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Right to Development as a Human Right

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"Right to Development: Whose right, what development and
how, under what conditions to exercise it?"

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Having participated in great many UN consultative bodies, working groups and expert meetings since 1963, /such as e. g. those on the identification and development promotion of the least developed countries, on the link between environment and development strategies, on unequal exchange and deteriorating position of commodity producers, on the social implications of the New International Economic Order, on the basic needs oriented development, on rural development and employment, on the educational policy and development, on the concept of integrated development, on the preparation of societies for life in peace, on Peace and Global Transformation, on human development etc. - organized by UNCTAD, -ILO, UNESCO, UNU, UNDP respectively/, which were all related in one way or another to the "right to development" as interpreted in the 41/128 resolution of the UN General Assembly, and having also read the various resolutions, reports and summaries of views on the Right to Development, as already produced and collected before our meeting, I must express my sincere worry about the frustrating gap between the so carefully and nicely formulated ideas, principles, declared rights and the harsh reality which is increasingly discrediting such activities of the United Nations Organisation.

To avoid misunderstanding: frustration follows, in my opinion, by no means from the brain-storming intellectual exercise aimed at the conceptualization of real problems, and focussing on some crucial issues', or defining more appropriate principles and criteria, but from the pretence, so typical in the UN diplomacy, and bureaucracy, as if something substantial had changed and real progress were

achieved by new resolutions, more accurately defined principles and declaration of new rights, or the establishment of new committees, sub-committees etc. The latter-seem to have their own life linked by references and code numbers with each other, independently of harsh reality.

The temptation to go into the details of this paper-world and elaborate further, more precisely one or another of its documents may not **only increase** certain ambiguities rooted in the original ones, but also divert the attention away from the crucial issues of the real world.

Thus, while being grateful to the organizers of this consultation for the excellent opportunity of a valuable exchange of views on the real problems of development in the contemporary world, I feel also obliged to warn not to fall into the usual trap.

HI The first question we must ask or repeat is the following: whose right to development is to be ensured? The documents answer this question by referring to "everyone", to individual "human beings" as well as to "peoples", communities and also the "states".

In the harsh reality of the prevailing world order, however,

/a/ the individual and the collective rights may not only differ but also conflict;

/b/ the exercising of certain individual or collective, national rights may infringe upon those of others;

/c/ the subjects of the collective rights, which often appear as synonyms in the documents, namely "peoples",

"nations" and "the states" are not identical;

but the actual actors of development'and the subjects whom the right to development is to be assigned to are not necessarily the same.

It is perhaps needless to point to those many, cases when an individual citizen exercising his or her own right to development, e. g. economically, may thereby reduce the same right of others, or when the collective right to development of a nation can be seriously infringed upon by the practice of certain individual rights le. g. in the case of the-brain drain emigration/. A complete national or state sovereignty over all the natural wealth and resources may imply not only the deprivation of others, of such resources belonging to the common Earth, but also a use of the latter endangering the ecological conditions for others.

The very concept of the sovereignty of the states is itself ambiguous and may contradict the sovereignty of the nations, and peoples. A respect of the state sovereignty which is considered so important and fundamental in the "international" law and the United "Nations" Organization, may actually help oppressive regimes depriving the people of individual and collective rights, to survive. And so on...

In the sphere of the economy, as it is well-known, development may often depend more on external factors /such as e. g. the changes in the world market, the activities of transnational corporations, the conditions dictated by the creditors etc./ than on internal ones, particularly on the personal efforts and performances of the individual

citizens. Cultural development of a nation may also be heavily, if not decisively, influenced by external demonstration effects, which--a national policy of cultural development can hardly countervail today. /But this incongruity of the subjects of the right to development with those actors, forces and effects determining actual development is a question on the conditions of exercising this right to which we shall return./

In view of the above we cannot simply overlook the real conflicts between individuals, nations, peoples and the States in the exercise of the right to development, nor can we ignore the inadequacy of the State-based or State-centered institutional system in which this right is to be ensured both for individuals and collectives on a global scene. What follows is that a project devoted to the issue of the right to development must necessarily deal also with the question: /a/ how to reconcile, in a democratic way and effective mechanism, the practice of this right among its many subjects, and /b/ how to develop gradually, by making use of the existing one, a more adequate institutional system corresponding to the increasingly globalized and interdependent world society and its transnationalizing economic system.

III The second logical question, already posed and answered by the documents, is on the meaning of development.

Recalling the famous debate, in the international fora and literature,¹ on "growth" and "development", on "backwardness" or "underdevelopment", which started in the late 1950s and lasted almost for two decades, producing such terms as e. g. "perverse growth", "growth without development", "distorted and dependent development", "maldevelopment" and

even "overdevelopment" etc., and in which I myself belonged to those arguing against any narrow, over-simplified interpretation of development /as well as "underdevelopment"/ , I must be happy with the definition given by the Declaration on the Right to Development, since it correctly describes development as a comprehensive economic, social, cultural and political process, the natural object of which is to be the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom.

However, here again we must be realistic enough to look at this "comprehensive process" called development, not as a harmonious one the components of which, namely the economic, the social, the cultural and the political ones, are complementing and supporting only each other, but as a very contradictory process with tensions and conflicts between its components. It is too easy to say e. g. that economic development cannot go far without social and cultural development but in short-term reality the actual choice is either to allocate more resources for education, culture, social services, environment protection etc. and less for the economy or vice versa. The shorter the country in development resources, the more this conflict appears as a zero-sum-game in the policy of resource allocation /or rather as a negative-sum-game under the worsening conditions of the economy in heavily indebted countries/.

A "constant improvement of the well-being of the entire population" is also a correctly formulated aim, a normative object, which, however, is not only difficult to reach under the conditions of economic cycles, crisis-affected economies and unequal power structures etc., but involves also an ambiguity in respect of the actual meaning of "well-being" and its possible indicators. /Unless well-being is reduced to its material conception, we must take into account also its sociological and psychological implications, the changes in the natural and social environment, the general conditions of life and health security etc./

Similarly the correct notion about "active, free and meaningful participation in development" leaves open the question: whether this participation, if within a society, is restricted to the role of an exécuter who implements only the decisions made by others, or it extends also to the decision-making process itself, and if internationally, how at all a democratic participation in the decision-making on real development can be achieved under the given structure of institutions. Not to mention how ambiguous the term "fair distribution of benefits" seems to be even within a society, in view of the possible application of quite different, often contradictory norms /such as e. g. the size of invested capital, the performance of own labour, the already achieved social status, the size of the family, the number of children etc./, while internationally the markedly unequal distribution of benefits is subject to the still unregulated rules of the

world economy with its law of uneven development.³

Even if we disregard from the effects of the uneven development of the world economy and its centre-periphery relations on the distribution of benefits, the question arises whether the right to development, if exercised by all nations or countries, implies a convergence or divergence of their development, and whether the existing development gap between advanced and underdeveloped countries will be overcome by the "catching up" of the latter following the example of the former. /The fact that the "socialist" attempt of the East to catch up with the most developed countries of the West on a diverging development path, which actually implied military rather than really socialist elements under the conditions of a cold war isolation⁴, has proved to be finally an almost total failure, does not invalidate the above question./

In the history of human societies, particularly since the rise of capitalism with its world-economic system and global centre-periphery relations, no country has ever been able to copy successfully the example of the "model" of the other, the more advanced, at least for three reasons:

- /a/ Their actual endowments, the given local conditions are always different,
- /b/ In the meantime, i. e. between the time of the success of the pioneering, "model-setting" country and the time of its successor's attempt to copy the latter, the world productive forces, science and technology develop further, and new engines of development come into existence, new dynamic sectors

develop. The newcomer, in order to catch up, must innovate, instead of going through all the previous stages of economic and technological /as well as the related political, institutional etc./ development.

/c/ Since capitalism has developed not only national societies, national economies and nation-states, i. e. national systems, but also a world-system⁵ involving an organic world-economy with internationalizing productive forces and increasingly transnationalized production and distribution relations /in terms of capital mobility, ownership, division of labour and income flows/, and also a /highly inadequate/ institutional system based upon the states and the inter-state relations, no society in the world is fully autonomous, independent of others, none of them is free of the impact of global /asymmetrical/ interdependencies and interactions.

The unilinear conception of development is therefore totally misleading because it assumes that societies are running on the same road and in the same direction side by side or one after the other following each other independently. An explanation, accordingly, by internal factors only, of the higher development of some and of the underdevelopment of others is totally false. Underdevelopment of many countries and overdevelopment of some others, all belonging to the same organic global system, are the two different sides of the same coin. And insofar as the former is a historical distortion

of development rather than a mere "lack" of development, the latter also manifests a kind of distortion and disproportions.

This does not mean, of course, that instead of the "internal" forces and conditions it is the "external" ones which exclusively or primarily determine the development positions and international gap, but it does mean that a dialectical interrelationship exists between the internal and external factors of development. It also means that the development pattern of the most developed countries is not a model which the less developed ones have to follow, and are able at all to copy, moreover it also requires fundamental corrections in order to meet the declared aim of a comprehensive and sustainable development benefiting all individuals.

/3/ The third fundamental question, actually the most critical one, is about the necessary objective conditions for exercising the right to development. The declaration of equal rights means only a formal equality. Real equality presupposes equal opportunities, i. e. a real emancipation both within and among societies, without which the right to development /and other human or national rights/ can hardly be exercised equally.

Despite the great many positive historical changes in the global system /such as decolonization/ as well as within societies /such as democratization of authoritarian regimes/ the process of real emancipation, i. e. the extension not only of equal rights but also equal opportunities to all citizens and all nations, still has a very long way to go.

Social and international inequities are, of course, of highly differing natures and origins, and can be explained in many different ways. What, however, seems to be a common denominator is that they all involve, in one form or another, subordination /i. e. dominance and asymmetrical dependence relations/, deprivation /of development resources through income losses, brain drain etc./ and exclusion /i. e. monopolization, discrimination and marginalization, peripherization or isolation/. Further they all stem from and are reproduced by the given mechanism of objective structures and institutionalized systems, and reinforced or caused by subjective factors, biased policies and actions.

Many societies of the world, indeed the great majority of humankind, have been prevented until quite recently from developing as national societies with an internally integrated national economy and as sovereign nation states. Instead, they were colonized or forced in other ways into a dependent periphery position within the world economy, practically governed from outside or according to foreign interests, though often with the servile collaboration of the local ruling stratum. The pattern of development imposed upon them has resulted not only in the reproduction of their dependence relations with the dominant centres of the world economy, but also in an internal socio-economic structure with deep inequalities and disequalizing tendencies.

Subordination, deprivation and exclusion may take on different forms and varieties.

In a few countries, they assume a very open form - such as the case of apartheid, racial, ethnic or religious discrimination, fascist or semi-fascist rule, people-oppressing military regime, feudal-oligarchic system, etc. In this case even the formal equality of citizens is denied. Society, or a part of it, is deprived of the most elementary human rights, also in formal terms. Members of society are openly subordinated to and exploited by the ruling minority and are excluded from the benefits of economic and technological development of the country, from its community, cultural and political life.

In many other countries, also among the most advanced ones, the formal equality of all citizens - i. e. a formal emancipation of the members of society, including women, the various ethnic groups, religious sects, social classes etc."; may have been ensured, and their human rights may be legally respected. Yet under the surface of formal equality and democracy, deep inequalities, hierarchical dependence and exploitation relations can often be found which result from the spontaneous mechanism and institutionalized structure of the given socio-economic system and its development pattern. This explains why even in economically prosperous periods and in the richest countries, too, social tensions, unrest, political violence and revolts - not to mention terrorist actions - may remain regular phenomena hardly attributable merely to "foreigners" or "foreign influence".

Profound inequalities appear in the sphere of ownership relations which tend to generate inequalities also in other spheres and may prevent some of the formal rights from being exercised in practice.

The more monopolized the ownership over development resources in a given country and the more concentrated it is in a few hands, the bigger will be the gap between the equality of rights and the equality of opportunities, and the more markedly a duality will appear in the actual rules governing the distribution of social roles and of incomes. For the majority it is own labour /if employed at all/, i. e. the actual performance, skill, knowledge, talent and hard work, on which the achieved role in the social division of labour and the earned income depend. But for the members and families of the richest, most powerful group of capital-owners it is primarily and decisively their accumulated property which /even if accompanied by own work/ determines career, social status and wealth.

Inequalities appear along with, or independently of, those in ownership also in respect of participation in decision-making and relations of control over economic processes, as well as in access to information, education, skill, knowledge, technology and culture.

Public ownership over socially-needed development resources, over key sectors of the economy or the main means of production can hardly ensure economic democracy and social

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emancipation unless accompanied by democratic participation in decision making and real social control over activity of those sectors.

Though free education may induce some equalizing tendencies in career chances, such tendencies can hardly unfold as long as family background and its cultural environment hinder the process of learning and education. **This** is especially the case today when modern technology requires more and more sophisticated knowledge, far exceeding what free education can provide..

In modern societies accumulated knowledge, skill and cultural assets may also act as monopolized private "capital", disequalizing social opportunities and reproducing the unequal distribution of social roles and incomes - provided that access to such knowledge and cultural assets is more or less monopolized. Cultural and educational monopolies rarely take such open forms as exclusion, by administrative measures, of certain social classes, strata, ethnic or religious groups from schooling. Instead the income gaps within society, differences in the quality of teaching between schools, the need of poorer youth to earn income earlier than in rich families, divergencies in cultural environment etc. - all these do the job of excluding many from given opportunities.

Political power may also be monopolized by a narrow group and if coupled, as in the Stalinist regimes,⁶ with a large-scale state sector and direct state intervention in the economy, may also be used as a "capital" /a political one/ for appropriating a higher, disproportionate and unearned

share in the national income by means of controlling development resources, income redistribution and resource allocation.

Economically less developed societies, particularly those of Third World, demonstrate a dualistic structure with enclaves of a relatively modern, more or less urban sector and the "sea" of the remnants of the former traditional society mainly in the rural sector. In such societies social inequalities and gaps are even more pronounced.

A disintegrated economy and a disintegrated society in which the modern does not modernize, is not in organic contact with the rest of the economy and society, does not assist but rather blocs the modernization of the latter by draining off resources, such a society can hardly develop and make progress towards real emancipation.

Within societies, in general, real emancipation, which the equal opportunity for everyone to exercise equal rights depends on, prescribes the gradual elimination of all those fundamental inequalities manifested in monopolistic relations of ownership and control over "physical capital" /means of production and investment funds/, "intellectual" or "cultural capital" /access to education, skill and culture/and "political capital" /access to political power and participation/ which make not only the allocation of social roles and the distribution of incomes socially unequal and unjust but also the development facilities for the majority rather limited.

Internationally the prevailing world order is also heavily burdened by inequalities and dominance relations, such as the centre-periphery relations of the world economy and the patron-client relations of international politics.

They may exist, as they do, between formally sovereign states as well. Thus unequal position and-unequal development opportunities are possessed by formally equal and sovereign partners, tied with disequalizing relations to each other.

The substance of inequality in position and development opportunities of nations, insofar as it is a historical product and not merely a consequence of natural endowments, manifests itself, besides the inequalities of political, cultural and other relations, primarily in asymmetrical dependence relations and the internal structure of their economy.

Today we live in a world of interdependencies. Whatever happens in one part of the world, affects directly or indirectly the others. Production, technology and science are becoming more and more international.

While the development of the productive forces and the advancing internationalization of the reproduction process establish ever closer and ever wider relations within a system of interferences and complex interactions, there exist heavily asymmetrical, unilaterally dependent relations, dominance and monopoly positions hidden behind the appearance of interdependence.

Funda-mental inequalities and asymmetric dependence relations characterize all the main spheres of the world economy :

- international trade, the international flow and exchange relations of commodities, the pattern of specialization, the allocation of roles in the world division of labour,

- the internal flow and allocation of financial resources, credit and investment capital, the international distribution of capital ownership and control over means, sectors or capacities of production and services, and in the creditor-debtor relations;
- the international flow of technologies and the international distribution of the capacities of technological development, of R and D centres;
- the international flow of manpower, and the distribution of skill and intellectual resources among countries.

These asymmetric relations and their consequences explain most of the imbalances of the world economy.

They comprise the background for great uncertainties and for such growing contradictions and serious world problems as the sharpening contradiction between a squandering "consumer society" and the limited availability of natural resources; the coexistence, within even the poorest countries, of conspicuous luxury consumption and misery; the nutrition crisis of agrarian countries; the insufficiency of national regulation and the lack of international regulation over the activity of transnational corporations.

Subordination /as in the form of asymmetric dependence relations mentioned above/, deprivation of own product and development resources /as carried out through the various mechanisms of international exploitation/ and exclusiveness /as manifested in peripherization and discrimination in the international economy and in politics/ necessarily prevent,

undermine or restrict the sovereignty and equality of nations. Therefore, real emancipation of the latter, this prerequisite for ensuring more equal opportunities of development, calls for a new, democratic world order, which

- eliminates subordination, dominance, foreign intervention and asymmetric dependencies, and ensures emancipation /real, not only formal/ among sovereign nations,
- eliminates international exploitation, which deprives nations of their due results and development resources, and ensures appropriate sharing among all nations of the benefits from the economic, technological, scientific and cultural development of the world;
- replaces all forms of peripherization, marginalization, discrimination and isolation by democratic cooperation among sovereign and emancipated partner-nations all involved and actively participating in the world process of social development, its governance and control;
- and involves a truly democratic global institutional system based upon the democratic representation of all peoples and able to act, allocate and redistribute on global level, in consonance with the globalization of interdependences and the common interests of our global society.

Notes

1. See Paul Streeten, L'évolution des théories relatives au développement économique. Problèmes Économiques. No. 1546, 9. Nov. 1977. and Nouvelles conceptions du développement, Finances et développement, Sept. 1977.
2. See Tamás Szentes, The Political Economy of Underdevelopment. Akadémiai, Budapest 1971./and 1973, 1976, 1983, 1985/.
3. See Samir Amin, Le développement inégal. Ed. de Minuit, 1973.
4. See T. Szentes, Radical Transformation, Democratization and Reopening in the East: Motives, Implications and Dilemmas. IEWSS East-West Task-Force, Washington, June 7-9, 1989, Institute for East-West Security Studies.
5. See Immanuel Wallerstein: Historical Capitalism. Verso. London, 1983.
6. See T. Szentes, Radical Transformation ... Op. cit.