

# Challenges in Human Rights

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A Social Work Perspective

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## Global Distributive Justice as a Human Right *Implications for the Creation of a Human Rights Culture*

JOSEPH WRONKA

It does the cause of human rights no good to inveigh against civil and political rights deviations while helping to perpetuate illiteracy, malnutrition, disease, infant mortality, and a low life expectancy among millions of human beings. All the dictators and all the aggressors throughout history, however ruthless, have not succeeded in creating as much misery and suffering as the disparities between the world's rich and poor sustain today.

—Shridath Ramphal, formerly  
Commonwealth Secretary of the United Nations

The purposes of this chapter are to convey with select data the increasing seriousness of the crisis of global distributive justice; examine global distributive justice, as a solidarity right within the context of the human rights triptych; and suggest social action strategies that would have implications for the creation of a human rights culture. In brief, global distributive justice, a solidarity right, asserts ultimately that the poor countries of the world have a right to the overall prosperity of the richer countries. It calls for brotherhood, that is, fraternity,<sup>1</sup> among all peoples of the world, as asserted, in part, in Article 1 of the Universal Declaration of Human Rights (UDHR). It is largely a claim for a global redistribution of power, wealth, and other important values reflecting the growth of Third World nationalism and the emergence and decline of the nation-state from the latter part

1. Obviously sisterhood and sorority are equally important. Eleanor Roosevelt, the chairperson of the drafting committee of the Universal Declaration, wanted nonsexist language in that document, but in the end the nomenclature of the time prevailed.



of the twentieth century to the present (Human Rights, 2006). Former president Jimmy Carter, in his speech accepting the Nobel Peace Prize in Oslo (2002), poignantly expressed the urgency and increasing gravity of the violation of this important human right:

The most serious and universal problem [today] is the growing chasm between the richest and poorest people on earth. Citizens of ten wealthiest countries are now seventy-five times richer than those who live in the ten poorest ones, and the separation is increasing every year, not only between nations but also within them. The results of this disparity are root causes of most of the world's unresolved problems, including starvation, illiteracy, environmental degradation, violent conflict, and unnecessary illnesses that range from Guinea worm to HIV/AIDS. (Carter, 2002, pp. 18-19)

Roughly 2.5 billion people in the world, constituting 40 percent of the world population, live on less than \$2 per day, often making each day a struggle merely to survive. Indeed, in the mid-twentieth century the ratio of the gross domestic product of the twenty richest countries was roughly eighteen times that of the poorer countries. But at the turn of the new millennium this ratio has more than doubled to thirty-seven times. The image of a champagne glass with a large concentration of income at the top and a thin stem at the bottom roughly depicts the present situation. The ratio of income, in fact, for the world as a whole from the poorest to the richest is 1 to 103. Further reflecting the words of former president Carter, within most countries inequality has increased. The most dramatic changes occurred in formerly Communist countries transitioning to market-based economies. Russia, for example, is struggling with rising poverty, unemployment, and its corollary, violence. Yet, in the United States, increases in income inequality have risen, according to the U.S. Census Bureau, between 1968 and 2001, resulting today in the most unequal distribution of income in high income-countries (United Nations Development Program, 2005).

Obviously such disparities in income between and within nations will also result in imbalances of power, the wealthier having more access to the media to influence voters, which will eventually result in laws and policies that might not be sensitive to the voices of the disenfranchised (Worldwatch Institute, 2003). Similarly, when speaking of power, which is closely related to income, the United States, with the highest per capita



income in the world (Kivel, 2004), dominates the world film industry (UN Development Program, 2004). This can easily influence both young and old to adopt the consumer lifestyles of the "rich and famous" and especially those of the United States, which has become a primary model for global policy making (Steiner & Alston, 2000). Even in international arenas like the United Nations, the five permanent members of the Security Council—China, Russia, France, Great Britain, and the United States—are generally economically richer countries, and each has a powerful privilege of veto. In fact, African countries recently demanded two permanent seats with veto power on that council, only to be rebuffed by the five current permanent members ("4 Countries Delay," 2005). Surely this global imbalance of power needs to be addressed before Erich Fromm's pithy statement, "the more the drive toward life is thwarted, the stronger is the drive toward destruction. . . . [which] is the outcome of un-lived life" (cited in Gil, 1996, p. 1) results in further acts that "outrage the conscience of humanity," a fear stated in the Preamble to the Universal Declaration. Furthermore, the roughly \$1.5 trillion spent on defense to keep the borders of nation-states intact, should lead, perhaps, to the conclusion that the nation-state is a questionable enterprise. Davis (1992) has even referred to the nation-state as a myth, and Nobel Prize winner Joseph Rotblatt (1997) has asserted that instead our allegiance ought to be to humanity. It appeared more sensible, therefore, to use the term "*global* distributive justice" in the title of this essay instead of "*international* distributive justice" which is the more common practice, the nation-state having been born out of the Conference of Westphalia (1648), an enterprise of dubious utility.

But it is a mistake to view economic disparity and power as the only failures of the world community to distribute resources between and within nations. To be sure, other important values might be included in this right to solidarity which is still in the process of conceptual elaboration (Human Rights, 2006). Despite the relative infancy of this notion, the UN's Human Development Index (HDI)—which measures a country's overall quality of life, largely emphasizing infant mortality, schooling, and longevity rate—may serve as an effective guiding principle (Gil, 1992, 1998) to better understand the extent of this global problem and engage in appropriate social action initiatives. Briefly, the infant mortality rate in low-income countries is 13 times greater than that of high-income countries. The infant mortality rate in the U.S. is roughly 1.5 times higher for Native Americans and 2.5 times higher for African Americans than for whites (Human Rights Com-





mittee on the Elimination of Racial Discrimination, 2000). Worldwide, the average years of schooling for persons in high-income and low-income countries, respectively, are approximately 13.5 years and 7 years. Nearly half the number of adults in the U.S. can be described as functionally illiterate, a percentage comprised largely of low-income and disenfranchised groups, reflecting a lack of opportunity in education (Human Rights Committee on Civil and Political Rights, 1995). The average life expectancy gap between high-income and low-income countries is roughly nineteen years (UN Development Program, 2005). In the U.S. the death rate for African Americans from heart disease is 41 percent higher than for whites, and Native Americans are 231 percent more likely to die from diabetes than Americans as a whole. The relationship between income, education, longevity, and other concerns of President Carter, such as environmental degradation and catastrophe, violent conflict, and HIV, is complex, but one must also acknowledge that, among other factors, the average number of natural disasters in the world has skyrocketed from approximately two hundred in 1975 to seventeen hundred in 2001 (Montanari, 2005) and desertification has doubled in the last three decades (Gore, 2006). Coastal habitats, largely populated by indigenous peoples, are increasingly threatened, and women, often children, in these groups are increasingly bearing the burden of finding firewood and clean drinking water to help sustain their families. Roughly two-thirds of the indigenous who are illiterate are women, who comprise just over half the world's population. Their resulting under-representation in the formalized workforce leaves them vulnerable to contract HIV, which, in this new millennium, has increased every year since 1980. Finally, the U.S., the largest emitter of greenhouse gases, also spends roughly 47 percent of the total world income on military expenditures and more than all the top thirty countries with the largest armies (*New York Times Almanac*, 2005, p. 225), making the adage "might makes right" an ugly reality.

There are some rays of hope, but with attendant caveats. For example, the longevity rate globally between 1960 and today has increased by sixteen years in high-income countries and by six years in low-income countries. A closer examination reveals this increase occurred largely before 1980. The average income growth in low-income countries since 2000 has also increased 3.4 percent, twice the average for high-income countries. Yet that is the average, and regions like Sub-Sahara Africa, although also experiencing a slight increase (1.2 percent) have actually experienced a reversal in



other indicators, such as deaths from AIDS and malaria. Although there have been gains in income in some Asian countries like China and India, these gains have not necessarily translated into improving the overall quality of life for all. Economic wealth is not necessarily a guarantee of enhancing human development. Thus Guatemala has twice the average income of Vietnam but a lower HDI ranking (UN Development Report, 2005). It appears, then, that advances, however minimal, are slowing; growth is unevenly distributed; and wealth is often not translating into fulfillment of human needs.

Such scenarios of inequality can be seen not only between and within nations but also between individuals and nations. For example, according to Sachs (2005, p. 305), "the top four hundred taxpayers [in the U.S. had] a combined income in 2000 that exceeded the combined incomes of four of the countries [visited by President Bush in 2005: Botswana, Nigeria, Senegal and Uganda]." One could also conservatively estimate that the world's 500 richest people cited in *Forbes*, whose income is equivalent to no more than 5 percent of their assets, have incomes exceeding that of the poorest 416 million people in the world (UN Development Report, 2005). The problem can also be defined by comparing corporations and nations (Danaher, 1996, 2001). "General Motors' sales," for example, "were greater in 1995 than the gross national product of 169 countries, including Saudi Arabia, South Africa, Malaysia, and Norway" (Lappe, Collins, & Rosset, 1998, p. 143). Even so, the "market capitalization of Microsoft recently passed that of General Motors" (Brown & Flavin, 1999, p. 7), and, according to Morgenson (2004), the "Chief Executive pay in the USA is approximately 531 times . . . [that of] a multiple employee average," a gap which has "yawned in recent years."

This author is continually reminded of images he saw while traveling in Asia in the late 1960s that reflect these dire situations. On a street in Izmir, Turkey, as far as the eye could see, families were begging on blankets. One woman begged feverishly for a few coins to buy water for her crying child. After receiving some coins she immediately ran to buy water, in an attempt to quench the thirst of her anguished child. The child still cried, and she begged for more. A kindly "water seller" then bent down to give the child some water, *gratis*. Not far away was what resembled a European café, where Coca-Cola and fine European wines were being sold in full view and for prices that far exceeded that for water. The café had an obvious European and North American clientele, suggesting that the profits



would possibly end up in Paris or Atlanta, Georgia. Does the wisdom of the Native American sage, Chief Sitting Bill, not become a stark reality, given this global maldistribution of wealth: "The white man knows how to make everything, but he does not know how to distribute it" (Safransky, 1990, p. 74). It is doubtful that the scenario of this woman and child, and similar situations, are any different today when groundwater is depleting and it is increasingly difficult to find a good, clean cup of water.

#### Toward the Creation of a Human Rights Culture

If human rights are viewed as the legal mandate to fulfill human need and take seriously the notion that the only criterion of human rights is a person's humanity, then it is quite possible that this powerful idea of human rights can assist us in dealing with some of the gaps discussed above. We are speaking here of developing a human rights culture, which is a "lived awareness" of human rights principles, not only cognitively speaking but also in a person's heart, which are then dragged into one's everyday life (Wronka, 2006, 1998a). Thus it is important not only to know, for instance, that solidarity rights are human rights but for the entire global community to "feel it" in their hearts and everyday consciousness, so that the human rights of every person, everywhere, can be guaranteed. Obviously such a culture, grounded in human rights principles, would easily translate into socially just policies, a primary concern of the social work profession and of service and health professions in general.

No government today would dare say that it is against human rights, a clear about-face from the days of the Conference of Evian, in 1938, called by President Franklin D. Roosevelt to stop the abuses of the Third Reich. The consensus at that time was that no one had the right to interfere with another country's domestic affairs. Bringing the world's attention to the abuses of the Nazis would subsequently make more visible atrocities such as public lynching and genocide against Native Americans in the U.S.; officially sanctioned policies of torture by European colonies in Africa; and the horrors of the Soviet Gulag (Buergethal, Shelton, & Stewart, 2002). The attitude of the supremacy of domestic sovereignty resulted in World War II and the wanton slaughter of at least ten million innocents, primarily Jews, but also Gypsies, Poles, gays, and others inimical to the Third Reich. From those ashes arose the United Nations and, ultimately, the Universal



Declaration of Human Rights, the authoritative definition of human rights standards drafted under the able leadership of Eleanor Roosevelt. President Roosevelt's Four Freedom's speech (1941), moreover, not only paved the way for the structuring of the UN, in general, but also, in particular, for a global rallying cry for fundamental freedoms later found in human rights documents:

In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

The first is the freedom of speech and expression everywhere in the world.

The second is the freedom of every person to worship God in his own way everywhere in the world.

The third is the freedom from want, which, translated into world terms, means economic understandings, which will secure to every nation a healthy peacetime life for its inhabitants everywhere in the world.

The fourth is freedom from fear, which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world.  
(pp. 46-47)

Human rights are equal, interdependent, and indivisible. Most Americans are aware of the importance of civil and political rights, and the growing movement to guarantee economic and social rights, but this essay argues that solidarity rights—global distributive justice, in particular—should be of equal significance. Its importance is obvious: by distributing wealth, power, and other important values equally, the understandable resentment of much of the world that is marginalized and socially excluded from global community building could be lessened. Given that “unlived life leads to destruction,” the loss of opportunity for a large majority of the world's population to develop to their capacity may ultimately result in an endless cycle of violence and counter-violence (Gil, 1995) and an increase in defense spending, channeling much needed resources to the globally disenfranchised.

Because information is power, an understanding of the “Human Rights Triptych,” described below, should provide the necessary information to “arm” the social activist, the defender of human rights, with enough knowl-





edge to move toward the creation of a human rights culture, one that espouses the indivisibility and interdependence of human rights.

### The Human Rights Triptych

Renee Cassin, referred to as the "true father of human rights" (Szabo, 1982, p. 23) would compare human rights to works of art, as illustrated by painters like Peter Breughel and Hieronymus Bosch known in part for their triptychs, such as the latter's *Garden of Earthly Delights*. The central panel depicts the main theme, the descent of humanity; the right panel depicts the seven deadly sins; and the left, the Garden of Eden. Surely no metaphor is perfect, yet, in this case, the central panel, the most important in understanding human rights is the Universal Declaration. On the right are the declarations and covenants following it; on the left, the means of implementation. It is worthwhile, then, to examine these panels and discuss the historical-philosophical and experiential and social-environmental contexts that help to crystallize values into human rights, as they are increasingly understood.

### *The Universal Declaration*

The Universal Declaration, a milestone in the long and difficult struggle of the human race, according to the late Pope John Paul II (Daughters of St. Paul, 1979), comprises the central panel of the human rights tryptich. Originally meant to be merely a hortatory document urging governments to abide by its principles, it is increasingly referred to as *customary international law* (Filartiga v. Pena, 1980; Wronka, 1992, 1998a, 1998b, 2002; Steiner & Alston, 2000; Weissbrodt, Fitzpatrick, & Newman, 2001; Buergethal et al., 2002) which all countries must abide. It contains four crucial notions (Wronka, 1998a). *Human dignity and its corollary, non-discrimination*, comprise the first, and these are emphasized in Articles 1 and 2 of the Declaration. This notion comes largely from the Judeo-Christian-Islamic tradition indicative of the preponderance of Western and a few Islamic nations involved in drafting the Declaration. Thus Genesis 1:27 states, "God created man in His image," which, according to the Talmudic scholar Ben Azzai, embodies the "ultimate and supreme worth" of the individual, "the



most important single verse in Scripture" (Kaplan, 1980, p. 55). Christians also accept the sanctity and dignity of the human person proclaimed in Genesis, who are also urged in the Eight Beatitudes to hunger and thirst for justice (Luke 6:20-26). Similarly the Koran asserts in Sura (6:15), "Verily, we have honored every human being." And, in the words of the Muslim scholar Riffat Hassan (1982, p. 55), "The sanctity and absolute value of human life is upheld by the Koran."

All humans have dignity, regardless of "race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status," asserts Article 2. Keeping in mind that the Universal Declaration "is not a perfect document. . . [o]n the whole, however, it is a good document" (UN Department of Public Information, 1950, pp. 15-16), as Eleanor Roosevelt said, we need to seriously examine further understandings of the term "other status" to include such issues as sexual orientation, medical condition, disability, family status, and culture. In fact, "culturalism," a frequent issue in social work and the field of human rights (Healy, 2001; Sachs, 2005), is one culture's feeling of superiority over another. This issue becomes complicated if the very same culture that views female genital mutilation as wrong also suffers excessively from deaths caused by anorexia nervosa. The essential point here is that the only criteria for securing one's human rights is the fact of being human.

The rallying cry during the French Revolution, "Liberté, Egalité, Fraternité," describes the next three crucial notions of the Universal Declaration. The second notion, *civil and political rights*, as asserted in Articles 3-21, is the liberty to pursue the quest for human dignity and non-discrimination free from the abuse of political authority. These freedoms, also called first-generation or negative rights, include, for example, the freedom of speech, of the press, and of religion. They correspond, by and large, to Roosevelt's first two freedoms of expression and worship mentioned above. They arose primarily in response to the abuse of tyrannical monarchs in the seventeenth and eighteenth centuries, such as the European religious wars. They resulted in such documents as the U.S. Declaration of Independence and the Bill of Rights of the U.S. Constitution. The major thrust behind these documents were Enlightenment theorists such as John Locke, who emphasized, for instance, the right to life and to freedom from arbitrary rule, and Thomas Jefferson, who wrote of the fundamental rights to "life, liberty, and the pursuit of happiness." These fundamental freedoms, ultimately, stress the need for government *not* to interfere with basic human needs. Freedom



of religion, or spirituality, for example, allows people to seek the meaning of their existence in terms of their mortality as they choose.

The third crucial notion of the Document is *economic, social, and cultural rights*, that is, the government should provide *equally* for the basic necessities to ensure an existence worthy of human dignity. Articles 22–27 assert these rights which can also be called second-generation or positive rights. They roughly correspond to Roosevelt's third freedom, the freedom from want. Examples of these rights are health care, education, meaningful employment at a reasonable wage, special protections for mothers and children, security in old age, and the right to rest and leisure. Although the U.S. Constitution generally lacks the inclusion of these rights, apart from the protection of an author's interests (Wronka, 1992, 1998b), it is important to note that the U.S. delegation at the drafting of the Universal Declaration supported the inclusion of these rights in that document (Steiner & Alston, 2000). These rights arose predominantly in reaction to the abuses of industrialization that became increasingly evident in the nineteenth century resulting, for instance, in massive poverty amid great affluence. The Soviet Constitution of 1936 exemplifies these rights. Theorists, such as Gracchus Babeuf, Thomas Paine, and Karl Marx, were influential in the development of positive rights. For example, in the *Rights of Man*, Paine movingly advocates for the prevention of poverty in order that,

The hearts of the humane will not be shocked by ragged and hungry children, and persons of seventy or eighty years of age, begging for bread. The dying poor will not be dragged from place to place to breathe their last. [And] widows will have maintenance for their children and not be carted away, on the deaths of their husbands, like culprits and criminals. (Fast, 1946, pp. 255–256)

The last crucial notion of the Universal Declaration is *solidarity rights* as expressed in Articles 28–30. As noted, these rights, still in the process of conceptual elaboration, are the result primarily of the failures of colonialism and domestic sovereignty. Thus, if we are to work with one another as brothers and sisters in our struggle for a socially just world, then we must have a spirit of *fraternity* among all peoples of the world. They correspond to Roosevelt's third and fourth freedoms from want and fear. One country alone cannot effectively deal with such global inequities as distributive injustice, pollution, war, economic development, self-determination, the op-



pression of indigenous and other peoples, and natural and human-made disasters. These rights, therefore, emphasize a person's right to intergovernmental cooperation, the limitations of rights, and the notion that every right has a corresponding duty. Thus global cooperation and fair and just trade are necessary to ensure that income and food are distributed equitably. Individuals, furthermore, have a right to food, which must be nutritious, easily accessible, culturally appropriate, and at reasonable cost (Eide, 1987). Yet they also have a duty not to consume in excess. The philosopher Immanuel Kant, recognizing the hypocrisy of nations in his *Project for a Perpetual Peace* and asserting that "an action to have moral worth, must be done from duty" (quoted in Curtis, 1981, p. 40), seems to have paved the way for the inclusion of the idea of solidarity in human rights discussions. Gandhi, when asked by the drafting committee of the Universal Declaration the meaning of human rights, responded simply, yet profoundly, "My illiterate, but wise mother told me that all rights to be deserved come from duty well done . . . the very right to live accrued only when one also does the duty of citizenship to the world" (United Nations, 1948, p. 15).

More specifically, these rights encompass global distributive justice, peace, self-determination, humanitarian disaster relief, the right to the common heritages of humanity (e.g., space, the oceans, and cultural traditions and monuments), and a clean environment (Human Rights, 2006). Although not explicitly stated in the Universal Declaration, these rights obtain their sustenance from Article 28, which asserts the right to a "just social and international order in which the rights and freedoms set forth in this Declaration can be fully realized." The failure to spell out these rights, as well as other statuses mentioned previously, was largely owing to the social contexts of the time. Pollution, for example, was literally on the horizon, not yet necessitating a stronger statement on the right to a clean environment. There was also a preponderance of delegates from the richer, European countries of the world which may have led to a Eurocentric bias (Alston, 2000) in the Universal Declaration and only fleeting reference to the plight of poorer countries.

These shortcomings, however, do not mean that we should dismiss the Declaration. Knowledge, like all human creations, is limited, but it is important to point out that all these crucial notions of human rights are interdependent and indivisible, that rights cannot exist without duties. The Bill of Rights to the U.S. Constitution, then, is a beautiful document rightly referred to as a "beacon of hope" for humanity, as expressed, in March 1995,





when the U.S. responded to the United Nations human rights monitoring committee in its report on the Covenant on Civil and Political Rights, at which this author was present. The Bill of Rights expresses only one set of rights, however. Marx once expressed concern that talk limited to civil and political rights may be used as a "facade of capitalism" (Kolakowski, 1983, p. 85). Thus violence in the media and in advertising on children's television, when supported in terms of freedom of speech, may mask hidden agendas such as the priority of profits over human needs. If we are to do our duty to the world, it is questionable that an economic system that commodifies human need and rewards inactivity through capital gain, rather than the "sweat of one's brow" (Genesis 3:13), is not only inconsistent with the need for a just "social and international order," as stated in the Universal Declaration, but is antithetical to millennia of teaching. Consider this illustration of the interdependence of rights: the right to freedom of speech, a civil and political right, is meaningless if a person is homeless or starving, a violation of economic and social rights, or if the person lives in a world at war or an environment on the verge of catastrophe, both violations of solidarity rights. It is equally absurd to say that roughly 40 percent of the world living on less than \$2 per day enjoys human rights, if they are free only to express their views and yet live in constant fear, not knowing where their next meal will come from. Echoing this call for solidarity, Rev. Martin Luther King Jr. expressed it well when he wrote: "Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly" (University of Pennsylvania African Studies Center, 2006, p. 1).

#### *Covenants and Declarations of the Universal Declaration*

The six major human rights instruments of the Universal Declaration, which represent the right panel in the tryptich, and the dates they became international law, are (1) the International Covenants on Civil and Political Rights (ICCPR), 1976; (2) the International Covenant on Economic Social and Cultural Rights (ICESCR), 1976; (3) the Convention on the Rights of a Child (CRC), 1990; (4) the Convention on the Elimination of Discrimination against Women (CEDAW), 1981; (5) the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), 1987; and (6) the International Convention on the Elimination of All Forms of



Racial Discrimination (CERD), 1969. These conventions have the status of "treaty," and when ratified according to the Supremacy Clause of Article 6 of the U.S. Constitution, they are the "Supreme Law of the Land" and the "judges bound thereby" (Weissbrodt et al., 2001). The U.S. has ratified the ICCPR, CAT, and CERD, but with the caveat that they be "non-self-executing," that is, non-enforceable in U.S. Courts (Buergethal et al., 2002).

Select examples of covenants and declarations following these major instruments are the following:

- Convention on the Rights of People with Disabilities
- Convention on Migrant Workers
- Convention against Discrimination in Education
- Draft Declaration on Indigenous Peoples
- Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief
- Declaration on the Elimination of Violence against Women
- Standard Minimum Rules for the Treatment of Prisoners
- Rule for the Protection of Juveniles Deprived of Their Liberty
- Declaration of Fundamental Principles concerning the Contribution to the Mass Media to Strengthening Peace and International Understanding
- Declaration on the Right to Development
- Code of Conduct for Law Enforcement Officials
- Convention on the Reduction of Statelessness

Occasionally documents have Optional Protocols, which generally address issues that governments felt needed further articulation, as they were addressed only briefly, if at all, in the previous document. Examples are the Optional Protocol to the ICCPR, Aiming at Abolition of the Death Penalty (1991); the Optional Protocol to the CRC, Involvement of Children in Armed Conflict; and another Optional Protocol to the CRC on the Sale of Children, Child Prostitution, and Child Pornography (2000). The U.S. has not ratified the former protocol, but has ratified the two latter ones. A list of these documents and other information can be found by clicking on "Human Rights Links" at this author's homepage: [www.humanrightsculture.org](http://www.humanrightsculture.org).

Generally documents in this panel elaborate rights only touched on in the Universal Declaration. Thus, whereas the UDHR may say simply:



"Motherhood and childhood are entitled to special care and assistance" (Article 25), CEDAW and CRC further elaborate what this special care and assistance means. Examples from CEDAW are that this "special care and assistance" means governments ought to "encourage the provision of necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities" (Article 11). They should also ensure "to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation" (Article 12). Examples in CRC are the right of the child to "be registered immediately after birth . . . and the right from birth to a name, the right to acquire a nationality, and, as far as possible, the right to know and be cared for by his or her parents" (Article 7); to "assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child (Article 12); and "the establishment of social programmes to provide necessary support for the child and for those who have the care of the child" (Article 19).

Regarding global distributive justice, these documents in varying degrees speak of the need to narrow the imbalances, economic and otherwise, among the people of the world. ICESCR, for example, speaks of the need for state parties to "undertake steps individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources with a view toward achieving progressively the full realization of rights" (Article 1) and "to improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge by disseminating knowledge of the principles of nutrition. . . [and] taking into account the problems of both food importing and food exporting countries, to ensure an equitable distribution of world food supplies in relation to need" (Article 11). The ICCPR states: "Everyone shall have the right to freedom of expression . . . to seek, receive and impart information and ideas of all kinds regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media" (Article 19). In the CERD state parties are to "adopt immediate and effective measures, particularly in the fields of teaching, education,



culture and information, with a view to combating prejudices which lead to racial discrimination and promoting understanding, tolerance, and friendship among nations and racial or ethnical groups" (Article 7).

There is currently no major document on international, albeit global, distributive justice, but the Declaration on the Right to Development (1986) comes closest. As in the other documents there is no blatant statement that "the poor countries of the world have the right to the wealth of the rich countries." Yet it seems to place an emphasis on international cooperation, indispensable to equality among nations and all people in the world. In its Preamble, for example, it calls for awareness that "efforts at the international level to promote and protect human rights should be accompanied by efforts to establish a new international economic order." Article 1 states, furthermore: "The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development." In Article 3, we see the primary responsibility of states "for the creation of national and international conditions" as well as "the duty to cooperate with each other ensuring development and eliminating obstacles to development . . . in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and cooperation." The United States was the only country in the world to have vetoed that document largely because it considered the tone too idealistic and that would unrealistically raise the hopes of humanity (Abram, 1991). Moving from the level of the mind to the heart so that these documents are not just words but are "lived," that is, that they contribute to a human rights culture, it is necessary to examine the means of implementation.

#### Means of Implementation

On the left side of the triptych, then, are ways to make some of these rights a reality. To be sure, implementation is the least developed of the human rights triptych but certainly the most important. At present, such means of implementation mostly consist only of the periodic filing of reports on compliance with the six major conventions. After filing the report, the respective state engages in a "creative dialogue" (Wronka, 1995b) with members of the human rights monitoring committee who offer comments on





the positive aspects of the reports as well as concerns and recommendations. The state informs the respective governmental body of the positive aspects and concerns, generally urging modifications of laws and policies in order to comply with the respective human rights instrument. These reports were difficult to obtain before the Internet. After numerous attempts to locate one of these reports in 1995, the early days of the Internet, this author's bookstore manager informed me that the Government Printing Office told her that they had never heard of the Initial Report of the USA on Compliance with the ICCPR! This was after I had attended the human rights hearing of U.S. compliance with the ICCPR. In response to the concerns of the human rights monitoring committee that NGOs were having trouble getting the report, U.S. representatives replied that they would "produce more and make them more available to the public."

Thus, after ratifying CERD, for example, the United States would respond to its progress in regard to each of the articles. Thus, for example, Article 4 reads, in part: "States shall declare an offence punishable by law . . . acts of violence or incitement to such acts against any race or group of persons of another color or ethnic origin." Article 5 reads, in part: "States [shall] eliminate racial discrimination . . . notably in the enjoyment of the . . . rights to work, to free choice of employment, to just and favorable conditions of work, to equal pay for equal work, to just and favorable remuneration . . . the right to housing . . . the right to medical care." In its Report on Compliance with the International Convention on the Elimination of All Forms of Racial Discrimination in 2001, the U.S. responded by mentioning to the monitoring committee that the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988, which make it a federal crime to injure, intimidate, or interfere with any person because of his or her race, color, religion, sex, or disability, [were] used to prosecute the burning of crosses and other racially motivated threats and violence directed at people in their homes (para. 96). Also, while stating that "the U.S. health system provides the finest overall care in the world," the report notes numerous statutes and programs relevant to health care, such as the Hill Burton Act (1946), the Public Health Act (1994), and Medicaid and Medicare. However, it noted significant disparities in the health care system: infant mortality rates 2.5 times higher for blacks than for whites, and 1.5 times higher for Native Americans; black men over sixty-five years of age having prostate cancer roughly 2 times more than white men of the same age; and black children 3 times more likely than white children to be hospitalized for asthma



(para. 376). The report also noted that the poverty rate among blacks (26.1 percent) was more than triple that of white non-Hispanics (para. 348), and the pervasiveness of child poverty is of particular concern as differences between racial and ethnic groups remain high (para. 349). The report concluded that, "over the years, the U.S. has worked hard to overcome a legacy of racism and racial discrimination, and it has done so with substantial successes. Nevertheless, significant obstacles remained and the U.S. looked forward to discussing these experiences with the Human Rights Committee" (para. 465) (Human Rights Committee on the International Convention on the Elimination of Racial Discrimination, 2000).

In response, the committee welcomed the opportunity to initiate this dialogue (para. 381), noting also the persistence of the discriminatory effects of the legacies of slavery, segregation, and destructive policies with regard to Native Americans (para. 384), and commented on both positive aspects as well as concerns relevant to the report. Concerning the former, it notes, for example, President Bill Clinton's Executive Order 13107 of December 10, 1998, which asserts that the U.S. government will fully respect and implement its obligations under the international human rights treaties to which it is a party (para. 386), and the continuous increase in the number of persons belonging to, in particular, the African-American and Hispanic communities in fields of employment previously predominantly occupied by whites (para. 389). The committee, however, expressed particular concern according to which the prohibition of dissemination of all ideas based on racial superiority or hatred is compatible with the right to freedom of opinion and expression, given that a citizen's exercise of this right carried special responsibilities (para. 391). It also noted with concern the incidents of police violence and brutality, including cases of deaths as the result of excessive use of force by law enforcement officials, which particularly affect minority groups (para. 394); a disturbing correlation between race, both victim and the defendant, and the imposition of the death penalty (para. 396); political disenfranchisement of a large segment of the ethnic minority population who are denied the right to vote (para. 397); and, among other matters, persistent disparities in the enjoyment of the right to adequate housing, equal opportunities for education and employment, and access to health care (para. 398).

Of course, there are other reports beyond the scope of this chapter. Yet, it is important to note, at least regarding Native Americans, who appear sub-



stantively affected by policies of genocide, as evidenced by numerous criteria of the Genocide Convention such as prohibitions against forced removal of children, that the 2005 U.S. report to the human rights committee under ICCPR (United States of America, 2005) did mention issues pertaining to Native Americans more substantively than the previous CERD report. It further mentioned, for instance, that a federal government-Indian trust relationship dates back more than a century (para. 11); the Secretary of the Interior may collect income from tribal properties held in trust (para. 11); and tribes have sued the government claiming that the U.S. had failed to provide adequate accounting and asset management of such lands (para. 14). The committee responded in part by urging that the U.S. take steps to ensure that previously recognized aboriginal Native American rights cannot be extinguished (para. 15); that a full judicial review takes place regarding the determinations of federal recognition of tribes (para. 16); and that the U.S. strengthen programs to continue to fight the high incidence of poverty, sickness, and alcoholism among Native Americans (para. 17).

Regarding global distributive justice, it is noteworthy that these committees monitoring human rights have at least, with respect to the ICESCR, commented upon the amount of aid a particular country gives to poorer countries. As stated earlier, the U.S., unfortunately, has not ratified that document and therefore need not respond to the committee's concerns on that and other matters. For example, the ICESCR monitoring committee, in 2004, praised Italy's commitment to raising the level of official development from the current .23 percent of GDP (gross domestic product) to .33 percent by 2006 but was concerned that the level of development assistance still falls short of the UN target of .7 percent of GDP (para. 13). The committee, in 2005, also appreciated Norway's commitment to international cooperation as reflected in the volume of official development assistance at .92 percent of its gross national product (GNP) (para. 2). These reports are available on the Internet at [www.unhcr.ch/tbs/doc.nsf/newhv\\_docsbytreaty?OpenView](http://www.unhcr.ch/tbs/doc.nsf/newhv_docsbytreaty?OpenView).

There are other means of implementation, of course, such as having the UN appoint special "Charter-based" rapporteurs, referring to the UN Charter, rather than "Treaty-based" mechanisms just discussed. Among other things, the Charter calls for "solutions of international economic, social, health, and related problems" (Article 55). These rapporteurs report on such issues as extreme poverty, violence against women, racism, pollution of the



environment, and religious intolerance, or on a situation of a particular country. Regarding global distributive justice, special rapporteur Leandro Despouy, in his report "Human Rights and Extreme Poverty," spoke also of the increasing spread of extreme poverty in the world, calling it the "new face of apartheid" on a global scale (1996, p. 37). There are also world conferences that deal with human rights issues, for example, the Earth Summit (Rio, 1992); the Summit for Social Development (Copenhagen, 1995); and Disaster Reduction (Hyogo, Japan, 2005); as well as other major initiatives like the Millennium Development Goals. These goals aim to (1) eradicate extreme poverty and hunger; (2) achieve universal primary education; (3) promote gender equality and empower women; (4) reduce child mortality; (5) improve maternal health; (6) combat HIV/AIDS, malaria, and other diseases; (7) ensure environmental sustainability; and (8) develop global partnership for development (UN Development Program, 2005). Finally, other major human rights documents and implementation mechanisms exist, now known as human rights "regimes," that are not within the scope of this essay; these include the Organization of American States (OAS), the African Union (AU), and the European Union (EU). Briefly, the Protocol of San Salvador on Economic, Social, and Cultural Rights (1988) of the OAS, which the U.S. has not ratified, asserts in its Preamble: "That the different categories of rights constitute an indivisible whole based on the recognition of the dignity of the human person." The challenge then becomes how to compel governments and other powerful entities to listen to the results of these implementation mechanisms and then act on them.

#### Suggested Social Action Strategies

The foregoing discussion leads to the following overlapping, yet relatively distinct, social action strategies. To lessen the inequities of wealth, power, and other important values throughout the world, therefore, and to use human rights as "guiding principles" to assist in the development of a human rights culture, which will result in socially just policies, *we must first acknowledge, in any forum, that only chosen values endure.* No one can force such a culture on anyone. The word "culture" derives from the Latin word *cultura*, meaning "tilling, cultivation." Human rights discourse, then, ought to serve as a perfect means to provide a solid grounding for a culture





where all humans can flourish to their fullest capacities. People must see that being decent to one another, as defined in large measure by human rights principles, is a viable strategy to create a socially just world. A person can learn human rights principles, their interdependency and indivisibility, from documents and reports, but such changes will be temporary at best unless there is a change of heart, or in the poignant words of Dorothy Day (2005, p. 1), founder of the Catholic Worker movement, a "revolution of the heart."

Second, *we must have a major impetus for human rights education from grammar school to postsecondary levels.* With the end of the People's Decade for Human Rights Education in 2004, the UN has recently initiated a World Program on Human Rights Education which emphasizes the right to know one's rights (Human Rights Education Associates, 2005). Curricula needs to be continually developed to teach others about human rights in order to bring to fruition Eleanor Roosevelt's wish that children know as much about the Universal Declaration of Human Rights as they do about the Bill of Rights. Students need to be aware of the Supremacy Clause of the U.S. Constitution as well as major provisions of human rights documents that have the status of treaty. Although education is essential to the development of such a culture, spreading knowledge about human rights does not always have to occur in a formal setting. There can be "sound bites," even MTV skits. In France, for instance, this author recalls a brief television skit where people danced as they recited word by word Article 1 of the Universal Declaration. The skit ended with all shouting in unison: "Think about it"! The magazine of the airline Air France had the entire Universal Declaration of Human Rights on the front page during the 1998 Human Rights Defenders Conference in Paris, commemorating the fiftieth anniversary of the UN's endorsement of the Universal Declaration! Certainly teaching about the interdependence of rights would require an integration of solidarity rights, especially the right to global distributive justice. Human rights violations, as argued here, are seen, for example, not only in transgressions at Guantánamo Bay in the face of the Patriot's Act, which has predominated public discourse, but also in the struggles of peoples throughout the world to eke out an existence worthy of human dignity. Surely the message must be that every person, everywhere, is guaranteed human rights. This is no small feat, of course, but obviously creating a human rights culture is itself a struggle.



Third, in ensuring human rights for all, it is important to note that the National Association of Social Work (NASW)

endorses the fundamental principles set forth in the human rights documents of the United Nations . . . [and] [s]upports the concept that human rights be adopted as a foundation[al] principle upon which all of social work theory and applied knowledge rests. . . . [And] [s]upports the two fundamental Covenants of the United Nations . . . which confirm the civil and political rights of all people, as well as their economic, social and cultural rights. The profession also endorses the treaties and conventions as they have evolved [which] establish that the rights of people take precedent over social customs when those customs infringe on human rights. (Falk, 1999, p. 17; emphasis added)

Consequently social work ought to integrate in its profession fundamental human rights principles, which will have implications for practice. If human rights are for all, and indeed social work "from its inception is a human rights profession" (International Federation of Social Work, cited in United Nations, 1994, p. 1), then we must find ways to have the human rights principles speak to practice situations. Thus we could note not only principles like human dignity as ways to assist in our relations with our clients but also speak of our interconnectedness in the environment broadly defined to include the entire human race, and the economic and social arrangements that have led to artificial state boundaries and military spending at the expense of the fulfillment of human needs (Ife, 2001; Reichert, 2003, 2006; Wronka, 2002, 2004). Clearly more courses in international social work should be forthcoming. Being attuned to human rights and dignity also means that "macro" strategies to help those in poorer countries necessitate an ability to share in their struggle rather than perceiving of them as "children that they must save," to quote Jean-Claude Tonme (2005, p. 21) commenting on global rock concerts intended to help Africans. Perhaps the greatest challenge for social work, in fact for all service professions, is to offer assistance in ways that are not demeaning so that others do not to experience the indignity of handouts but retain a sense of self-respect as they earn a living to support their families.

In viewing human rights as the cornerstone of social justice, a major commitment of social work, it may be helpful to examine the etymological roots of the term "social justice." The word "social," from the Latin *socius*,



means "friend, ally, partner" and, in another context, "sharing, accompanying, and acting together"; "justice." from the Latin *Justus*, means "just, equitable, fair, mainly of persons" (Wronka, forthcoming). Thus, when we speak of social justice, we mean working with others as equals, as partners in the struggle for a socially just world, not poor people in need of the wonderful things we can provide for them as helping professionals. The well-known work of Muhammad Yunus, founder of the first micro credit bank, the Grameen Bank, which provides low-interest loans to people in poverty, is one example where people may be able to live with respect and as partners in a shared journey.

Fourth, *social work must engage in dialogue across disciplines and with other service and health professions that have similar human rights commitments.* The American Sociological Association (ASA), for example, "urges all governments . . . to uphold the spirit and the substance of the articles of the Universal Declaration of Human Rights and other international agreements that [assert] the importance of full equality of all peoples and cultures" (ASA, 2005, 2). The first principle in the Medical Ethics that guides the American Medical Association (AMA) states: "A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights." The American Psychological Association, in its Ethics Code, speaks of the dignity and worth of all people; the American Public Health Association speaks, in its Public Health Code of Ethics, about the interdependency of humans and human dignity values found in human rights documents; the Ethics of the American Nurses Association urges the protection and promotion of the advancement of human rights. Human rights, then, can provide a common ground to engage in coalition building across disciplines and with the helping and health professions in general (Wronka, forthcoming). These professional associations also have sections dedicated to international issues that include obvious unfair distributions of items humans need for survival.

Fifth, *groups interested in human rights can sponsor bills such as the "Human Rights for All: Massachusetts Initiative to Infuse Human Rights Standards and Values into State Law,"* spearheaded largely by the Massachusetts Chapter of the Women's International League for Peace and Freedom.<sup>2</sup> Known as House Bill 706, this act would "establish a special commission to inves-

2. To sponsor such bills, contact the Massachusetts CEDAW Project at [masscedaw@yahoo.com](mailto:masscedaw@yahoo.com).



tigate the integration of international human rights standards into Massachusetts state law and policies." Not coincidentally the first president of this group was Jane Addams, the Nobel Peace Prize recipient and proponent of world citizenship, "world duty [and] world consciousness" (cited in Healy, 2001, p. 1) and sometimes referred to as the "Mother of Social Work." This idea of human rights is so powerful that, by the time of the Senate hearing, House Bill 706 had a coalition of roughly fifty organizations ranging over the entire political spectrum and including such groups as Physicians for Human Rights, Amnesty International, the Massachusetts Welfare Rights Union, and Arise for Social Justice. At the writing of this essay, the bill is still in committee, but it is worthwhile to point out that a similar bill, the Curry Resolution, was passed largely through the efforts of the Pennsylvania Chapter of NASW, the Kensington Welfare Rights Union, and the Poor People's Economic Human Rights Campaign" (Stoesen, 2002, p. 1). A bill such as House Bill 706, therefore, would monitor, among other things, executive, judicial, and legislative movements toward compliance with international human rights standards. Recent research has found, for example, that economic, social, and cultural rights are almost entirely absent in the U.S. Constitution, apart from the protection of an author's interests. Regarding the excluded rights, states have failed to act as "laboratories of democracy," to quote Supreme Court Justice Louis Brandeis, to extend rights not found in the Constitution; indeed, the only major economic and social right in the majority of state constitutions is the right to education (Wronka, 1992, 1998b). Global distributive justice as a right to solidarity is in none of them, but noteworthy is the Proposed Constitution for the State of New Columbia, presently, the District of Columbia, which in its Preamble states:

We the people of the free and sovereign State of New Columbia, seek to secure and provide for each person: health, safety and welfare; a peaceful and orderly life, and the right to legal, social and economic justice and equality. . . [and] *we reach out to all the peoples of the world in a spirit of friendship and cooperation, certain that together we can build a future of peace and harmony.* (cited in Wronka, 1992, pp. 240-241; emphasis added)

Sixth, given that much of the success in pushing back poverty globally occurred in the 1980s and early 1990s (Human Development Report, 2005) it is quite possible that multilateral agreements such as the North





Atlantic Free Trade Agreement (NAFTA) are not working, nor is the situation being helped by the rise in power and influence of corporations and organizations like the World Trade Organization (WTO), the International Monetary Fund (IMF) and the World Bank. The Chiapas rebellion in Mexico, for one, occurred the same day that NAFTA was enacted, January 1, 1994, a foreboding perhaps of increasing global distributive injustice. *We need to find ways to engage in dialogue about the efficacy of such multilateral policies and of such organizations like the WTO and IMF while persuasively using this powerful idea of human rights.* For example, we can agree that the goals of the Universal Declaration of Human Rights are worthwhile and gauge the effects of policies of such institutions on the qualities of life for everyone, everywhere. We can then issue reports that "bear witness" to the world of the effects of their policies, to show how such policies are progressing toward or retreating from compliance with human rights documents. Groups, such as Global Trade Watch, Alliance for Global Justice, Global Exchange, People's Global Action, and the Jubilee USA Network may assist in our endeavors (Prokosch & Raymond, 2002). Jubilee supporters, for example, recently convinced the World Bank, after tens of thousands of e-mails and phone calls, to speed up debt cancellation freeing up much needed money for social needs like education, health care, and clean water in some of the poorest countries. They are now mobilizing for a Sabbath 2007 to raise their "voices publicly for a bold and prophetic Jubilee cancellation of [all] debts" ("Drop the Debt," 2006, p. 4).

Seventh, *we need a major global consensus to support international initiatives in general, such as world conferences and the Millennium Development Goals.* We must emphatically take heed of the interdependency of rights, so that, for instance, a conference on women considers men's issues as well, or, regarding the Millennium Development Goals, that one goal, such as improving maternal health, is directly related to environmental sustainability and the development of global partnerships. Such initiatives could also help the world community deal with "the obvious," such as providing forums, say, to set up collections for mosquito nets to prevent malaria, or for computers so that poor farmers are in a better position to determine the values of their crops in the global community. There are also other groups like Oxfam, which works with poor communities throughout the world, and Grassroots International, which has numerous progressive partners in Africa, the Middle East, Latin America, and the Caribbean.

Eighth, *we need a domestic agency that would coordinate international hu-*



man rights initiatives with domestic policies, such as a Human Rights Cabinet. Such a cabinet would, for example, assist in developing a strategy to have the U.S. ratify all major human rights conventions. It would also not only draw up human rights reports but be responsible to ensure the implementation of human rights committee recommendations, such as giving .7 percent of the GNP to the poorest countries. Inversely, it could also help, perhaps, to ensure that international agencies work cooperatively to deal with problems pertaining to global distributive injustice. To be sure, the lack of coordination of international agencies is also blocking much needed aid to poorer countries (Jencks, 2005). The recent development of the Human Rights Council at the UN, which answers essentially to the General Assembly, rather than relying on the Economic and Social Council, is also a positive step, especially regarding global distributive justice. This is because every country in the General Assembly, whether rich or poor, gets one vote concerning a major human rights initiative. Such a cabinet could easily have a solid connection with the Human Rights Council, which, in turn, could translate into policies that lessen the gap between the rich and poor nations of the world.

Ninth, we need to overturn the U.S. veto of the Declaration on the Right to Development and work toward an International Convention on Global Distributive Justice. As expected, however, there is now much resistance in Geneva to such a convention, primarily by the richer nations. It is up to us to pressure our government to make such a convention a reality. Whereas an immediate response might be that even the rich countries have their share of problems, ensuring a just social and international order could easily translate into less defense spending, which arguably protects the wealth and interests of the richer countries worldwide. Certainly the current ratio of GDP of 103 to 1 between the richest and poorest countries is unacceptable. With a mounting concern about the injustice of the growing gaps between CEO and average worker pay, perhaps we could move toward a global consensus to lessen the ratio between the rich and poor countries. Imagine, for the time being, a world where the ratio between the richest and poorest country is 6 to 1, numbers chosen arbitrarily! Surely, what is going on now, "shocks the conscience of humanity," to quote the Preamble to the Universal Declaration! Today, some ask: How could the genocide of Native Americans have happened, or the Trans-Atlantic Slave Trade, or the Holocaust? Given the present global distribution of wealth, will the world ask the same questions in years hence?



Tenth, *we need global distributive justice to become what is known as a "justiciable," rather than "aspirational" right.* In other words, global distributive justice need not merely be an ideal or aspiration. International organs such as the World Court may be able to help achieve this goal. Presently, for example, a country may file a suit in that court against another country for violations such as Nicaragua's actions against the U.S. for its purported bombing of Nicaragua's harbors during the Reagan administration. Only three decades ago it was inconceivable that, for example, tobacco companies could be sued for causing cancer. But today it is an increasingly accepted reality. Perhaps countries, corporations, maybe even individuals will eventually be brought to a judicial forum, such as the World Court, for their roles in causing the unjust, global distributions of wealth and power. Let us always be mindful of Gandhi's famous maxim: "First, they ignore you; then they laugh at you; then they fight you; and then you win."

Eleventh, *regional organizations like the African Union, the Organization of American States, and the European Union need to work in concert with the UN to move toward a concerted strategy to eradicate global distributive injustice.* Despite the growing pains of the new European currency, the Euro, it still appears to have lessened the possibility of war in a land historically torn apart by acts of aggression. One suggestion would be to have a world currency, perhaps the "Mondo," toward which all the regional organizations could play a major role. Whereas one could say that, arguably, the U.S. dollar is a world currency, given its ever growing ubiquity, it may be that this currency is more reflective, at least currently, of consumerism, defense spending, and an emphasis on extolling the virtues of privatization. Another currency constructed perhaps from more cooperative efforts, an ethic of sharing and the promulgation of peace, might help pave the way for an allegiance to humanity, let alone free up much needed time and energy to alleviate poverty, exhausted partly on efforts to exchange a myriad of state currencies.

Twelfth, recognizing the struggle for social justice, *particular attention ought to be given to the situation of Indigenous Peoples, who often live in remote areas and are disproportionately affected by the fallout (quite literally) of global distributive injustice, such as desertification and water pollution, which also affect their cultural subsistence lifestyles.* This author recalls, for instance, while living in Alaska, stories of dentists not needing to take x-rays of Inuit patients' teeth. The fallout from A-bomb tests in New Mexico had landed on lichen in the Arctic, which was then eaten by the caribou, and then by Inuit. It is no surprise, perhaps, that richer nations like the



U.S. and New Zealand, also with sizable indigenous populations, expressed concern that the notion of "self-determination" in the Draft Declaration of Indigenous Peoples, endorsed by the General Assembly in 2006, was too strong a term, preferring the words "management of resources." However, these words, according to the Mohawk legal scholar Patricia Monture, are similar to indigenous notions of "law" and "justice," meaning "living together nicely." Indeed, this right does not mean conquest or the seizure of institutional power often characteristic of European wars but simply the freedom to live well and enjoy the rights that all human beings should be guaranteed. Governments have nothing to fear from this concept. The issue regarding self-determination is merely that Indigenous Peoples actually feel that they have choices about their way of life and feel secure in making them (Daes, 2001).

Indigenous Peoples do not, by and large, identify with notions of "ethnicity" or "race" but rather are, as their name states, indigenous, a notion also recognized in the CRC. Certainly the principles of the recent Draft Declaration should become an internationally binding convention, ensuring respect of issues specific to Indigenous Peoples. These include:

1. Full guarantees against genocide, which calls for an end to the removal of indigenous children under pretext and an end to relocation without full informed consent;
2. Redress for deprivations of cultural values and identities which shall include the right to repatriation of human remains and compensation for being deprived of the means of subsistence;
3. The right to control the education of indigenous children which shall include the right to be educated in one's language in a manner appropriate to cultural methods of teaching and learning;
4. The right to establish indigenous media, which shall be in indigenous language but with access to non-indigenous media and also reflect indigenous cultural diversity;
5. The right to traditional medicines and health practices which shall include the protection of vital medicinal plants, animals, and minerals;
6. The right to maintain and strengthen distinctive spiritual and material relationships with lands, waters, seas, and other resources traditionally owned, including sea ice, flora, and fauna; and





7. Full recognition of cultural and intellectual property, which shall include special measures as necessary to control, develop, and protect human and other genetic resources, seeds, medicines, and knowledge of cultural traditions.

It is obvious that the previous reports to the human rights committees only barely touched upon such issues.

Finally, *we need compassion, vision, courage, and hope*. The great spiritual leader of the Oglala Sioux, Tashunkewitko, more commonly known as Crazy Horse, said it well: "A very great vision is needed and the man [sic] who has it must follow it as the eagle seeks the deepest blue of the sky" (Indigenous Peoples' Literature, 2006, p. 1). Eagles are notorious for flying straight into the storm, searching relentlessly for food for their families. Indeed, the Spirit of Crazy Horse has become known as compassion for the unfortunate in a spirit of humility; a vision that every person, everywhere, can have every human right; courage to get out of our comfort zones to make that happen; never giving up hope; and a heart of "peace, understanding, and everlasting love" (Geocities, 2006, p. 1). Certainly this Spirit of Crazy Horse may serve us well as we struggle for a socially just world, built upon a culture of human rights.

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