XVI, Letter to the President of the
Pontifical Academy of Social Sciences, April 30, 2007)

The structure of these closing remarks is as follows. In the first part I present a selection of some of the propositions presented and discussed during the XIII Plenary Session. They can help the reader to perceive the speech universe of this very important session. In the second part I suggest that an integral development agenda is needed to give proper answers to the immense challenges posed by this new phase of globalization, plenty of hopes, but also plenty of threats.

1. SOME OF THE KEY PROPOSITIONS PRESENTED AND DISCUSSED

1.1. *Introductory Remarks*

We must reaffirm our preferential option for the poor. It remains ethically impossible to accept that the fate of human beings otherwise equal in all their capacities is nevertheless so much determined by the location and

circumstances of their birth. Instead, there is a deep moral imperative for true equality in opportunities and we must recognize as a valid international objective that all human beings be given equal chances at birth, The needy have a right to the superfluous goods of the wealthy. There is a patent contradiction between the theoretical acceptance of the idea of justice and the practical acceptance of injustices.

In Christian social teaching, charity encompasses all duties. So it entails justice. Without charity justice can become blind and partial. Charity instead continuously refuels justice without depriving it from its proper nature, which consists in guaranteeing to each person what he/she owes. But charity never will be ruled out by justice alone, because, 'in addition to justice man needs, and will always need, love' (*Deus Caritas Est*).

The world we live in is really global for the first time in human history, and we confront universal issues to resolve which neither war nor unilateral decisions nor the balance of powers are enough. We are living the beginning of the self-socializing of all humanity.

Violence and war, poverty and environmental degradation are the three main challenges for humanity. The three of them can be clearly seen acting together, in the uncontrollable megalopolises of the developing countries. A structural divide is plaguing our national and international communities. It is economic, social, rural-urban, cultural and that of the persons versus the natural environment.

1.2. *Inter-Religious Dialogue*

The five qualities for a successful inter-religious dialogue are truth, freedom, justice, prayer and love, this last one as manifested in solidarity, forgiveness and reconciliation. 'If you want peace, go to meet the poor' (JPPII, *Message*, 1993).

Global solidarity already in practice in some measure among several Church entities must be enhanced to strengthen a movement of thought, inquiry and action, and inspired by God. Its purpose should be to develop modes of action to contribute to the building of an alternative culture to the one imposed by the sole forces of economic globalization, which fragments body, mind and spirit; alienates people from the respect for Creation; and atomizes families, communities and the global community itself.

The guidelines of the Social Doctrine of the Church need to be addressed in the context of dialogue with all those seriously concerned for humanity and for the world in which we live. There cannot be peace among

nations without peace among religions. Peace presupposes dialogue and dialogue is the only possible alternative to a 'clash of civilizations'. Religions see their common obligation to work together for justice and peace and for the promotion of our common values. It is possible to broaden our experience of the Divine through inter-religious dialogue.

Globalization is leading to the blurring of international borders and giving birth to a crisis of religious identities. It is a mistake to identify Christianity and the Western World. Dialogue, politics, truth and peace are inseparable. Religions give more life to the interpretive keys that are crucial to understanding the world we live in. The challenge is to integrate the identity and the universal dimensions of religious experience.

It is ingenuous to believe that the solution of the Middle East conflict will suffice to overcome terrorism or to avoid wars in other parts of the world. But it has a crucial symbolic meaning and will help to give a territorial, not a religious character to other related or potentially related conflicts. The contribution of religious leaders to the solution of the Middle East conflict is, for those reasons, crucial.

In the case of Lebanon, eighteen religious communities have peacefully lived together many years, even reaching a constitutional agreement that can be called a co-associative democracy. We need to set aside the past, to make more sincere efforts to reach mutual understanding and to promote together, for all humankind, social justice, moral values, peace and freedom.

1.3. *Governance of Globalization*

We are living a stage of weak governance, characterized both by an insufficient consideration of ethical issues and a prevalence of technical approaches. These have not been able to solve any of the most important challenges we are having, like war, trade or the environment, or even more urgent and elementary tasks such as humanitarian aid. More than that, a mere technological approach is the one that underlines the idea of solving world problems with wars conceived as surgeries. Instead, conflicts and wars must be prevented through justice and integral development. So we need to escape from a technical world governance to one based on ethics.

Globalization carries with it the obligation of defining a Universal Common Good and the need for worldwide public goods. One of the most important of these worldwide public goods is the integral development of all countries and of all peoples. This is very difficult because economic globalization develops very rapidly, while global politics and governance go too slow.

National institutions no longer suffice when seeking to establish the right order for a global world. But globalization bears the risk of chaos, because of the erosion of the ordering and pacifying role of the national state, by the deficits of international policy and the lacuna of international law. A more international government carries the risk of institutionalizing 'bad' governments. There is no place for the crucial, dialectical civil society-government relationship at the world level. There is a big, dangerous gap developing between the global social space and the domains of particular entities. Global society is too weak and tentative to play that role.

Lack of democracy at the international level is impeding to humanize the global system ('to temper globalization'), contrary to what happened at the national level because of the development of democracy. Bargaining powers are different at the international level and, very frequently, governments have not represented their peoples, particularly the poor. *Subsidiarity* affirms the value of international institutions, but avoids uncritical acceptance of internationalism. It promotes freedom and integrity of local cultures, without reducing particularism to pure devolution.

1.4. *The World Economy*

World economic and financial imbalances, as manifested in big countries with big surpluses or deficits, are a serious danger for the continuity of the hopeful period of economic growth we are living. This risk is leveraged because of new forms of financial developments and creation of world liquidity, which, although giving new opportunities of development financing, threaten, at the same time, world financial stability. International coordination of monetary and financial supervisory authorities is more necessary than ever to gain in coordination and codes of conduct.

While the Bretton Woods system had a clear mandate to create a fair system of aid to developing nations, the governance structure of the current system, almost exclusively in the hands of private agents and speculative investments, carries risks of contagion and is frequently against fairness. Because of a perverse interaction between inherent volatility of financial markets and the paramount importance of reputation in them, capital flows are very frequently taking a way that is contradictory to theoretical predictions, i.e., from developing to developed countries. An eventual and not improbable crisis would have the worst impact in developing and least developed countries.

It is necessary to re-think the global system of monetary reserves, that could be neither the optimal nor the most equitable. A cautious reform of

this system could eventually generate resources to finance the development of the least developed countries.

Protectionism is the least charitable of all policies, while foreign direct investment (FDI) appears as one of the most concrete ways to efficiently solve the insufficiency of savings and investments in LDCs, not less because it is frequently associated with an improvement of human capital. However, these types of investment account for only a small percentage of total investment in LDCs. Economic logic alone does not suffice to deal with the complex problems we are facing nowadays at a planetary scale. That is why FDI is and should be, in the future, increasingly subject to the social responsibility of the firms as regards human rights and labor conditions; sustainable development; the rights of stakeholders and integration into societies; the rights of consumers; legal frameworks, governance and anti-corruption policies; due respect for the environment; avoiding an excessive prevalence of financial criteria and, finally, making sure that local realities are taken on board when fixing global policies, according to the principle of subsidiarity.

1.5. *Migrations, Civil Society and the Role of Charities*

1.5.1. *Civil Society and the Role of Charities*

Without a sustainable culture there is no sustainable community and without a sustainable community there is no sustainable globalization. From humanistic development in the sixties, to the disenchantment with foreign aid, to the conditional lending of international financial institutions, to birth control, to schooling (important, but not enough), all of these approaches to eliminate poverty have proved insufficient. Participative approaches are important, but costly, and social capital is not enough either. A successful role for charities must be based on dialogue, operating subject's consciousness, project sustainability, real appreciation of local human resources, flexibility and the promotion of partnership.

NGOs must interact with a renewed approach to cooperation for development by integrating it into a comprehensive policy towards LDCs and also into foreign affairs policies, eliminating tied aid and increasing the aid level.

A call to action requires programs that will bring about the following shifts: from material poverty to adequate assets and livelihoods; from isolation and poor infrastructure to access and service; from illness and incapabil-

ity to health, information and education; from unequal and troubled gender relations to equity and harmony; from fear and lack of protection to peace and security; from exclusion and impotence to inclusion, organization and empowerment; from corruption and abuse to honesty and fair treatment.

It cannot be taken for granted that 'the rural community' retains the patrimony of common that is crucial for the viability of a strategy of partnership. Common values or normative consensus cannot be treated as a given – factions and fragmentation often make these frail foundations upon which to build. Developments at the *meso level* seem imperative; otherwise we and, more importantly, they, the people, are left with a yawning gap between a small, limited and defenceless local project and the *macro level* Leviathans (national or international).

Local initiatives cannot even rely upon hiding behind the skirts of the *terzo settore* charity, which itself is incapable of protecting them against such potential adversaries. The 'third sector' exists marginally and insecurely between the Market and the state. It is true that we need to initiate from the bottom a new pro-justice movement. However, that only serves to pose a bigger question: what can be done to foster authentic social movements in developing counties – ones that are themselves sturdy enough to resist political incorporation by self-interested forces and to resist economic incorporation by equally self-interested market forces?

1.5.2. *Migrations*

Migrations are very old phenomena, perhaps 6000 years old. But they now involve unprecedented amounts of people. Half a million people are leaving Latin America and the USA is receiving one million immigrants every year. Remittances are probably around 300 B US\$.

The current model of citizenship, Western, democratic and exported *urbi et orbi* is basically Hobbesian and its latest formulation is that of *lib-lab*. This model cannot work without recognizing the cultural identity and the basic role of intermediate bodies in political participation and in decision-making on the issue of citizenship. But we are living in a society of fear and there is the risk of falling into the Hobbesian temptation. At the same time, the Hobbesian model of citizenship is in crisis because globalization has reduced national states' sovereignty.

We need to give priority to social rights over political rights associated to the question of citizenship. This way it would be possible to make a *post-Hobbesian citizenship* with reference to a *cosmopolitan citizenship* differen-

tiated from the *national* one, as well as from a *globalized citizenship*. It can be built based on a positive anthropology (not a negative one, as in Hobbes), to the service of the general interests and recognizing cultural identities (including religious ones) as well as core social networks. This could allow us to build a subsidiary, societal, relational and plural citizenship able to integrate immigrants.

1.6. *The Environment*

To meet this challenge an interdisciplinary approach is required. The poorest countries are likely to pay the heaviest price for ecological deterioration (HH Benedict XVI, PASS 2007).

1.6.1. *Water*

Water as a problem is the result of poverty. The situation of inequity in terms of access variability to safe drinking water is reported as follows. A child born in the developed world consumes 30 to 50 times the water resources of one in the developing world. Little effective progress has been made since the publication of *World Water Vision* (World Water Forum, The Hague, 2000).

Agricultural production in tropical zones is the one more likely affected by global warming. With the right incentives and investments to mitigate risks for individual farmers, improving water control in agriculture holds considerable potential of increasing food production and reducing poverty, while ensuring maintenance of ecosystem services. The potential exists to provide an adequate and sustainable supply of quality water for all, today and in the future. But there is no room for complacency, and it is our common responsibility to take the challenge of today's global water crisis and address it in all of its aspects and dimensions.

A successful answer to these challenges requires a sense of global community with shared values or principles and a sense of justice as moral approbation oriented towards the environment, based on respect for Creation.

Negative rights are inviolable, in a way that positive rights are not. For how can a right be inviolable if it is not always possible to protect it? The combination of the biological and geo-physical aspects of water have had far-reaching influences on our attitude toward water and the property-

rights systems communities have devised for it. A good water policy would either be to charge farmers that rent or to impose quotas on extraction rates on individual farmers. A third, and better, alternative would be to set a quota on the aggregate rate of extraction, issue farmers with licenses to extract and allow them to trade licenses among themselves if they so wish. If the water table in the aquifer is both high and deep, the rent component would be expected to be small relative to production costs; meaning that its stock is unlimited. The correct measure of 'water scarcity' is its social rent. It would be interesting if international organizations, such as FAO, were to try to estimate the time trend of water rents in regions that are now facing water stress. Until water is seen as an economic good, its procurement and use will continue to be inefficient and, ultimately, unfair.

1.6.2. *Global Warming*

In a few generations mankind is exhausting the fossil fuels that were generated over several hundred million years, resulting in large emissions of air pollutants. Human activity has also increased the species extinction rate by a thousand to ten thousand folds in the tropical rain forests. According to the Intergovernmental Panel on Climate Change in 2007, warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising sea level.

Considering these and many other major and still growing impacts of human activities on earth and atmosphere, including global scales, it is thus more than appropriate to emphasize the central role of mankind in geology and ecology by using the term *anthropocene* for the current geological epoch. Developing a worldwide accepted strategy leading to sustainability of ecosystems against human induced stresses will be one of the great future tasks of mankind, requiring intensive research efforts and wise application of the knowledge.

There are plenty of opportunities for energy savings, solar voltaic and maybe fusion energy production, recycling of materials, soil conservation, more efficient agricultural production, etc. Exciting, but also difficult and daunting tasks lie ahead of the global research and engineering community to guide mankind towards global sustainable environmental management in the *anthropocene*.

1.7. Poverty, Equity, Foreign Aid and the Millennium Goals

There have been some progresses in achieving the Millennium Goals, but the situation is still very serious in Sub Saharan Africa and in other countries like Haiti. A baby born now in Montreal (Canada) has an almost 50% chance of getting a university diploma, while one born in Ouagadougou (Burkina Faso) has only a 0.6% chance.

In the case of Africa, three main explanations can be given to the non performance of the Millennium Goals: lack of sufficient human capital, infrastructure deficiencies and problems of governance. But besides internal conditions there have been problems with the effective levels, quality and targeting of the aid, as well as with the burden of debt. Big questions of this century are: have the resources of countries in Sub-Saharan Africa not been plundered in the colonial era? In the collusion between rich countries and African despots, how poor would Sub-Saharan Africa be? Because of this doubt, the question of reparation should be treated *pari passu* with that of debts.

Taking into account that issues referred to education, health and gender equality are at the core of the Millennium Goals, the omission of the family is a serious mistake. Family is not even mentioned in these Goals.

International regional integrations can play a very important role in the fight against poverty. However, openness to trade can sometimes have a negative effect on the levels of poverty.

Even the poor countries should lead the improvement of world governance and the fight against poverty. Poor countries should also look for complementary and alternative ways to help themselves. A concrete way of doing this is to be more confident of their own strengths. Emigrants' remittances can also play a positive role.

It is a scandal that a promise made thirty years ago, i.e., aid equal to 0.7% of GNI had not been fulfilled yet. Given the failures of the past and its natural weakness at the time of discussing national budgets, *earmarking of resources* is the most secure way to ensure adequate financing of aid. Taxes levied at a very low rate on internationally mobile tax bases would be less distorsionary than additions to existing national taxes. Taxation on resources in risk of depletion, like fisheries or the global climate, are natural candidates since they will also help to preserve the natural environment of mankind. The same can be said of the space in space needed to run satellites. Other alternatives could be taxing goods consumed by high income groups – such as international flights – and resources that might originate from the reform of the global reserve system.

Although altruism seems to be on the rise, adjustment pressures of traditional economic and social structures emerging from globalization are not conducive to helping people and countries often perceived as competitors. Practical ways to overcome this situation need to be found urgently. Education, health, credit, access of the poor to property, entrepreneurial abilities and facilities to increase LDCs' exports are the more secure ways of investing aid resources in order to minimize the risks of ineffectiveness.

The threshold currently used for the definition of poverty needs to be reconsidered, as well as the ways to accurately measure this increasingly important indicator.

Global income inequality is a product of insufficient international cooperation, as it can be seen in protectionism and tax competition, both of which render difficult the way to less poverty and more equity.

1.8. *The Values of the Spirit, Knowledge and Education*

The very crucial issue of education was not explicitly included in the program, with the exception of references to it in the Millennium Goals. This was due to the fact that a meeting of the Joint Working Group of the Pontifical Academies of Sciences and Social Sciences, fully devoted to globalization and education had already taken place in 2005.¹ However, HH Pope Benedict XVI devoted to education an important part of his letter to the President of our Academy, Mary Ann Glendon. It is very relevant to quote it here not only to remind us of the crucial role of education but also to give to it an enhanced approach. 'A third challenge relates to the values of the spirit. Pressed by economic worries, we tend to forget that, unlike material goods, those spiritual goods which are properly human expand and multiply when communicated: unlike divisible goods, spiritual goods such as knowledge and education are indivisible, and the more one shares them, the more they are possessed. Globalization has increased the interdependence of peoples, with their different traditions, religions and systems of education. This means that the peoples of the world, for all their differences, are constantly learning about one another and coming into much greater contact. All the more important, then, is the need of a dialogue

¹ The discussions and conclusions of this seminar can be found in Marcelo Sánchez Sorondo, Edmond Malinvaud and Pierre Léna (eds.), *Globalization and Education*, Walter de Gruyter, 2007.

which can help people to understand their own traditions vis-à-vis those of others, to develop greater self-awareness in the face of challenges to their identity, and thus to promote understanding and the acknowledgment of true human values within an intercultural perspective. To meet these challenges, a just equality of opportunity, especially in the field of education and the transmission of knowledge, is urgently needed. Regrettably, education, especially at the primary level, remains dramatically insufficient in many parts of the world'.

2. BASES FOR THE AGENDA

The globalized world we live in has too much poverty, too many walls, too many weapons and war and lack of respect for Creation. We need to build a world without (extreme) poverty, more respect for Creation, more peace, less weapons and plenty of dialogue to build a civilization of love based on the principle of the universal destination of all the goods of Creation.

2.1. *Worrying Signs of the Times*

The world we live shows us every day both worrying and encouraging signs of the times. Among the first ones we can enumerate:

- Terrorism, new forms of violence, wars and nuclear threats.
- Multilateralism and world governance are weakening.
- There is a re-emergence of nationalism, associated to increased migrations and international trade and finances.
- Big balance of payments imbalances and exchange rate misalignments in some of the bigger countries of the world, without significant coordination of their authorities, are a serious treats to world economic development.
- Structural changes in world finances, a very rapid growth of world liquidity and a decaying role of international and national public authorities, also create a potentially dangerous environment for the world economy and sometimes have an anti-developing countries bias.
- There are serious delays of the World Trade Organization's Doha round.
- An intellectual property regime that makes difficult the access of LDCs to basic knowledge, even in crucial health issues.

- Poverty is still very pervasive, and the recent reduction of *extreme income poverty* is mainly explained by Asia, in such a sharp contrast with Africa that is now the home of 75% of the income poor of the world.
- There are well-grounded doubts about the possibility of achieving the Millennium Goals by the original date (2015).
- The compromise of developed countries to aid poorer ones with 0.7% of their Gross National Income has not been fulfilled (only 5 of the 22 countries integrating the Development Assistance Committee did it).
- Convergence of developing countries to the levels of living and education of developed countries has been limited to some Asian and Southern European Countries.
- Wealth and income distribution has tended to become more unequal in most of the countries.
- The increased awareness of our environment deterioration is not yet enough to induce the completion and enforcing of the Kyoto Protocol or of another similar international agreement to preserve Creation.

2.2. *Encouraging Signs of the Times*

- It is very probable that we are just at the beginning of a long and widespread wave of economic growth, with the growing participation of emerging and even of less developed countries.
- There is a proliferation of successful cases of economic and social development in a variety of regions, provinces and cities.
- There is a rapid and widespread growth of world trade, whose permanence is also important for world peace.
- International regional agreements show great vitality.
- There are growing intra-national autonomic *cum* local development demands, as well as growing demands and realities of political participation, even technologically driven.
- A silent new consensus on the roles of the state, the civil society and the markets is building up.
- Notwithstanding its pervasiveness, both the incidence and the amount of people living in *extreme income poverty* have been reduced in the last quarter of century, co-existing with the intensification of globalization.
- Although incomplete – for instance, they don't even mention the family – Millennium Goals are a feasible and positive step.
- World income distribution shows some positive signals, mainly explained, as in the case of poverty, by the economic growth of Asia.

– There is a positive increase in the awareness of the deterioration of our environment, as proved by many recent reports, some of them coming from the Pontifical Academies.

2.3. *Signals of a Civilization-Wide Transformation*

As mentioned in the Introduction to this Plenary Session, there are many signals of a *civilization-wide transformation* that challenges our traditional values and institutions, particularly the Western ones, and that must be kept in mind in order to find proper answers to the challenges we are confronting. Some of its manifestations are:

- The re-emergence of Asia, with its own values, cultures and institutions.
- Serious threats for the family as a key institution of humankind.
- Completely new roles of women, youngsters and the growing number of elders.
- A sort of ‘demographic suicide’ of many developed countries.
- Serious challenges confronted by the national states.
- Threats coming from an environment that sends us more and more signals that the current style of development looks almost impossible to sustain and to spread to all peoples and nations.

2.3. *Bases for the Agenda*

Confronted with such unprecedented challenges, discussions normally held on policies to mend some of the sources of injustice and lack of charity sometimes sound pathetic. To improve the effectiveness of charity and justice in this context of civilization-wide change *it is necessary to design sounder cultural answers and concrete gestures, unprecedented as the change we are living*. We can envisage different issues to be addressed by different kinds of countries and institutions.

Developed countries – not least to rebuild their damaged moral authority – should implement renewed projects like the following.

– Eradicating extreme poverty by the year 2015 is one of the most important tasks in today’s world and that objective is indissolubly linked to world peace and security.

– Fulfilling the so many times promised level of aid (0.7% of GNI, Gross National Income), finding innovative ways of financing it through the earmarking of resources originated in reducing agricultural subsidies or in the taxation of international public goods or exhaustible resources.

- Improving the ways of delivering that aid through creative and effective projects based on the active participation of people in the recipient countries.
- Creating trade conditions favorable to poor countries, including broad and unconditional access to DCs' markets.
- Unconditional cancellation of the external debt of HIPC (Highly Indebted Poor Countries) and of LDCs and measures to ensure that they do not fall once again in similar situations.
- Substantial investment in R&D of medicines to treat AIDS, tuberculosis, malaria and other tropical diseases, making available medical and drug technologies without imposing legal or economic conditions.
- A sincere re-thinking of the global reserves system.
- Substantial reduction of both legal and illegal arms trade, illegal trade of precious raw materials, capital flights from LDCs and money-laundering.
- Decisively promoting peace in the Middle East.
- Supporting projects of returning or restoring the artistic treasures that originally belonged to LDCs, considering the possibility of a Trust-Fund whose income could help finance foreign aid.

Emerging Countries

It would be fair that emerging countries with higher levels of GDP per capita (for instance, more than 10,000 US\$ in purchasing power parity) should contribute to the aid for eradicating poverty through a progressive contribution, beginning with 0.1% of GNI.

Focusing foreign aid on the poorest countries and in special programs to fight against poverty in LDCs.

Leading financial coordination to prevent a dangerous outcome of world financial imbalances and instabilities.

Developing Countries

Sincere internal and external peace processes – including the very crucial ones of the Middle East.

Substantial improvement in the quality of democratic governance.

Giving true priority to the poor in government programs.

International Institutions

Developing a legitimate pluralistic vision, not one just based on the opinion of a few and who ends discriminating cultural diversity and intermediate bodies, ignoring the principle of subsidiarity.

All Countries

Actively promoting dialogue, the developing of common norms, the building of international cooperation based on the principle of universality but also on shared values and the enhancing and strengthening of the international institutions that implement these shared norms and values.

Regarding the projects financed through foreign aid resources it seems prudent to give priority to those that can lead to the empowerment of the poor, as is the case with education, health, credit, access to property, entrepreneurial abilities and facilities to increase LDC exports.

In spite of the fact that the Millennium Goals are not going to be fully accomplished in 2015, perhaps it is already the time to think of the next round of Millennium Goals. The ones we have fall very short of an integral conception of human development, beginning from the surprising exclusion of the family and the rights of the unborn in them.

Sustained improvement of enrolment rates and quality of education, particularly in the socially segregated schools that the poor attend.

Credible commitments to a socially protected free trade through the fulfilment of the Doha round in its original, but renewed spirit of development round.

Foreign Direct Investment (FDI) has a crucial role as a source of financing and incorporating human capital and technologies in developing countries. It also has another important and increasing role and it is the development of a paradigm of social responsibility of the firms, to whom all countries could contribute as a way of enhancing the positive role of FDI, as well as avoiding its not rare conflictive aspects.

Equally renewed commitment to the non proliferation of nuclear and non-nuclear arms and to an equitable disarmament.

Credible and enforceable commitments to the Kyoto Protocol.

Finally, it is evident that confronted with such a cultural, economic, social and political context, the role of religions, and of course of the Catholic Church, is every day more crucial to convince global powers, international organizations and governments of emerging and poor countries of the need for a completely new vision to confront the unprecedented changes we are living. The difficulty of reaching such a vision without a parallel consensus on the nature of human beings makes this challenge even more demanding but this must not be an excuse to abandon this crucial endeavour.

ANNEX

HOMAGE TO PROFESSOR RENÉ RÉMOND

EDMOND MALINVAUD

I think I have to say a few words about Prof. René Rémond, because we have seen him here, us Academicians, and we remember the simplicity with which he presented himself, with which he intervened in our discussions. We remember how these interventions were clear and to the point. But those of you who did not otherwise know Prof. Rémond have ignored what his figure meant for us, his French colleagues. So let me give a bird's eye view of his life.

At the age of 14, in 1932, René Rémond joined the Christian movement JEC (as we say in France), Christian Student Youth. Eleven years later he was the General Secretary of the movement. He had then been admitted in 1942 to the Ecole normale supérieure, which is the most renowned school where future academic professors are being trained. He was also involved in resistance activities outlawed by our French government. From that time dated his choice of history as his field of interest and teaching. His first book argued that there were three main currents in the French political right wing, and that these three main currents were maintained all through the 19th century and the first half of the 20th century. This book was very well received and had a large success.

Rémond actually did not join the main school of French historians, which is known as the *Ecole des annales*, and was much more concerned with the Middle Ages and the Renaissance. Rather, he was specialised in the analysis of political trends in the 20th century, about which he published regularly up to his death. His affiliation, at least his main affiliation, was the Ecole des sciences politiques where he trained many students to follow him in studying the same modern history. Rémond was also a long-time president of the Foundation for Political Science.

I shall not surprise you if I say that he was a very active Catholic, particularly on the occasion of what we call in France 'The Week of Catholic Intellectuals', who meet regularly once a year under the auspices of the Catholic Centre of French Intellectuals, of which he was the President from

1965 to 1975. The defence of the Christian faith was a frequent theme in his publications, up to a book that appeared about a year ago, directly refuting a Treatise of Atheism, written by one of our young philosophers.

You may however not realise how many special missions were given to Rémond by our successive governments, whether from the right or the left wing of the political spectrum. His wisdom was equally recognised and appreciated on both sides. I will just give two examples of his actions, but it is only two among many.

The first one followed the student and workers' riot, which shook France in the spring of 1968. The event that started these riots occurred in the newly built university, which was actually still unfinished, the Paris Nanterre University where a student called Cohn-Bendit pushed into a swimming pool the minister who had come to visit the university. Subsequently it was not so easy to cool down the heat that had been initiated by those events. It belonged to René Rémond to achieve that task during his five years as president of the Nanterre University.

Another kind of mission for which he was repeatedly asked to give the testimony of his wisdom concerned what had happened in France during the years of the Fascist regime and German occupation. For instance, what might have been the responsibility of the Church in Lyon in a case that was reviewed systematically in 1989.

In many respects, we may say today that, for us Frenchmen, René Rémond will remain as a national figure, of whom we are rightly proud.

ÉLOGE DU PROFESSEUR RENÉ RÉMOND

LOUIS SABOURIN

Je suis particulièrement touché et ému de pouvoir rendre hommage à notre collègue René Rémond, un ami qui m'était très cher depuis plusieurs décennies, c'est-à-dire depuis bien avant notre nomination à l'Académie en 1994.

En France, René Rémond était considéré comme un "historien d'exception", "un pédagogue exceptionnel" qui a formé des générations d'étudiants non seulement du pays mais aussi de partout dans le monde, un commentateur célèbre à la radio et à la télévision. Il était, au-delà des clivages politiques, et cela est très rare, respecté et admiré de tous d'abord, pour la richesse de ses travaux: il a publié plus de trente ouvrages dont deux, *Les droites en France* et *L'anticléricalisme en France de 1815 à nos jours* sont devenus, dès leur publication, des classiques incontournables.

En second lieu, pour son leadership lucide et son dévouement inlassable à la tête de plusieurs instances universitaires, du Conseil supérieur de la magistrature, du Centre catholique des intellectuels français, de nombreux conseils d'administration dans le monde audio-visuel et surtout de la Fondation nationale des sciences politiques. Il était membre de l'Académie française depuis 1998.

À l'étranger, René Rémond était perçu comme un universitaire qui transcendait les frontières géographiques et disciplinaires. Il était membre de l'Académie Royale de Belgique et avait reçu les prix du mérite de la République italienne et de la République de Pologne. La liste des universités où il a enseigné en France, en Europe de l'Ouest et de l'Est, au Moyen-Orient, en Afrique, aux États-Unis au Canada, en Amérique du Sud et en Asie est très longue. À tous ces endroits, on a déploré son décès, à commencer au Vatican où l'on voyait en lui un homme de foi profonde, un catholique engagé, un conseiller écouté, un véritable humaniste attaché à l'Église. On devrait mieux savoir que c'est lui qui avait été choisi pour accompagner le Cardinal Etchegaray, lors d'une des premières missions de l'Église en République populaire de Chine.

C'est enfin pour d'autres motifs que, selon moi, René Rémond était une "personnalité hors du commun": pour ses qualités humaines. En réalité, c'était un homme bon dans le vrai sens du mot, un homme honnête, respectueux des idées des autres et d'une simplicité quasi désarmante. Il était la personnification de la mesure et de l'équilibre. Il était devenu un sage, une référence, un homme que l'on pouvait placer sur un piédestal en ayant l'assurance qu'il serait un guide qui ne nous regarderait jamais de haut.

Avec le départ de René Rémond, on peut se demander, en se référant à Hemingway: *For Whom the Bell Tolls?* "Pour qui sonne le glas?". En fait, pour ceux et celles qui, à l'instar de René Rémond, ont une croyance indéfectible en l'homme et en Dieu et pour qui la foi est une confiance dans le mystère. Si sa présence à l'Académie, sa vision, sa chaleur humaine vont nous manquer, sa mémoire toutefois demeurera vivante, éclairante et inspirante.

HOMILIES

HOMÉLIE

S.E. LE CARDINAL PAUL POUPARD
PRÉSIDENT DES CONSEILS PONTIFICAUX DE LA CULTURE
ET POUR LE DIALOGUE INTERRELIGIEUX

Act 9, 1-20 ; Ps 116 ; Jn 6, 52-59

Chère Excellence,
Monsieur le Président,
Frères et Sœurs en Jésus-Christ,

1. C'est pour moi une grande joie de présider cette messe d'ouverture de la XIII^e Session Plénière de l'Académie Pontificale des Sciences Sociales, dans ce lieu si émouvant de notre foi où le corps de l'Apôtre Pierre a été jeté en terre après l'ignoble crucifixion. Sur cet *Autel de la Tombe* où nous célébrons le Sacrement de la Charité, *Sacramentum caritatis*, demandons à Dieu son Esprit de Vérité pour nous donner d'approfondir le beau thème de *Charité et Justice dans les relations entre les peuples et les nations*, thème repris à l'Encyclique *Deus caritas est* (§. 26-29) de notre Saint-Père, le Pape Benoît XVI. Dès les commencements de l'Église, les fidèles du Christ se sont engagés dans le monde pour donner le témoignage de la Charité, et ils ne cessent, individuellement ou en communautés, de porter au monde ce message de l'Amour reçu en révélation de Notre-Seigneur. Par sa mort et sa résurrection, Jésus nous a revêtus de l'homme nouveau, et c'est par sa grâce et le don de sa chair qu'il nous donne à manger, nous l'avons entendu dans l'Évangile, qu'il nous est donné de joindre en nos vies l'*Agapè* et la *Dyke*, l'amour et la justice.

2. *La première lecture nous relate l'épisode émouvant de la Conversion de Saul*, et témoigne de la transformation radicale de celui qui deviendra saint Paul, l'Apôtre des Gentils, quand, saisi par une lumière venue du Ciel, il tombe à terre foudroyé et entend la voix du Seigneur: *Saul, Saul, pourquoi me persécuter?* Saul persécutait le Seigneur alors qu'il pensait servir Dieu en faisant œuvre de justice. Pharisien convaincu, défenseur zélé de la Loi, il

pensait servir Dieu et la justice en laissant libre cours à sa *rage meurtrière contre les disciples du Seigneur*. Mais Paul découvre en Jésus l'amour de Charité, et placera désormais à la racine des Commandements de la Loi, le double et inséparable commandement de l'amour de Dieu et du prochain: *Tu aimeras le Seigneur, ton Dieu, de tout ton coeur, de toute ton âme, de toute ta force et de tout ton esprit; et ton prochain comme toi-même*. En entendant la voix du Seigneur qui se dit persécuté en ses disciples, Paul comprend ce mystère inimaginable à l'esprit humain, qui nous donne de reconnaître le Christ dans notre prochain.

Le récit de la conversion de Paul nous donne de comprendre que la rencontre du Christ ne change pas le concept de la justice, mais elle donne de le situer dans une nouvelle perspective, celle de la foi. Saint Paul en témoigne dans son Épître aux Philippiens: *Désormais je considère tout comme désavantageux à cause de la supériorité de la connaissance du Christ Jésus mon Seigneur. À cause de lui j'ai accepté de tout perdre, je considère tout comme déchets, afin de gagner le Christ, et d'être trouvé en lui, n'ayant plus ma justice à moi, celle qui vient de la Loi, mais la justice par la foi au Christ, celle qui vient de Dieu et s'appuie sur la foi*.

Toute la vie des hommes s'insère dans un cadre beaucoup plus vaste et plus profond que celui que nous sommes capables de concevoir à partir de nos vues humaines. Le Dessein de Dieu sur les hommes se concrétise, certes, dans la Loi, mais par-dessus tout dans l'histoire du Salut, et il offre une tout autre perspective aux actes et aux gestes de notre vie terrestre. La justice se transforme en vocation de répondre et correspondre à ce Dessein du Salut qui est un dessein d'amour, totalement gratuit, et conduit, par la Croix, à la Vie éternelle, où nous a précédés l'un des membres de l'Académie, de bien longue date mon ami très cher, le Président René Rémond, que nous confions à la miséricorde du Seigneur.

3. *Jésus, dans son Sermon sur la Montagne, déclare bienheureux, celles et ceux qui ont faim et soif de la justice*. La faim et la soif sont une redoutable épreuve pour qui les subissent. En se révélant comme Celui qui donne sa chair et son sang en nourriture et en vraie boisson, Jésus se révèle lui-même comme La Justice, Celui qui seul peut combler les attentes de tous les hommes et les traiter d'égal à égal en comblant chacun selon ses désirs et ses besoins, bien au-delà de ce que nous pouvons demander.

À la suite de Paul sur le chemin de Damas, laissons-nous saisir par cette lumière qui vient d'en-haut, le Soleil de Justice, et faisons nôtre la pensée de saint Grégoire de Nysse: *Quelle est cette justice? Celle qui, à la vue de la Beauté, nous émeut comme un désir vers cette beauté*. Amen.

HOMILY

HIS EMINENCE CARDINAL GIOVANNI BATTISTA RE
PREFECT OF THE CONGREGATION FOR BISHOPS

John 6, 60-69

The Gospel passage we have just heard is taken from the great *Bread of Life Discourse* concluding chapter six of St. John the Evangelist's account.

In order to acquire a deeper understanding of this discourse regarding the Eucharistic bread, I decided to leaf through Pope Benedict's new book 'Jesus of Nazareth', published just recently, to see if he also deals with this Gospel passage. I discovered that he dedicated some pages both to the great image of the bread and to Peter's confession of faith, but made just a few references to the Gospel we have just heard. Brief references that, however, provoke profound reflection.

Jesus had compassion on the crowd that had remained to listen to him for a long time, even forgetting food. And he performed the miracle.

But the following day, Jesus didn't want the people to remain only with the desire for normal bread such as would satisfy physical and biological needs. He went on to say, 'not on bread alone does man live, but on every word that comes from the mouth of God'.

This reaching beyond the physical and material aspect is something that philosophy also does and probably did not surprise Jesus' audience too much.

What really surprised and scandalized them was the announcement of the gift of his body and blood as food and drink.

Even Jesus' closest collaborators are disconcerted by this announcement. But Jesus does not relent or back-pedal. After saying that he is the 'Bread come down from Heaven' he goes on to say, 'whoever eats my flesh and drinks my blood has eternal life' (*Jn* 6:53). Jesus illustrates his thought by referring to his relationship with the living God and the love coming from Him, and he explains his personal mystery by his giving of self as living bread.

His listeners don't understand. Some can't believe their ears. Many desert him. Even his inner circle of followers says: 'This saying is hard. Who can accept it?' They really cannot understand that these words hide a divine intensity. Jesus had become 'flesh' for this moment. The full truth of his incarnation is that Jesus wants to stay with us through the 'flesh' of the Eucharist. That this is true is proven by the fact that Jesus was willing to risk losing all his followers.

So Jesus asks the twelve: 'Do you also want to leave?'

At this decisive moment Simon Peter spoke up: 'Master, to whom shall we go? You have the words of eternal life. We have come to believe and are convinced that you are the Holy One of God'.

What a splendid profession of faith and confidence in Jesus Christ.

Peter does not say: 'We understand what you are saying'. But rather, 'Your words are words of life, even if we do not understand them. We're staying with you. We want to hold your hand'. Humanly he could not say more.

Peter, who spoke for the other Apostles, had perceived that Jesus was not just another prophet, but truly God.

In his book 'Jesus of Nazareth', Pope Benedict points out that the title 'The Holy One of God' given to Jesus by Peter refers to the priestly ministry of Jesus, and can be found in psalm 106,16 where Aaron is referred to as 'The Holy One of God'. The title refers retrospectively to the Eucharistic discourse and simultaneously is a projection toward the mystery of the cross of Christ and is thus anchored in the paschal mystery at the very centre of Jesus' mission (349-350).

Certainly, the person of Jesus of Nazareth is a mystery that fascinates and provokes meditation. He is the human face of God and the divine face of man, being both truly God and truly man.

Jesus of Nazareth is at the centre of our faith.

Jesus today continues being a sign of contradiction just as he was two thousand years ago: the object of boundless love but also of hate. Countless people chose him as their greatest love while his words become the norm of their life, light for their footsteps and strength for their commitment. Others, however, curse, fight and oppose him.

You cannot exclude Christ from human history: such would be an action against the very well being of men and women. Without Christ there is no light, there is no hope, there is no love, and there is no future. Whoever believes in Christ, even in the most dramatic moments of life when all seems to give way, never loses the purpose for living and never falls into despair.

Today, just as two thousand years ago, Christ crosses our paths and offers himself as the supreme choice, the most decisive choice of our lives.

Jesus has a place in his heart for everyone. Christ gave himself for all and he loves each of us. He loves each man and each woman, whatever your life history, whatever your resources, your difficulties, aspirations, delusions, anxieties and hopes.

Let us learn from Peter; let us choose Christ each day as he did. This will make all the difference in our lives.

HOMILY

ARCHBISHOP GIOVANNI LAJOLO
PRESIDENT OF THE GOVERNATORATO OF VATICAN CITY STATE

1. Distinguished members of the Pontifical Academy of Social Sciences, I express my gratitude to Bishop Sánchez Sorondo for his invitation to join you on this pilgrimage to Assisi where we can draw from the pure source of the spirit and witness of St. Francis, on this day – the feast of Saint Catherine of Siena. I gladly accepted his invitation, wishing to express the Holy See's and my personal esteem to each of you and the contribution which you give through your own work, and collectively through the Pontifical Academy. Your efforts in striving to resolve the serious and complex social problems afflicting humanity today and in pointing out the challenges to be faced by future generations are highly appreciated.

I gladly accepted this invitation also because it is a joy for me to join you in fixing our gaze on the Lord; his image is truly reflected in the figure of Saint Francis – Patron of Italy – to whom this splendid Basilica is dedicated, as well as to the figure of Saint Catherine – with him a Patron of Italy and also a Patron of Europe and a Doctor of the Church. Their lives inspire us and their intercession encourages and sustains us.

2. You are meeting these days in Rome, to study the theme 'Charity and Justice in the Relations among Peoples and Nations' in light of the teachings of Pope Benedict XVI in his encyclical 'Deus Caritas Est'. All human history has been characterised by unending strife among peoples, and no less so today than yesterday. Pope Benedict XVI, in his Easter message 'Urbi et Orbi', highlighted some of the open wounds afflicting humanity today. Many other problems due to international structures and relations could be mentioned, and all can be traced back to violations of justice and offences against charity. It is not necessary to recall these issues as you are very well aware of them.

Apart from that, you have come here to Assisi, not to find a new theo-

retical or practical solution to these problems, but rather, to draw inspiration, to gather new courage, and to return back home and resume your scientific commitments with renewed determination. Your work is demanding: it calls for dedication and perseverance; it requires the courage of a hope, like that of Abraham: a hope against hope – *spes contra spem*, to use an expression from Paul's Letter to the Romans (4, 18); it calls for a vigorous trust in the victory of those who rely on God, over those who choose death more than life. Your own high ideals, and their being tied to the unshakeable reality of God, will enable your efforts to succeed best, even in the face of those who out of indifference or even hostility – perhaps due to the prevalence of ideologies in contrast with the message of life – are unwilling to listen to the solutions you have long meditated with objectivity and wisdom.

Today, here in Assisi, the place and time are ideal to gather new energy for a journey, which we know as a long and difficult one. It will end in front of the Lamb, who stands in the centre of the throne of God; who shepherds those that survived the time of great distress, that wash their robes and make them white in his blood; he will lead them to springs of life-giving water, and God will wipe away the tears from their eyes. So we have read today from the Book of Revelation.

3. In today's liturgy, the Church recalls Saint Catherine of Siena. Her personality defies any simple categorization. She was humble and brave; a mystic, yet attentive and involved in the most difficult social issues of her time [She left a memorable description of her accompanying Nicolò di Toldo to the gallows in one of her letters – Letter 31]. Saint Catherine was a peace ambassador between Italian cities, and between the Florentine Republic and the Pope. She was a courageous and tireless champion of the Pope's return to Rome from Avignon's Captivity, first with Urban V, with whom she partially succeeded, and then with Gregory XI, whose definitive return to Rome was greeted as her victory. Catherine of Siena was illiterate, yet she authored great works in mystical theology which also remain of recognized value in Italian literature. I think that in order to take a glimpse into her soul, nothing is better than reading her Prayers with their continuous flashes of insight and wisdom. I chose, almost by chance, a passage from one of her prayers (Prayer XXII) where her mystical surge and theological-anthropological vision come together spontaneously:

'In your nature, Eternal Divinity, I will know my nature. And what is my nature, precious love? It is the flame, because you are none other than the

flame of love, and of this nature you gave part of to man, since from the blaze of your love you created him. And thus, out of love you made all other creatures. Oh ungrateful man, what kind of nature has your God given you? His own nature. And are you not ashamed to lose such a noble standing with the guilt of mortal sin?’

It is with this interior flame, which consumed her by the age of only thirty-three, that we can appreciate the secret of her extraordinary social irradiation. In today’s Gospel we hear about the lamps of the virgins who were friends of the bridegroom. On that, I would like to quote another passage of Catherine, a wise virgin, on how she understood her lamp:

‘The heart must be like a lamp, which is narrow below and wide at the top. Its desires and affections are to be narrow to worldly things, but wide above: that is, to open the heart and to expand it with its love for Christ crucified, loving him and revering him with true and holy care. And then, you will fill this lamp from the pierced side of Christ crucified. His side shows you the secret of his heart’ (Letter XXXII).

From the Apostles to all the Saints of our modern times, the high and simple secret of their remarkable social impact has its origin from the pierced side of Christ crucified. It gives a sign that cannot be lost – the blood and water that flowed out (John 19, 35-36). ‘His side shows you the secret of his heart’.

4. This is also true with Francis – ‘the poor little man’ – the *Poverello* of Assisi. There is probably no more famous a saint than Francis of Assisi. I believe there are three aspects which draw people so closely to him. The first was his choice of poverty – a choice to be on the side of the poor; that is, on the side of man in his authenticity – divested of any false appearances. Second, his pure glance on the natural world and its incomparable beauty, so near to a timeless romantic sentiment as well as to the serious ecological concerns of today. And not least, his calm and pacifying humility, that found expression in the famous prayer – which is not of Francis, but well reflects his spirit –: ‘Lord, make me an instrument of your peace’.

All this is true, but if taken out of its original spiritual context, it risks diluting the essence of his genuine spirituality, which derives from profound roots. His primary spiritual source, it seems to me, can be summed up with his own words: ‘My God and my All’ (*Deus meus et Omnia*), in comparison to which there are neither riches nor powers nor worldly honours which could matter more. It is, at the same time, his ‘Following Christ’ (*sequela Christi*): his following Christ stripped of all, which includes not only divesting oneself of clothes and shoes, but divesting one’s self, as the

Lord said: 'Whoever wishes to come after me must deny himself' (Mt 16,24). It is, as Francis said in his Testament, to 'live according to the pattern of the Holy Gospel' (*vivere secundum formam sancti Evangelii*). The Cross is the place where Francis encounters the Lord who brings unity in his life. How Francis identified himself so wholly with Christ Crucified was manifested with the stigmata he received on Mount La Verna on September 14th, feast of the Exaltation of the Holy Cross. Dante defined the stigmata as the 'last seal' Francis received from Christ (Paradise, 11, 107). The first 'seal', according to Dante, had been the approval of his First Rule by Pope Innocent III (Paradise, 11, 93).

Even his famous Canticle of the Creatures initiates not from the created but from the Creator: 'Most High, all-powerful, good Lord, Yours are the praises'. And it directs the single creatures with their splendour towards mankind so that people may be reconciled in forgiveness, bear in peace 'infirmity and tribulation', flee from 'mortal sin', and always be found in the Lord's 'most holy will'.

The same could be said about the peace prayer recalled earlier. Although not written by Francis, it is rightly understood as an expression of his spirituality. The prayer develops out of the daily experience of social evils: hatred, injury, doubt, and error; but it begins with the peace of God, saying 'make me an instrument of your peace', with distinct reference to the Lord's word: 'My peace I give to you. Not as the world gives do I give it to you' (Jn 14, 27).

And for peace, Francis really was an instrument, resolving the contentious civil disputes in Arezzo and Siena, between Assisi and Perugia, between the mayor and the bishop of Assisi, and also between the wolf and the people of Gubbio. He was an effective instrument of peace, not because of diplomatic skill, but thanks to the wisdom of 'the poor one', – his humility – as the *Leggenda Maggiore* (Cap. 6, n. 9) emphasizes, the virtue of gentleness that shined from his 'meek and humble' heart, following the example of the Divine Master (Mt 11, 29). With the same spirit, the spiritual sons and daughters of Francis spread throughout the world the greeting: 'Peace and all Good' (*pax et bonum*).

Saint Francis also had a keen sense of the importance of the Church's mission. The words he heard spoken to him from the Crucifix in San Damiano: 'Francis, go and repair my Church, which, as you see, is falling into ruin' marked from the very beginning his mission of service for the Church, understood not only as the community of believers, but also as the institution itself. It was a rigorous commitment and one of purification from the

spirit of the world. His efforts never delved into polemic but were endowed with the persuasive power of humility and with his magnificent example.

Francis never wanted to go forward if not in union with the Pope, the Bishop and the priests, even when that did not respond to his deepest aspirations to follow Christ without compromise. It has been correctly written: 'He did not have a separate love for the Gospel and the Church. He loved both together with a special and pure devotion, without ever thinking of loving them separately' (Paul Sabatier, *The Life of Saint Francis of Assisi*, chapter 5).

This intimate and vital identification with the cross of Christ and his being firmly anchored in the social and institutional reality of the Church, have made him a father of countless spiritual children. They are the members of the men's and women's branches of the Franciscan family, which from their origin to our day live his missionary dream throughout the world, something Francis was not able to see accomplished in his short lifetime.

5. Catherine and Francis lived in different times and circumstances, but in both of their lives they received and reflected that same Divine light described today in John's first letter: 'God is light, and in him there is no darkness at all...If we walk in the light as he is in the light, then we have fellowship with one another, and the blood of his Son Jesus cleanses us from all sin' (I Jn 1, 5, 7).

On this day, when we remember Catherine, and in this Church, dedicated to Francis, we are called to be in spiritual communion with them. Even the art that fills and transfigures this place – a response of believing artists to the great challenge of communicating the Gospel – helps experience more deeply the light of the Invisible. By receiving the body and blood of Christ, may we also, like Catherine and Francis, enjoy the grace of being in our lives and in our work – each according to one's gifts – in humility and in truth, witnesses and apostles of the light of Christ.

OMELIA

SUA EM. REV.MA IL SIGNOR CARDINALE CLÁUDIO HUMMES
PREFETTO DELLA CONGREGAZIONE PER IL CLERO

*“Io sono venuto perché abbiano la vita e l'abbiano in abbondanza”
(Gv 10,10)*

Sia lodato Gesù Cristo!

Carissimi Concelebranti, carissimi Membri della Pontificia Accademia delle Scienze Sociali, cari fratelli e sorelle nel Signore!

1. *In Cristo risorto, siamo chiamati ad essere portatori di carità e di giustizia*

È per me motivo di grande gioia poter presiedere questa Concelebrazione eucaristica, in occasione della XIII Sessione Plenaria della Pontificia Accademia delle Scienze Sociali rivolta specialmente, nei suoi odierni interventi, a ravvivare la carità e la giustizia nelle relazioni internazionali tra i popoli e tra le Nazioni, sovente afflitte e ferite dalle contro-culture dei nazionalismi e delle disuguaglianze economiche e sociali: ben sappiamo quanto queste anti-culture accrescano l'indigenza e la povertà degli uomini ed originino soprusi e conflitti di ogni genere!

In questo contesto, la Chiesa non può rimanere indifferente. La missione della Chiesa, infatti, non si esprime solamente nell'annuncio della parola di Dio e nella celebrazione dei Sacramenti ma anche in un servizio della carità nella giustizia: esso è *diakonia* al vero umanesimo integrale che riconosce nell'uomo l'immagine di Dio e vuole aiutarlo a realizzare una vita conforme a questa dignità.

Ha scritto il Santo Padre nella sua Enciclica *Deus caritas est* che, in ordine allo sviluppo del mondo, la Chiesa “non può e non deve neanche restare ai margini della lotta per la giustizia. Deve inserirsi in essa per via dell'argomentazione razionale e deve risvegliare le forze spirituali, senza le quali la giustizia, che sempre richiede anche rinunzie, non può affermarsi e prosperare” (n. 28, a).

Riuniti come i primi cristiani attorno a questo Altare del sepolcro di Pietro, Pastore universale del suo gregge (cfr. *Gv* 21, 15-17), in unità di intenti e di sentimenti con il Successore di Pietro che “presiede la comunità universale nell’amore” (Sant’Ignazio di Antiochia *Ad Romanos, Proemio*), eleviamo la nostra lode a Dio Padre che nella risurrezione di suo Figlio ci ha liberato dal dominio della morte e dalla schiavitù del peccato e del demonio, offrendoci la nuova vita che non perisce, la vita dei figli di Dio in Cristo.

Ripetiamo con gioiosa fede l’affermazione paolina del canto d’Ingresso: *Cristo risorto più non muore, la morte non ha più potere su di lui. Alleluia* (*Rm* 6, 9). Risorgendo, il Signore non ha tolto la sofferenza e il male dal mondo ma li ha vinti alla radice con la sovrabbondanza della sua grazia. Ha detto al riguardo Benedetto XVI nel suo *Messaggio Urbi et Orbi* di questa Pasqua: “Alla prepotenza del Male ha opposto l’onnipotenza del suo Amore. Ci ha lasciato come via alla pace e alla gioia l’Amore che non teme la morte (...). Cristo risorto è vivo tra noi, è Lui la speranza di un futuro migliore!” (8.4.2007).

Con questi sentimenti, ringrazio vivamente la Presidente della Pontificia Accademia, la Professoressa Mary Ann Glendon, ed il Cancelliere, Sua Eccellenza Marcelo Sánchez Sorondo, che mi hanno invitato a questa Celebrazione eucaristica.

Rivolgo il mio deferente saluto a tutti gli Accademici. Con la loro presenza qui, testimoniano che, in quanto cristiani, sono chiamati ad essere operatori di giustizia nella carità. Essi sanno che è necessaria la loro voce comune ed il loro impegno “per il rispetto dei diritti e dei bisogni di tutti, specie dei poveri, degli umiliati e degli indifesi”, come sottolineò Giovanni Paolo II nella sua Enciclica *Ut unum sint* (n. 43).

L’unione con Cristo, che si realizza in modo particolare in ogni Celebrazione eucaristica, abilita tutti noi cristiani ad una novità di rapporti sociali. Come ha recentemente ricordato il Santo Padre, la mistica del Sacramento dell’Eucaristia ha un carattere sociale: “Infatti l’unione con Cristo è allo stesso tempo unione con tutti gli altri ai quali Egli si dona. Io non posso avere Cristo solo per me; posso appartenergli soltanto in unione con tutti quelli che sono diventati o diventeranno suoi (...). Il mistero dell’Eucaristia ci abilita e ci spinge ad un impegno coraggioso nelle strutture di questo mondo per portarvi quella novità di rapporti che ha nel dono di Dio la sua fonte inesauribile” (Benedetto XVI, Esort. ap. post-sinodale *Sacramentum caritatis*, nn. 89, 91).

2. Per essere strumenti di unità nella Chiesa e nel mondo, alla scuola dell'Eucaristia

Noi tutti siamo chiamati con sollecitudine a dare ragione della speranza di cui siamo portatori (cfr. *1 Pt* 3, 15). In questi momenti di accresciuta tensione nell'intera comunità mondiale, ognuno di noi deve trovarsi in prima linea nella promozione dell'unità tra gli uomini, dell'unità frutto della pace e del perdono, specialmente in quei Paesi dove si fondono insieme tante e così differenti realtà etniche, culturali e religiose.

In modo particolare non dobbiamo permettere che le guerre o il terrorismo dividano le religioni del mondo. Ricordiamo, al riguardo, uno dei numerosi appelli di Giovanni Paolo II: "Non permettiamo a una tragedia umana di diventare anche una catastrofe religiosa (...). L'autentica religione non sostiene il terrorismo o la violenza, ma cerca di promuovere in ogni modo l'unità e la pace dell'intera famiglia umana" (Giovanni Paolo II, *Udienza ai Vescovi della Conferenza Episcopale dell'Indonesia nella loro Visita ad limina*, n. 5, 29.3.2003).

Sì, Cristo è fonte di questa unità tra fratelli e sorelle che accettano di riconciliarsi in Lui. Cristo, con la sua incarnazione e morte in Croce, ha fatto delle molteplicità delle *genti* un popolo solo, abbattendo il muro di inimicizia che li separava (cfr. *Ef* 2, 14). Lo abbiamo ascoltato poco fa nella prima Lettura tratta dagli Atti degli Apostoli. Pietro descrive ai discepoli che stavano nella Giudea la visione avuta nella città di Giaffa e riferisce loro di come Dio gli annuncia il superamento dell'antica legge rituale che separava i giudei dai pagani e di come questa legge era ora perfezionata e purificata dal dono dello Spirito di Gesù risorto.

Se dunque Dio ha dato a loro lo stesso dono che a noi per aver creduto nel Signore Gesù Cristo, chi ero io per porre impedimento a Dio? (*At* 11, 17). Così si interroga Pietro rivolgendosi ai giudei per significare che il *Kerigma* dev'essere annunziato a tutti gli uomini. L'umanità intera è invitata a convertirsi, a ricevere lo Spirito di Cristo e a diventare un solo popolo di Dio come in una Pentecoste continuata che l'uomo non deve ostacolare o impedire.

Ha precisato il Santo Padre nella sua recente *Esortazione apostolica*: "Non possiamo rimanere inattivi di fronte a certi processi di globalizzazione che non di rado fanno crescere a dismisura lo scarto tra ricchi e poveri a livello mondiale. Dobbiamo denunciare chi dilapida le ricchezze della terra, provocando disuguaglianze che gridano verso il cielo (cfr. *GC* 5,4)" (Benedetto XVI, *Esort. ap. post-sinodale Sacramentum caritatis*, 90).

Tutti noi siamo chiamati ad assumere la nostra responsabilità sociale al riguardo e in modo particolare il cristiano laico formato alla scuola dell'Eucaristia (cfr. *Ibid.* n. 91).

3. *Ed essere, insieme a Cristo, pane spezzato per la vita del mondo*

Il ladro non viene se non per rubare, uccidere e distruggere; io sono venuto perché abbiano la vita e l'abbiano in abbondanza (Gv 10, 10).

Il Vangelo che abbiamo proclamato poc'anzi, ci parla della vita di cui Cristo è portatore. Cristo infatti è Pane di vita eterna e ci sprona e ci rende attenti alle situazioni di indigenza in cui versa ancora gran parte della umanità, privata troppo spesso di una vita degna della persona umana. Egli è il Buon Pastore che guida e precede il suo gregge verso i pascoli erbosi della vita; Egli è la porta stessa dell'ovile, posta a difesa della vita delle pecore e che si apre dischiudendo al gregge gli orizzonti di vita eterna.

Rivestiamoci pertanto dei sentimenti di Cristo, di Colui che si riempiva di compassione al vedere le folle che erano stanche e sfinite e che per questo percorreva tutte le città e i villaggi, insegnando il Vangelo del Regno e curando ogni malattia ed infermità (cfr. *Mt 9, 35-36*). A questo riguardo, il Concilio Vaticano II, nel Decreto *Ad Gentes* ricorda che "la carità cristiana si estende a tutti, senza discriminazioni etniche, sociali o religiose, senza prospettive di guadagno o di gratitudine. Come Dio ci ha amato con amore disinteressato, così anche i fedeli con la loro carità debbono preoccuparsi dell'uomo, amandolo con lo stesso sentimento, con cui Dio ha cercato l'uomo" (n. 12).

In questa prospettiva non è possibile separare la risposta ai bisogni materiali e sociali degli uomini dal soddisfacimento delle profonde necessità del loro cuore che anela essenzialmente di sperimentare l'amore di Dio. Lo sguardo compassionevole di Cristo sulle folle (cfr. *Mt 9, 36*) deve divenire misura dello sguardo del cristiano che è chiamato a vedere il mondo, gli avvenimenti e tutti gli uomini con gli occhi di Cristo.

Alla luce della fede, la solidarietà tende a superare se stessa e a rivestirsi delle dimensioni specificatamente cristiane della gratuità totale, del perdono e della riconciliazione. "Allora il prossimo – scrisse Giovanni Paolo II – non è soltanto un essere umano con i suoi diritti e la sua fondamentale eguaglianza davanti a tutti, ma diviene la viva immagine di Dio Padre, riscattata dal sangue di Gesù Cristo e posta sotto l'azione permanente dello Spirito Santo. Egli pertanto deve essere amato, anche se nemico, con lo stesso amore con cui lo ama il Signore, e per lui bisogna essere disposti al sacrificio, anche supremo" (Lett. enc. *Sollicitudo rei socialis*, n. 40).

4. Applicando la dottrina sociale della Chiesa

La Chiesa, *colonna e sostegno della verità* (1 Tm 3, 15), ha ricevuto da Dio la missione di proclamare e testimoniare, mediante la dottrina sociale fondata sul Vangelo, i principi morali circa l'ordine sociale, economico e politico. La Chiesa, perché depositaria della Rivelazione divina, ha il dovere di pronunciare giudizi morali su qualsiasi realtà umana, "quando ciò sia richiesto dai diritti fondamentali della persona o dalla salvezza delle anime", secondo la nota espressione della Costituzione pastorale *Gaudium et spes* (n. 23; cfr. Codice di Diritto Canonico, n. 747).

La dottrina sociale della Chiesa argomenta a partire dalla ragione e dal diritto naturale, cioè a partire da ciò che è conforme alla natura di ogni essere umano (cfr. Benedetto XVI Lett. Enc. *Deus caritas est*, n. 28). Questa dottrina non vuole conferire alla comunità ecclesiale un potere sullo Stato, né pretende che la Chiesa si sostituisca alla missione propria dello Stato, ma afferma che ogni cristiano è chiamato a contribuire alla purificazione della ragione, recando il proprio aiuto per far sì che ciò che è *giusto* possa essere riconosciuto ed attuato.

Cari Accademici, sono certo che la esigenza di unione tra *fede e vita*, tra *santità e scienza*, richiamata dal Magistero perenne della Chiesa, è presente in tutti voi che vi sentite spinti dalla carità di Cristo a compiere fedelmente i vostri doveri sociali, familiari e professionali, facendovi guidare dallo spirito del Vangelo.

Ripetiamo con la Costituzione pastorale *Gaudium et spes* che: "sbagliano coloro che, sapendo che qui non abbiamo una cittadinanza stabile ma che cerchiamo quella futura, pensano di poter per questo trascurare i propri doveri terreni, e non riflettono che invece proprio la fede li obbliga ancor di più a compierli, secondo la vocazione di ciascuno" (Conc. Ecum. Vat. II, Cost. past. *Gaudium et spes*, n. 43).

No, l'uomo non è una "passione inutile", come sosteneva Jean-Paul Sartre. L'uomo non "è emerso per caso nella immensità indifferente dell'universo" per usare una espressione di Jacques Monod (*Le hasard e la nécessité*, Seuil, 1970, pp 194-195). L'uomo, anche l'*homo faber* e l'*homo oeconomicus* sono innanzitutto persone: la verità sull'uomo, rivelata da Dio, contenuta nella Sacra Scrittura e che la Chiesa proclama, svela il mistero della dimensione trascendente della creatura umana e del valore di ogni sua azione.

Concludiamo rivolgendoci a Maria, modello umano insuperabile di giustizia e di carità. Ella è la *memoria* contemplativa della Chiesa, che vive nel desiderio di unirsi più profondamente al suo Sposo per incidere ancor più

profondamente nelle realtà sociali, familiari e professionali dei nostri popoli. “Di fronte ai grandi problemi, dinanzi al dolore innocente, alle ingiustizie perpetrate con arrogante insolenza, come reagire? Alla docile scuola di Maria, i credenti apprendono a riconoscere nell’apparente *silenzio di Dio* la Parola che risuona nel silenzio per la nostra salvezza” (Giovanni Paolo II, Messaggio per la Giornata Missionaria Mondiale 2003, n. 3). *Madre dei cristiani*, donaci quel discernimento così necessario per la nuova evangelizzazione e per essere lieti e generosi testimoni della giustizia e dell’amore verso Dio e verso il prossimo! Amen.

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MAURIZIO AMBROSINI was born in Vercelli in 1956. PhD in sociology and social research, he is Professor of the Sociology of Migrations, Faculty of Political Science, the University of Milan, and since 2001 he has also taught urban sociology. His main research interests are: migration and the labour market, ethnic entrepreneurship, second generation migrants, migration

*For the biographies of the Academicians of the PASS, Members of the Council, and Members of the PASS Foundation, cf. Pontificia Academia Scientiarvm Socialivm, *Year Book* (Vatican City 2004), p. 12 ff. For the biographies of the Academicians of the PAS, cf. Pontificia Academia Scientiarvm, *Year Book* (Vatican City 2004), p. 15 ff.

politics and illegal migration, transnational migration, female migrants and care, NGOs and migration, and economic sociology. He is also Scientist in Charge of the Centre for Migration Studies in the Mediterranean, Genoa; Director of the Genoa Sociology of Migrations Summer School, sponsored by the Italian Sociological Association; Director of the newly founded journal 'Mondi migranti' (first issue early 2007); Co-organiser of the ESA (European Sociological Association) Migrations Summer School (Milan, July 2006) and of many other congresses, such as 'I Latinos alla scoperta dell'Europa' (Genoa, June 2004). His main recent publications are: *La fatica di integrarsi. Immigrazione e lavoro in Italia* (Bologna, 2001), *Immigrazione e metropoli* (edited with E. Abbatecola; Milan, 2004), *Scelte solidali. L'impegno per gli altri in tempi di soggettivismo* (Bologna, 2005), and *Sociologia delle migrazioni* (Bologna, 2005).

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CARDINAL TARCISIO BERTONE was born on 2 December 1934 in Romano Canavese, the diocese of Ivrea, Piedmont, the fifth of eight children. He entered the Salesian order in 1950 and was ordained priest in 1960. The holder of a doctorate in Canon Law, Bertone has taught extensively on the subject, and was appointed Rector of the Pontifical Salesian University (where he himself had studied) in 1989. In 1991 he was appointed Archbishop of Vercelli by Pope John Paul II and held this post until 1995, when he was named Secretary of the Congregation for the Doctrine of the Faith. He was appointed Archbishop of Genoa in 2002 and elevated to the College of Cardinals in 2003, with the title of Sanctae Mariae Auxiliatricis in Via Tuscolana, a Deaconry elevated *pro hac vice* to a Presbyterian Title. On 22 June Pope Benedict XVI appointed Cardinal Bertone Secretary of State of the Holy See and he took office on 15 September 2006. He is a member of the Congregation for the Doctrine of the Faith, the Congregation for the Oriental Churches, the Congregation for Divine Worship and the Discipline of the Sacraments, the Congregation of Bishops, the Congregation for the Evangelisation of Peoples, and the Congregation for the Clergy. Cardinal

Bertone was appointed Camerlengo of the Holy Roman Church in April 2007. Amongst his many publications, we may remember *Il governo della chiesa nel pensiero di Benedetto XIV (1740-1758)* (Rome, 1977); *Famiglia-educazione per la società di domani* (Rome, 1989); *Vieni e seguimi: la vocazione sacerdotale in un popolo di chiamati: lettera pastorale alla Chiesa eusebiana* (Turin, 1993); and his important contribution to *Solidarietà, nuovo nome della pace: studi sull'enciclica Sollicitudo rei socialis di Giovanni Paolo II* (Turin, 1988). He is also the editor of *Codice di diritto canonico: testo ufficiale e versione italiana* (Rome, 1997).

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ARCHBISHOP PAUL JOSEF CORDES was born in 1934, in the Archdiocese of Paderborn, Germany. He engaged in theological studies in both Germany and France, coming into contact with Karl Rahner, Henri de Lubac, and Yves Congar. After his ordination to the priesthood in 1961 and a number of years engaged in pastoral work, he completed his doctoral work at the University of Mainz. In 1972, he was appointed Secretary of the Pastoral Commission and placed in charge of pastoral questions for the German Episcopal Conference. Three years later, in 1975, Pope Paul VI chose him to be Auxiliary Bishop of Paderborn, and in 1980 Pope John Paul II named him Vice President of the Pontifical Council for the Laity. The Holy Father later assigned him the task of personally accompanying two movements: the International Catholic Charismatic Renewal Services and the Neocatechumenal Way. On 2 December 1995, Pope John Paul II promoted him to the rank of Titular Archbishop of Naisso and appointed him President of the Pontifical Council 'Cor Unum'. The Archbishop is also a member of the Congregation for the Clergy, the Congregation for the Causes of Saints, the Pontifical Council for Justice and Peace, and the Pontifical Commission for Latin America. Archbishop Cordes' many publications include *In the Midst of Our World, Forces of Spiritual Renewal* (San Francisco, 1988); *Born in the Spirit, Renewal Movements in the Life of the Church* (South Bend, 1992); *Call to Holiness, Reflections on the Catholic Charismatic Renewal* (Collegeville, 1997); *Segni di Speranza, Movimenti e Nuove*

Realtà nella Vita della Chiesa alla Vigilia del Giubileo (Milan, 1998); *Chi Ha Amato Per Primo. Le Radici Dimenticate della Carità* (Milan, 1999); and *L'Eclissi del Padre. Un Grido* (Turin, 2002).

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LUIS ERNESTO DERBEZ BAUTISTA was born in 1947 in Mexico City. He graduated from San Luis Potosí Autonomous University and obtained his PhD from the University of Oregon and Iowa State University, USA. He began his career as an economist at IBRD (World Bank), where he was responsible for regional areas including Chile 1983-86, Central America 1986-89, Africa 1989-92, Western and Central Africa 1992-94, India, Nepal and Bhutan 1994-97 (also dir. multilateral econ. assistance and structural adjustment programmes in Chile, Costa Rica, Honduras and Guatemala). From 1997 to 2000 he was an independent consultant for the World Bank, Mexico City Office and for the Inter-American Devt. Bank, Washington DC. In the year 2000 he was appointed Economics Adviser and Coordinator of Economic Affairs to the President-Elect of Mexico. A former Secretary for the Economy, he was elected Secretary of State for Foreign Affairs in 2003, a post he still holds. Dr Derbez was also Professor, Grad. School of Business Man., Instituto Tecnológico y de Estudios Superiores de Monterrey (also Dir. Econometric Studies Unit and Econs Dept.), Vice-Rector Univ. of the Americas, Cholula, Mexico and Visiting Prof., Johns Hopkins Univ. School of Int. Studies, USA.

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MSGR. J. AUGUSTINE DI NOIA OP was appointed by Pope John Paul II in April 2002 to work at the Vatican as Undersecretary of the Congregation for the Doctrine of the Faith. In this appointment Father Di Noia served under Prefect Cardinal Joseph Ratzinger. Prior to his Vatican appointment, Father Di Noia served as the director of the Intercultural Forum for Studies in Faith and Culture at the Pope John Paul II Cultural Center in Washington, D.C. He received an honorary degree *in absentia* from Providence College in May 2002. A member of the Dominican Eastern Province of St. Joseph, Father Di Noia attended Providence College from 1961-63. He was ordained in 1970 and taught theology at Providence College from 1971 to 1974. He earned a doctorate from Yale University in 1980 and holds four theology degrees or certificates, including three from St. Stephen's College in Dover, Mass. The master of sacred theology (S.T.M.) was conferred upon him by the Dominican Order in 1998. He is the author of *The Diversity of Religions: A Christian Perspective* (Catholic University of America Press, 1992) and the co-author of *The Love That Never Ends: A Key to the Catechism of the Catholic Church* (Our Sunday Visitor Press, 1996). Father Di Noia has taught systematic theology at the Dominican House of Studies and was an adjunct professor at the John Paul II Institute for Marriage and Family Studies, both in Washington. He served as executive director of the Secretariat for Doctrine and Pastoral Practices for the National Conference of Catholic Bishops (NCCB) from 1993 to 2001 and as auditor (expert) to the secretary general of the 10th General Assembly of the Synod of Bishops in 2001. He has served as editor-in-chief of *The Thomist* and has been a frequent presenter at national conferences, workshops, symposia, and other educational meetings.

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JACQUES DIOUF was born on 1 August 1938 in Saint-Louis, Senegal. He holds a Doctor of Philosophy in Social Sciences of the Rural Sector (Agricultural Economics) from the Sorbonne University, Paris, and a Master of Science in Agriculture and Tropical Agronomy from the Ecole Nationale d'Application d'Agronomie Tropicale in Nogent and from the Ecole Nationale d'Agri-

culture-Grignon, Paris, France. Diouf is FAO's seventh Director-General since its foundation in Quebec City, Canada, on 16 October, 1945. He was elected to a second six-year term as Director-General of the United Nations Food and Agriculture Organisation (FAO). Before being elected as FAO Director-General in November 1993, Diouf was Senegal's Ambassador to the United Nations in New York. He has also served as Secretary-General of the Central Bank for West African States in Dakar, Senegal, and as a Member of Parliament and Secretary of State for Science and Technology. Earlier he was Executive Secretary for the African Groundnut Council and the West Africa Rice Development Association.

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JOSÉ MIGUEL INSULZA was elected OAS Secretary General on 2 May 2005, and took office on 26 May of that year. At the beginning of his five-year term as Secretary General, he pledged to strengthen the Organisation's 'political relevance and its capacity for action'. A lawyer by profession – he has a law degree from the University of Chile, did postgraduate studies at the Latin American Social Sciences Faculty (FLACSO) and has a master's in political science from the University of Michigan – Insulza began his career in academia. Until 1973 he was Professor of Political Theory at the University of Chile and of Political Science at Chile's Catholic University. He also served, until that year, as Political Adviser to the Chilean Ministry of Foreign Affairs and Director of the Diplomatic Academy of Chile. Ministry of Foreign Affairs and Director of the Diplomatic Academy of Chile. Following the coup that brought General Augusto Pinochet into power, Insulza went into exile for 15 years, first in Rome (1974-1980) and after that in Mexico (1981-1988). In Mexico City, he was a researcher and then Director of the United States Studies Institute in the Center for Economic Research and Teaching. He also taught at Mexico's National Autonomous University, the Ibero-American University and the Diplomatic Studies Institute, and is the author of numerous publica-

tions. In 1988 Insulza returned to his home country and helped to lead a political movement toward democratic elections in 1990. A member of Chile's Socialist Party – part of a moderate coalition of democratic parties – Insulza has held a number of high-level government posts. Under the presidency of Patricio Aylwin, Insulza served as Chilean Ambassador for International Cooperation, Director of Multilateral Economic Affairs at the Ministry of Foreign Affairs, and Vice President of the International Cooperation Agency. In March 1994, under the administration of President Eduardo Frei, Insulza became Under-Secretary of Foreign Affairs and in September of that year was appointed Minister of Foreign Affairs. In 1999 he became Minister Secretary General of the Presidency, and the following year he became President Ricardo Lagos's Minister of the Interior and Vice President of the Republic. When he left that post in May 2005, he had served as a government minister for more than a decade, the longest continuous tenure for a minister in Chilean history.

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CARDINAL WALTER JOSEF KASPER was born in Heidenheim/Brenz, Germany in 1933. He graduated from the Universities of Tübingen and Munich and was ordained priest in 1957. From 1964 to 1970 he was Professor of Dogmatic Theology at the University of Münster and from 1970 to 1989 at the University of Tübingen. He was Bishop of Rottenburg-Stuttgart from 1989 to 1999, chaired the Commission for World Church Affairs from 1991 to 1999 and the Commission for the Doctrine of the Faith, German Bishops' Conference from 1996 to 1999. In 1998 he became a member of the Congregation for the Doctrine of the Faith and the Pontifical Council for Culture. In 1999 he was appointed Secretary of the Pontifical Council for Promoting Christian Unity, of which he became President in 2001, a post he still holds. He was ordained Cardinal in 2001. Cardinal Kasper is a member of the following academies: Heidelberger Akad. der Wissenschaften, Academia Scientiarum et Artium Europaea, and has received the following honours and awards: Hon. Prof. (Eberhard-Karls Univ., Tübingen) 2001; Bundesverdienstkreuz; Dr hc (Catholic Univ. of America, Washington, DC) 1990, (St Mary's Semi-

nary and Univ., Baltimore) 1991, (Marc Bloch Univ., Strasbourg 2000) Landesverdienstmedaille. Among his publications we remember: *Die Tradition in der Römischen Schule* (1962), *Das Absolute in der Geschichte* (1965), *Glaube und Geschichte* (1970), *Einführung in den Glauben* (1972) (*An Introduction to Christian Faith*, 1980), *Jesus der Christus* (1974), *Der Gott Jesu Christi* (1982), *Theologie und Kirche* (1987) (*Theology and Church*, 1989), *The Christian Understanding of Freedom and the History of Freedom in the Modern Era* (1988), *Wahrheit und Freiheit in der Erklärung über die Religionsfreiheit des II. Vatikanischen Konzils* (1988), *Lexikon für Theologie und Kirche* (1993-2001), *Theologie und Kirche II* (1999).

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HENRY ALFRED KISSINGER was born in Fuerth, Germany in 1923, came to the United States in 1938, and was naturalised a United States citizen on June 19, 1943. He received the BA Degree Summa Cum Laude at Harvard College in 1950 and the MA and PhD Degrees at Harvard University in 1952 and 1954 respectively. From 1954 until 1971 he was a member of the Faculty of Harvard University, both in the Department of Government and at the Center for International Affairs. He was Associate Director of the Center from 1957 to 1960. He served as Study Director, Nuclear Weapons and Foreign Policy, for the Council of Foreign Relations from 1955 to 1956; Director of the Special Studies Project for the Rockefeller Brothers Fund from 1956 to 1958; Director of the Harvard International Seminar from 1951 to 1971, and Director of the Harvard Defense Studies Program from 1958 to 1971. Secretary Kissinger has written many books and articles on United States foreign policy, international affairs, and diplomatic history. Among the awards he has received are the Guggenheim Fellowship (1965-66), the Woodrow Wilson Prize for the best book in the fields of government, politics and international affairs (1958), the Nobel Peace Prize (1973), the American Institute for Public Service Award (1973), the International Platform Association Theodore Roosevelt Award (1973), the

Veterans of Foreign Wars Dwight D. Eisenhower Distinguished Service Medal (1973), the Hope Award for International Understanding (1973), the Presidential Medal of Freedom (1977) and the Medal of Liberty (1986). He has served as a consultant to the Department of State (1965-68), United States Arms Control and Disarmament Agency (1961-68), Rand Corporation (1961-68), National Security Council (1961-62), Weapons Systems Evaluation Group of the joint Chiefs of Staff (1959-60), Operations Coordinating Board (1955), Director of the Psychological Strategy Board (1952), Operations Research Office (1951), and Chairman of the National Bipartisan Commission on Central America (1983-84). From 1943 to 1946 Dr Kissinger served in the U.S. Army Counter Intelligence Corps and from 1946 to 1949 was a captain in the Military Intelligence Reserve. Selected bibliography: *Diplomacy*. New York: Simon & Schuster, 1994; *Nuclear Weapons and Foreign Policy*. New York: Harper, 1957; *The White House Years*. Boston: Little Brown, 1979; *A World Restored: Metternich, Castlereagh and the Problems of Peace 1812-22*. Boston: Houghton Mifflin, 1957; *Years of Upheaval*. Boston: Little Brown, 1982.

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JEAN-PIERRE LANDAU was born in Paris in 1946. He is a graduate of the École des Hautes Études Commerciales (HEC), the Institut d'Études Politiques de Paris and the École Nationale d'Administration. Mr Landau joined the General Inspectorate of Finance in 1974. He then successively held the posts of technical advisor to the Ministers of Health and Family Affairs (1978-1979), of Foreign Trade (1979-1980) and of Administrative Reform (1980-1981). Landau was appointed to the External economic relations directorate (DREE) of the Ministry of the Economy and Finance in 1981, where he was first chef de bureau from 1983 to 1986, then Deputy Director from 1986 to 1989. In 1989 he was appointed Executive Director for France at the International Monetary Fund and the World Bank, a post which he held up to 1993 when he was made Director of the DREE. Landau returned to the General Inspectorate of Finance from

1996 to 1998 and was appointed Director General of the French Banking Association in 1999. From 2001 to 2006, he was Executive Director for France at the European Bank for Reconstruction and Development (EBRD) and Minister Councillor in charge of financial affairs at the French Embassy in London. He is Professor of International Economics at the Institut d'Études Politiques de Paris and was Associate Professor at Johns Hopkins University's School of Advanced International Studies in Washington (European economy and European integration) from 1990 to 1993. Jean-Pierre Landau was appointed Second Deputy Governor of the Banque de France in January 2006 and is a member of the institution's Monetary Policy Council.

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CARDINAL RENATO RAFFAELE MARTINO was born in Salerno, Italy, on 23 November 1932, and was ordained priest in 1957. He holds a doctorate in Canon law. After finishing his studies, he entered the Vatican's diplomatic service in 1962, serving in Nicaragua, the Philippines, Lebanon, Canada, and Brazil. In 1980, he was given a pro-nuncio diplomatic appointment to Thailand and he was named Archbishop of the titular see of Segerme in the same year. On 1 October 2002 he was appointed President of the Pontifical Council for Justice and Peace by John Paul II after being Permanent Observer of the Holy See to the United Nations in New York City since 1987. Martino was elevated to the College of Cardinals at the consistory of 21 October 2003, becoming Cardinal-Deacon of S. Francesco di Paola ai Monti. He was appointed President of the Pontifical Council for Pastoral Care of Migrants and Itinerant People by Benedict XVI in March 2006. In addition to being President of the Pontifical Council for Justice and Peace and Pastoral Care of Migrants and Itinerant People, he is a member APSA, the Pontifical Commission for the State of the Vatican City, the Pontifical Council 'Cor Unum', and the Congregation for the Evangelisation of Peoples. Amongst his many publications, we may remember *Le sante paciére* (Spoleto, 2004) *Pace e guerrra* (Sienna, 2005), and his important contribution to *Serving the Human Family: The Holy see at the Major United Nations Conferences* (New York, 1997)

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ARCHBISHOP CELESTINO MIGLIORE A native of Cuneo, in the Piedmont region of Italy, Celestino Migliore was born on 1 July 1952. He was ordained priest on 25 June 1977. He obtained a master's degree in theology at the Centre of Theological Studies in Fossano. He then pursued his studies at the Pontifical Lateran University, where he was awarded a Doctorate in Canon Law. In 1980, after graduating from the Pontifical Academy for Ecclesiastical Diplomacy, he joined the Holy See's diplomatic service. Between 1980 and 1992 he served in the Apostolic Nunciatures in Angloa, the United States of America, Egypt and Poland. On 14 April 1992 he was appointed Special Envoy with the role of Permanent Observer of the Holy See to the Council of Europe in Strasbourg, France. From December 1995 to October 2002 he served as Under-Secretary of the Section for Relations with States of the Secretariat of State and during his term he represented the Holy See at numerous international conferences. He was appointed titular Archbishop of Canosa in October 2002. On 30 October 2002, Pope John Paul II nominated Archbishop Celestino Migliore Apostolic Nuncio and Permanent Observer of the Holy See to the United Nations, in New York.

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PIERRE MOREL was born on 27 June 1944 in Romans, Drôme, France. He began his diplomatic career at the Quai d'Orsay in 1971. He has a degree from the Institute for Political Studies in Paris (1965), a law degree from Paris University (1966), and studied at the French National School of Public Administration (Ecole Nationale d'Administration) from 1969 to 1971.

In 1991 Morel worked in Paris as diplomatic adviser to the President of the French Republic. He participated in the negotiation of the Maastricht Treaty. In 2002 Morel was appointed French ambassador to the Holy See. He has also served as ambassador to the People's Republic of China (1996-2002), to the Russian Federation and at the same time to Turkmenistan, Mongolia, Tadjikistan and Moldova (1992-1996), to Georgia (1992-1993) and to Kirghizstan (1993-1996). From December 2005 to September 2006 he worked in Paris as adviser to the Policy Planning Centre in the French foreign ministry and on specific assignments: special mission at deputy ministers level to Baku and Yerevan of the OSCE Minsk Group on Karabakh; head of the French delegation to Tbilisi on Eurasian energy security; and head of the French delegation to the ASEM Interfaith Dialogue in Larnaca. Since 2006 he has been the special representative of the European Union for Central Asia, in Brussels. Morel is an officer of the Legion of Honour and of the National Order for Merit. He is a member of the International Institute of Strategic Studies (London) and he has published a number of articles on diplomatic affairs.

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Patriarch Antonios Naguib was born in Egypt on 7 March 1935 and entered the seminary of Maahdi in Cairo. He then studied theology at the Urbanian College in Rome from 1953 to 1958. Ordained a Catholic Coptic priest in 1960, after a year as parish priest in Minya he returned to Rome to obtain a licentiate in theology (1962) and another in scripture from the Pontifical Biblical Institute (1964). He taught this subject at the Patriarchal Seminary of Maadi until his election as Bishop of Minya in July 1977. He submitted his resignation as Bishop of Minya in September 2002 but remained Bishop Emeritus of Minya until his election as Patriarch of Alexandria of the Catholic Copts in March 2003. He is head of the Synod of the Catholic Coptic Church and President of the Assembly of the Catholic Hierarchy of Egypt, and a member of the Congregation for the Oriental Churches.

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FRANÇOIS PERIGOT was born in Paris in 1926. He is a graduate of the Ecole des Sciences Politiques (S. Po) and the Faculté de Droit de Paris. He worked for Unilever Corporation from 1955 until 1986, when he was elected Chairman of the French Business Confederation (CNPF). In 1994 he was designated by the European Business Community President of UNICE (Confederation of European Employers) and kept that position until his election in 2001 as President of the International Organisation of Employers (OIE) in Geneva, where he remained until 2006. As member of the International Chamber of Commerce management board (1987-89) he took part in many international conferences on trade and development. He sat on the Economic and Social Council as the representative of French employers and was a member of the board of the French Council of International Trade. Since his appointment as President of the Institut de l'Entreprise (1982), where he was involved in defining and defending business rights and obligations, he has helped to define a notion of business social responsibilities with especial reference to human rights and investment in developing countries. His present aim is to arrive at a position on the social responsibility of companies based on spiritual values to meet the expectations of civil society: hence his major interest is the work of the Pontifical Academy of Social Sciences. François Perigot has been and still is a member of the boards of many international companies and has retained active responsibilities as Honorary Chairman of MEDEF International, an organisation created in 1990 to promote French investment abroad.

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CHIEF RABBI DAVID ROSEN is the President of IJCIC, the International Jewish Committee that represents World Jewry in its relations with other world religions. He is Director of the Department for Interreligious Affairs and Director of the Heilbrunn Institute for International Interreligious Understanding of the American Jewish Committee. From 1975 to 1979, he was the Senior Rabbi of the largest Jewish congregation in South Africa and rabbinic judge on the Ecclesiastical Court (Beth Din). He was also founder/chairman of the Inter-Faith Forum. From 1979 to 1985, Rabbi Rosen was Chief Rabbi of Ire-

land. He was a member of the Academic Council as well as lecturer at the Irish School of Ecumenics. He returned to Israel in 1985 to take up the appointment of Dean at the Sapir Center for Jewish Education and Culture and subsequently became Professor of Jewish Studies at the Jerusalem Center for Near Eastern Studies. In 1997 he was appointed to the position of Director of the ADL Israel office. Rabbi Rosen is a member of the Israeli Chief Rabbinate's delegation for interreligious dialogue with the Holy See and is a founder of the Interreligious Coordinating Council of Israel. He is an International President of the World Conference of Religion for Peace (WCRP); Honorary President of the International Council of Christians and Jews (ICCJ); and serves as a member of the Executive Committee of the World Congress of Imams and Rabbis. Rabbi Rosen is a charter member of the International Advisory Committee of the Council for a Parliament of the World's Religions (CPWR); and a member of the World Economic Forum's C-100. He was one of the initiators and participants of the Alexandria Summit and is a member of its Permanent Committee for the Implementation of the Alexandria Declaration (PCIAD). He was also a member of the Permanent Bilateral Commission of the State of Israel and the Holy See that negotiated the normalisation of relations between these two states. In November 2005 Rabbi Rosen was named a papal Knight Commander of the Order of St Gregory the Great for his outstanding contributions to promoting Catholic-Jewish reconciliation.

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CARDINAL PIERRE SFEIR NASRALLAH was born in Rayfoun, Kesrouan, on 15 May 1920. He is the third Maronite Cardinal and the seventy-sixth Patriarch of the Maronite Church. Primary and Complementary studies at Mar Abda School – Harharaya. Secondary studies at St. Maron Seminary – Ghazir. Philosophical and theological studies at St. Joseph University of Beirut (licensed in philosophy and theology). 7 May 1950, ordained priest; 1951-

1955, priest of Rayfoun parish. In charge of the secretariat of the Maronite Bishopric of Damascus. 1956, Secretary of the Maronite Patriarchate – Bkerké. Professor of translation in literature and philosophy at the Freres Maronite School – Jounieh. 19 June 1961, Titular Bishop of Tarse and Patriarchal Vicar. 3 July 1961, Confirmation of his election by His Holiness Pope John XXIII. 16 July 1961, Ordained Bishop. 1961-1986, Patriarchal Vicar and Secretary of the Maronite Patriarchate. 19 April 1986, Elected Maronite Patriarch for Antioch and all the East. 7 May 1986, His Holiness Pope John Paul II entrusted him with the ‘ecclesiastic communio’. 26 November 1994, created Cardinal by His Holiness Pope John Paul II. 1995, Delegate President of the Special Assembly of the Synod of Bishops for Lebanon.

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MARCELO SUÁREZ-OROZCO'S work is interdisciplinary, comparative, and longitudinal. His basic research is on conceptual and empirical problems in the areas of cultural psychology and psychological anthropology with a focus on the study of immigration and globalisation. He is the author of numerous scholarly essays, books, and edited volumes. Professor Suárez-Orozco became a tenured professor of human development and psychology at Harvard (in 1995) where he was appointed the Victor S. Thomas Professor of Education (in 2001). In 1997 along with Carola Suárez-Orozco he co-founded the Harvard Immigration Projects and began to co-direct the largest study ever funded in the history of the National Science Foundation's Cultural Anthropology division – a study of Asian, Afro-Caribbean, and Latino immigrant youth in American society. Professor Suárez-Orozco lectures widely throughout the world. In the summer of 2004 he was invited by the Mexican Secretary of State and the Vatican's Pontifical Academy of Social Sciences to deliver a keynote address on 'Globalization and Education'. In 1995 and again in 1997 he was elected Directeur d'Etudes Associé at the Ecole des Hautes Etudes en Sciences Sociales, Paris. He has been Visiting Professor of Psychology at the University of Barcelona (Spain), Visiting Professor of Anthropology at the Catholic University of Leuven (Belgium), and Fellow at the Center for Advanced Study in the Behavioral Sciences, Stanford. Professor Suárez-Orozco was educated in state schools in Latin America and at the

University of California, Berkeley where he received his A.B. (Psychology, 1980), M.A. (Anthropology, 1981) and PhD (Anthropology, 1986). Winner of multiple honors and awards, he was elected to the National Academy of Education in 2004. In September 2004 he was appointed first Courtney Sale Ross University Professor of Globalization and Education at the Steinhardt School of Education, New York University where he also holds the title of University Professor. Professor Suárez-Orozco and his wife are Co-Directors of Immigration Studies at NYU.

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GIORGIO VITTADINI is the Founder and President of the Fondazione per la Sussidiarietà (Foundation for Subsidiarity) which promotes cultural initiatives with social, economic, political and scientific themes, providing educational and training programmes, research projects, editorial and publishing activities. He is a Professor of Methodological Statistics at the School of Statistical Sciences at the University of Milan Bicocca. He founded and was the President until 2003 of Compagnia delle Opere, an international association of 30,000 businesses inspired by the social doctrine of the Catholic Church. Since 1981 he has been a member of the Fraternity of Comunione e Liberazione (Communion and Liberation). He is a member of the board of the Meeting per l'Amicizia fra i Popoli (Meeting for friendship between peoples) which, with an average attendance of over 700,000, is among the most significant cultural events in Europe. Since 2003 he has been a member of the Steering Committee of the Giorgio Cini Foundation in Venice. He has been part of the advisory board of the Crossroads Cultural Center in New York and Washington, DC. Giorgio Vittadini is the editor of the cultural quarterly *Atlantide* and of the journal *Rivista Non Profit*. He is the author of numerous publications on social and economic subjects, particularly regarding subsidiarity, human capital, welfare, and non-profit associations. The principal fields of his statistical work are: multivariate analysis, structural and latent variables models, evaluation problems in the field of public utility services (with particular reference to education and health) and human capital estima-

tion. He is the Scientific Director of the University Consortium Nova Universitas, School for Graduate and Post-Graduate Training and Education. In 2005 Giorgio Vittadini was awarded the Gold Medal of the National Commission for the Promotion of Italian Culture Abroad, the Italian Ministry of Foreign Affairs. Giorgio Vittadini was born in Milan, Italy on 20 February 1956. In 1979 he graduated with honours in economics at the Catholic University of the Sacred Heart in Milan.

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TABLES

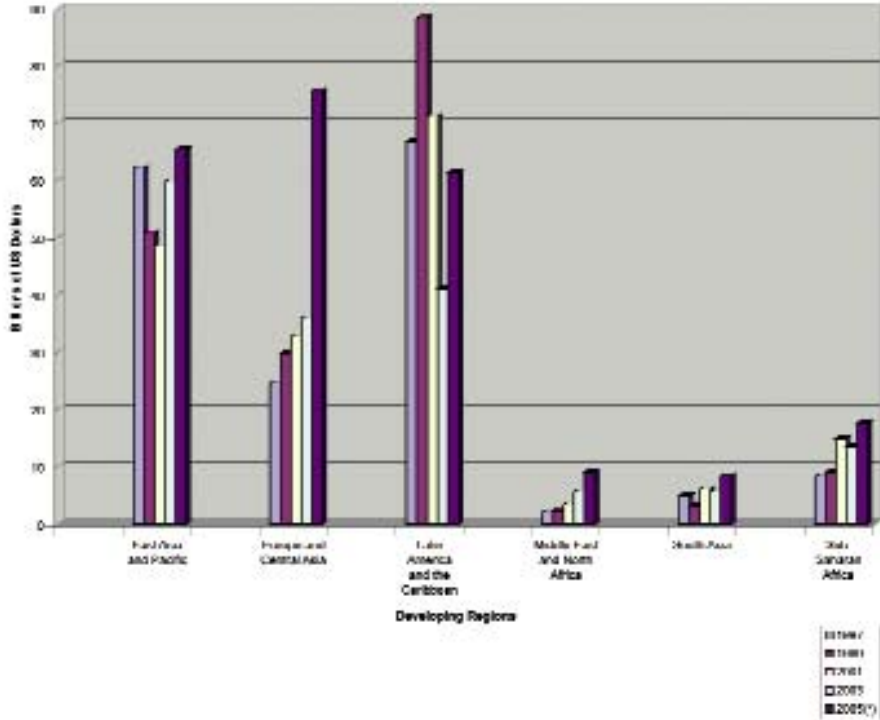


Figure 1. Net inward foreign direct investment (Billions of US Dollars).

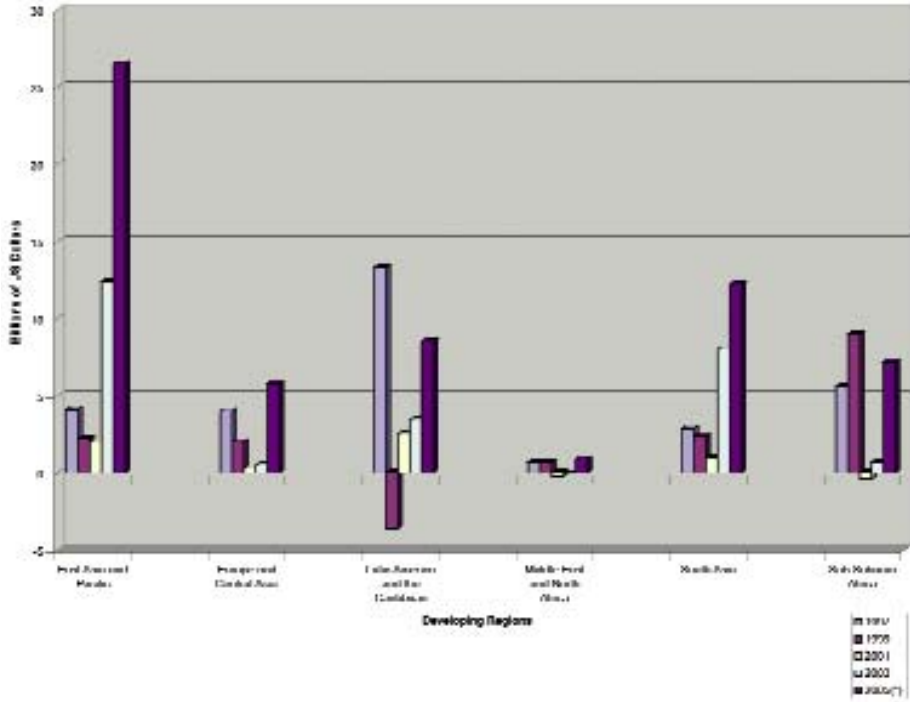


Figure 2. Net inward portfolio equity flows (Billions of US Dollars).

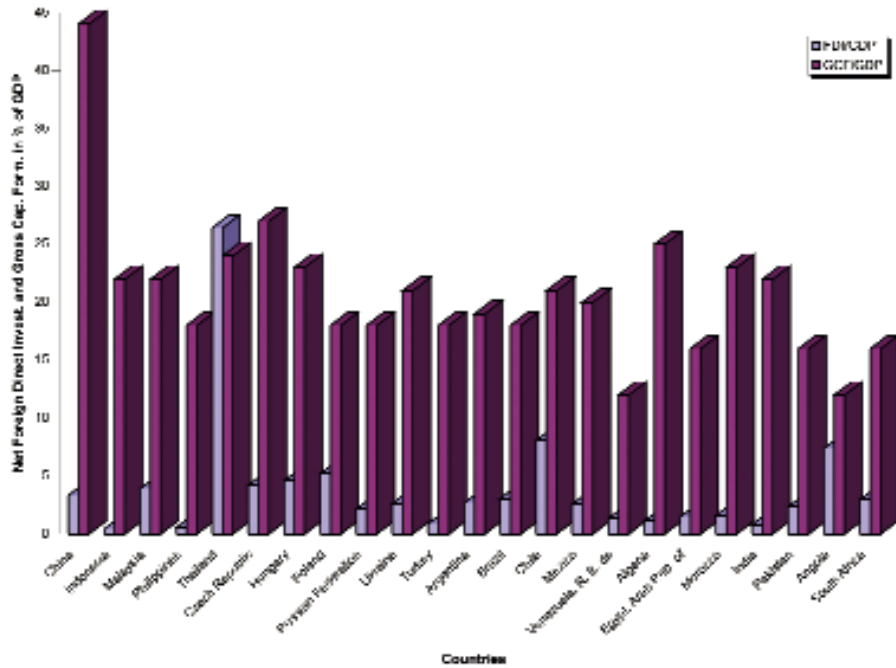


Figure 3. Net foreign direct investment and gross capital formation (in % of GDP for year 2004).

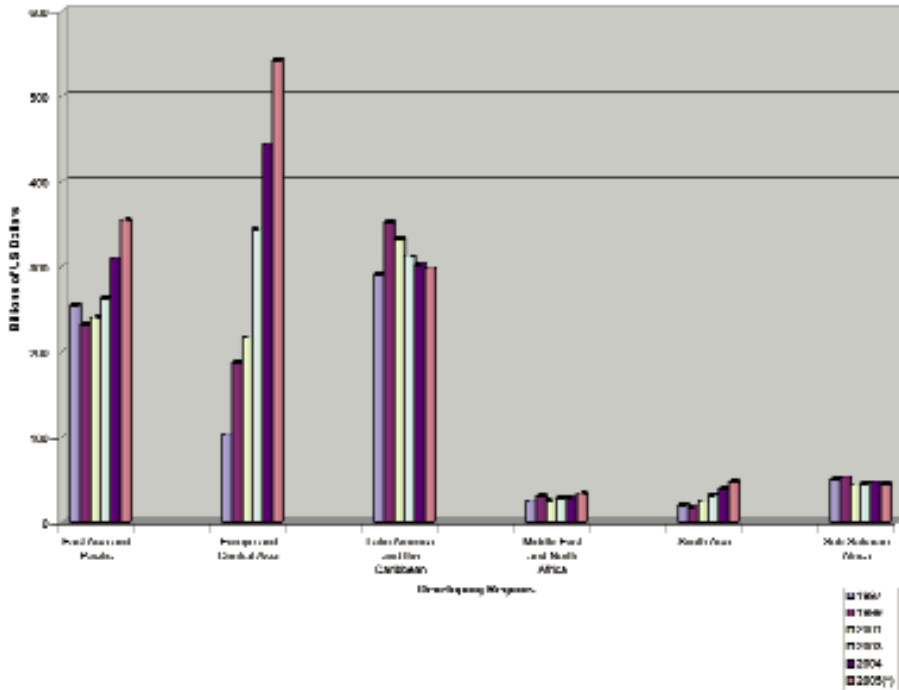


Figure 4. Total external debt of developing countries, owed by private sector (by Regions and in Billions of US Dollars).

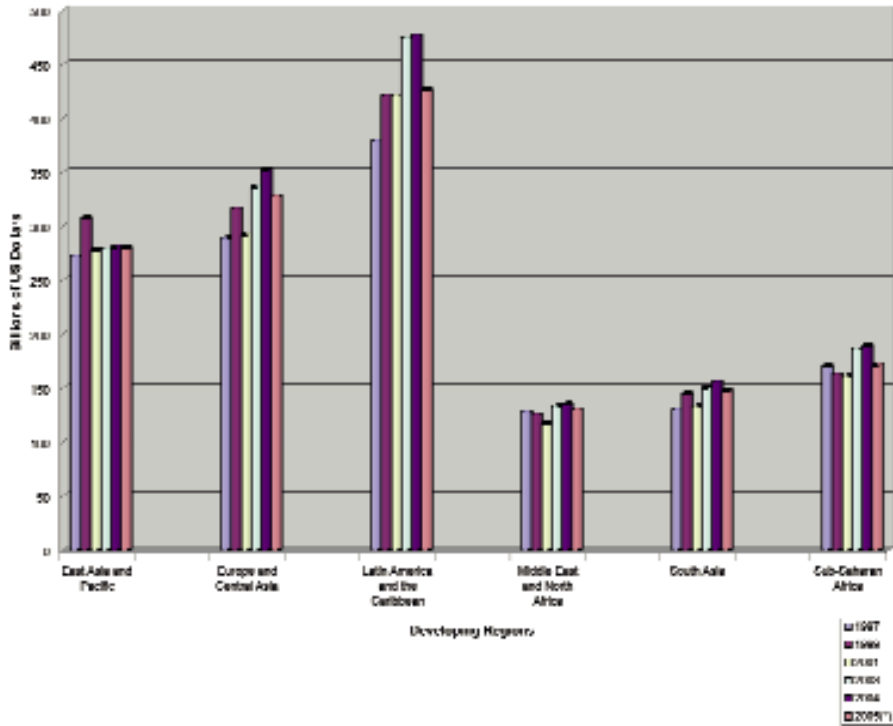


Figure 5. Total external debt of developing countries, Owed or Guaranteed by public sector (by Regions and in Billions of Dollars).

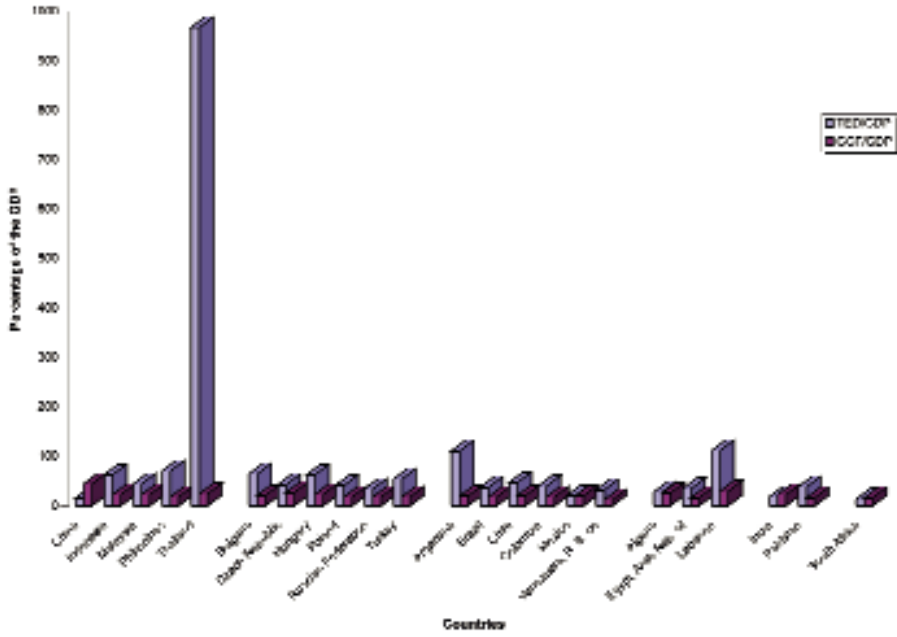


Figure 6. Developing countries: total external debt and gross capital formation vs. GDP (year 2004, in percentage of GDP).

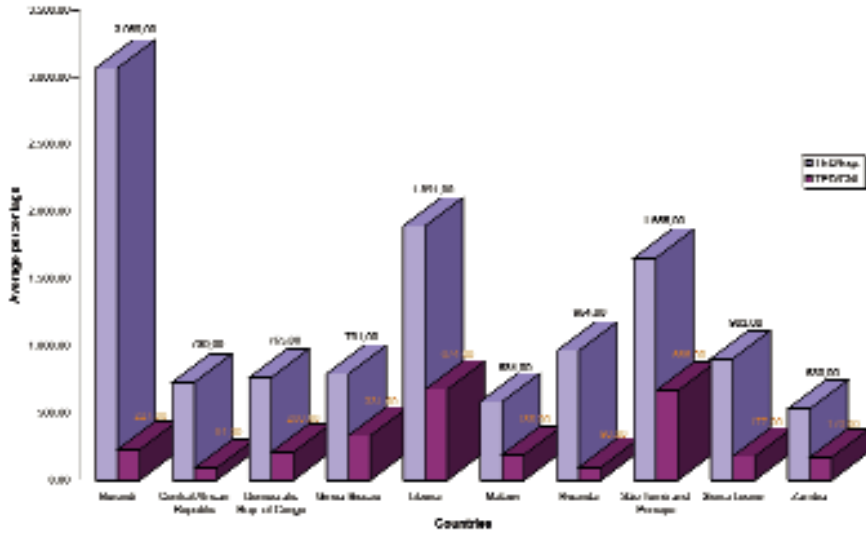


Figure 7. Total external debt in most indebted countries vs. Exports and gross national income (in average percentage for the period 2002-2004).

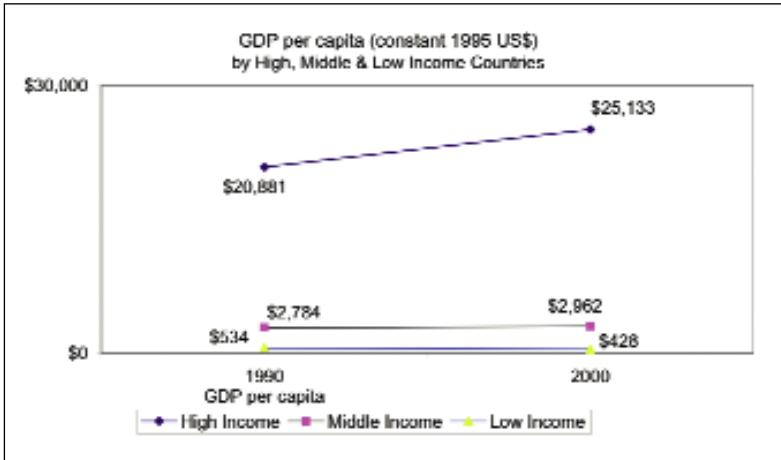


Figure 5.

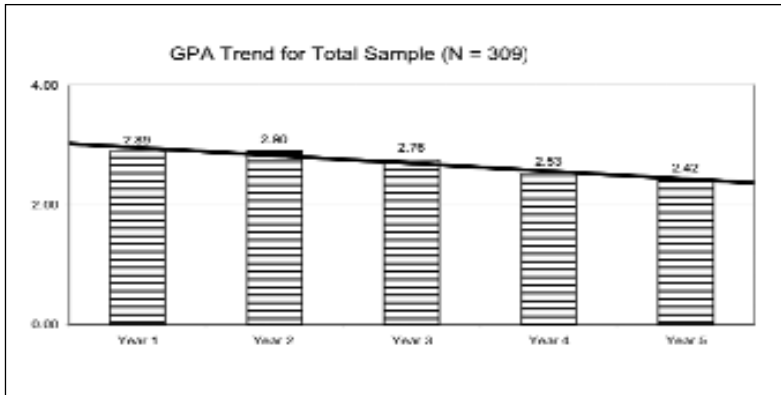


Figure 6.

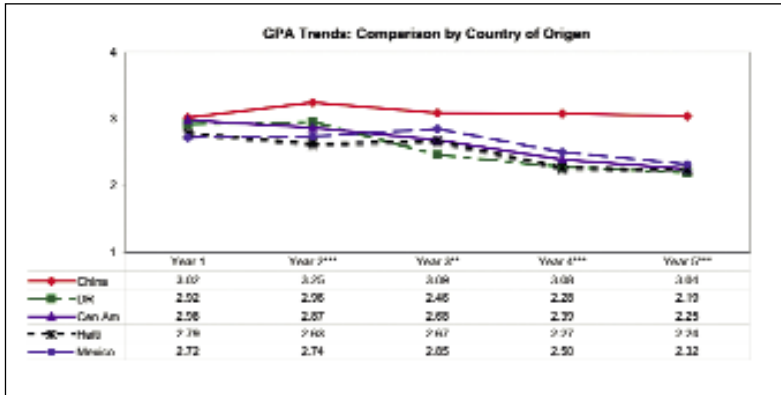


Figure 7.

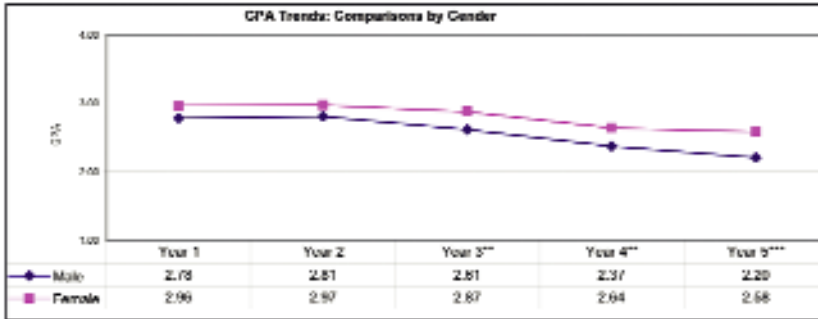


Figure 8.

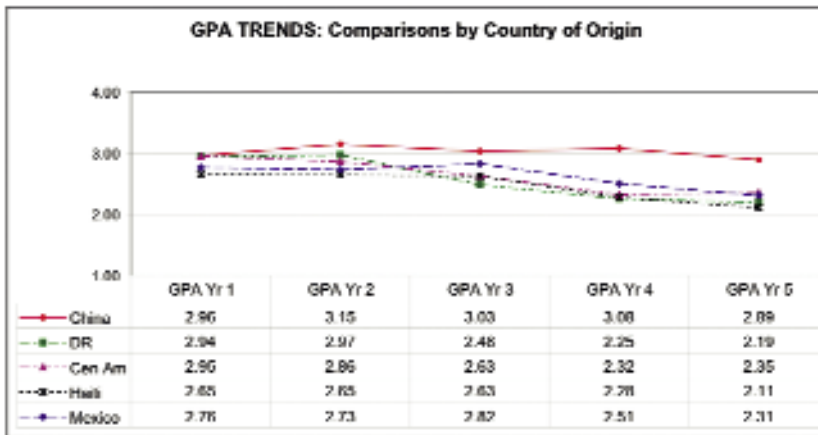


Figure 9.

