

Chapter Two

Development Ethics and Human Rights as the Basis for Global Poverty Reduction: The Case of the World Bank

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Introduction

“It is justice, not charity, that is wanting in the world.”

(Mary Wollstonecraft)

Reducing poverty is the overarching goal of the main development agencies, as reflected in the Millennium Development Goals (MDGs). Yet progress has so far been slow and there are indications that the MDGs are far from being accomplished in the next decade (Vandemoortele 2003, UNDP 2003). No matter how poverty is defined and measured, the statistics indicate an appalling situation: millions of people live in subhuman conditions and many die of easily preventable causes. A focus on poverty represents a welcome return to the central objective of development. In parallel with this there has been, in recent years, a return to fundamental ethical issues: asking not only ‘how’ but also ‘why’ development must be provided. In the past, the motives for giving aid have tended to be a mixture of charity and self-interest; and the procedures for aid allocation have been based mainly on technical and economic considerations. An ethics-based approach may challenge both the ‘why’ and the ‘how’ of development assistance, and indeed the appropriateness of many approaches underpinning aid to the South.

In recent years, it has been increasingly argued that severe poverty is a violation of human rights. This may come to be accepted by the international community; but many hundreds of millions will continue to live in life-threatening poverty. To attack severe poverty effectively, this idea

must be complemented by another: that there are specific agents who are violating other persons' specific human right not to be poor. While ethical language is taking root among development aid actors, and increasingly becoming part of proposals for global governance, debate about responsibilities for poverty is minimal (but see Held, 2004; Pogge, 2005; Pogge & Follesdal, 2005 and the ethical Globalization initiative at: <http://www.eginitiative.org/>). The recent Report by the International Council for Human Rights Policy, *Duties Sans Frontiers: Human Rights and Global Justice*, is a welcome exception to much academic and policy work.

Rather than taking a specific moral theory of responsibility as the basis for formulating a normative distribution of responsibilities, our aim is to examine empirically what practices of responsibility are occurring in development agencies and among their staff. We are concerned to investigate actual 'practices of responsibility', for it is through these, rather than stated moral claims, that moral agency, blame for harms, and ascriptions of obligations are ascribed or avoided.

Ascribing responsibility is a highly complex and controversial issue that entails not only the application of ethical values to practical life but also requires addressing the distribution of power, authority and social positions (Smiley 1992). Moral responsibility is, as Bauman argues, a sphere of culture (Bauman 1973), arguably a sphere of organizational culture also. In addition, practices of responsibility produce and reproduce moral behaviour; practices of responsibility are then not only expressions of morality, but prescriptions of what ought to be the distribution of moral labour (Walker 1997). Identifying actual practices of responsibility may be a first step to initiate an open dialogue on a fair and appropriate distribution of responsibilities for the eradication of poverty in expert institutions and people working for the reduction of poverty.

In brief, therefore, this paper is concerned with, which notions of responsibility for the eradication of poverty are to be found among global institutions; and more particularly (in this instance) the World Bank. The Bank may be described as an expert institution – indeed the most influential in the world in matters of development and poverty reduction. This is because of its research capacities, its power to formulate what are or are not the proper ways to understand poverty reduction and development, to disseminate ideas and policy recommendations, and to create communities of experts (St Clair, 2006b).

Linking the Why and How of Aid through Practices of Responsibility

Over a 30-year period, the policy debate concerning poverty and human rights among development actors moved from a concern with basic needs (ILO 1976, Streeten 1981, ul Haq 1976), to the notion of human development, much influenced by the work of Amartya Sen (1999). The process by which the earlier ideas became successively adopted and refined by development ethicists is analysed by Alkire (2002), Crocker (forthcoming), Doyal and Gough (1991) and Gasper (2004). To accept the notion of human development implies defining the “essentials” without which people cannot exercise free agency, that is, freedom to choose to lead the lives they wish or have reason to value (Various Human Development Reports HDRs, WDR 2001, Sen 1999). Under this interpretation, poverty refers to the lack of a core of human needs that are necessary conditions for the exercise of free agency. But the question remains, who has responsibility when the basic core needs of people are not satisfied?

A radical claim, addressing poverty as a human rights violation, is found in the work of Thomas Pogge (2002, 2003, 2005). According to this view, a focus on needs or basic social services is insufficient. Their provision addresses the symptoms of poverty but often not the forces that produce and aggravate severe poverty in the first place. Human rights add a political force to the

protection of needs while calling for an adequate ascription of responsibilities for their protection and fulfilment. With few exceptions (Crocker forthcoming, Pogge 2005, Pogge and Føllesdal 2005), there is at present little research addressing responsibilities for the economic, social, and political processes that cause poverty - internationally as well as nationally. Yet development agencies are amongst the most important actors in these processes. They are “agents” whose actions have substantial consequences for other groups. They are organizations whose policy recommendations and development programmes shape the socio-economic structures of most developing countries and thus affect the life chances of millions of people. In their attempts to mainstream concerns for rights, however, development agents generally avoid discussing the structural causes and social processes of impoverishment that cause human rights violations to occur. And they rarely engage in self-reflection as to how they themselves may be related to such outcomes, or how ethical reflection may help clarifying their role. We regard this as not only logically flawed but – as a practice of responsibility that may be characterised as avoidance - perhaps also morally flawed.

Development Ethics

The field of development ethics leads us to go beyond economics, and focus on human beings and human well-being. It focuses our attention towards “the types, distribution and significance of the costs and gains from major socio-economic change, and at value-conscious ways of thinking about and choosing between alternative paths” (Gasper 2004: xi). Most ethical theories consider extreme poverty as dispossessing human beings of their dignity. Rights provide one of the best ways to “recognise and respect human’s dignity and to counteract pure power, whether physical, market or other power” (Gasper 2004: 226). An ethics-based understanding of the ‘why’ of development aid reinforces common moral intuitions regarding duties to help those in need, especially the most vulnerable. And it leads us to focus on the moral and political agency of both givers and recipients of aid, whether this agency is personal or institutional. We favour the view

that much severe poverty today may be viewed as a violation of human rights, traceable to national and global schemes of social institutions which the non-poor both support and benefit from (Farmer 2003, Pogge 2002).

Attributions of harm, however, and ascriptions of past and forward looking responsibility to particular global institutions, tend to be dismissed, whether because of the lack of clear causal connections, the difficulties in identifying actors, or the complexity of the moral analysis. Even though the incidence and depth of poverty in the world today violates the moral intuitions of most people, a social construction of moral distance is created; a distance that hinders moral awareness and ethical reflection. The creating of such distance should not be seen as an explicit choice, which implies that the people concerned are morally 'bad' (although they may be). It is a more implicit, unquestioned phenomenon, which is supported by technocratic and economic views of development. In recent 'human rights-based approaches' favoured by development agencies, lawyers are also becoming involved. It may transpire that legalistic views of development also encourage moral distance.

In earlier research, we have investigated the ways in which ideas are taken, used and transformed by multilateral organizations (Boas and McNeill 2004, St. Clair 2004, 2006a, 2006b). We have argued that ideas are often drained of their analytical and political potency. For example, in the World Bank the concept of social capital becomes an expression of the cognitive values of the dominant discipline—economics. Ideas are thus often transformed into notions that do not challenge dominant knowledge and ideologies. The same may occur with responsibilities and ascription of blame for harms and obligations. These may end up distorted or transformed in ways that produce and reproduce moral distance and avoidance of responsibility. Blame for harms and forward looking obligations to help, may thus be displaced outside their moral agency (in the case

of individuals), outside their field of work (in the case of institutions) and outside the scope of knowledge. In our past work we also argued that multilateral agencies are partly social constructions (Boas and McNeill 2003), and that their ideas co-produce both global knowledge and global politics (St. Clair 2006a). We argue now that practices of responsibility within these organisations are also partially socially constructed and partly related to the political and economic power of both individuals and the institutions themselves. They are embedded in social institutions; embedded in the processes of formulating knowledge for development and poverty reduction. There is a risk that human rights mainstreaming by development agents will remain a cosmetic change rather than a recasting of the why and how of aid. A rather different risk is that the morally underpinned language of rights – already seen by some as a new moral imperialism – may be captured by powerful individuals and institutions to promote their own interests.

The Ascription of Responsibilities: Values and Contexts

Judgements of responsibility are not only expressions of values being held by people or defended by institutions, but also practices. For some, morality itself is a human practice embodied in social forms of life where power, authority and positions in society matter as much as values (Walker 1997). This does not imply a moral relativist position, merely that contexts matter; the specification of human rights will vary according to time and space. It is important to pay attention to what is the domain of ethical consideration in assessing personal, collective and institutional responsibility. As Onora O’Neill argues, the domain of ethical consideration pertinent for a given context can be fixed by considering the assumptions people make about the agency of others, whose lives they take to be connected to their own (1996). We add that such an argument applies to institutions as well. Iris Young’s (2004) treatment of political responsibility points in a similar direction. Assigning responsibilities for structural injustice entails questioning the background conditions that common ascriptions of blame and future obligations assume as

normal. Our task is to examine what leads the staff of a complex organisation dealing with poverty reduction (such as the World Bank) to form opinions about the moral agency of others, and to relate this to their role as experts and as staff of the institution in question.

Practices of responsibility are not only ascriptions of moral agency, but may also be denials of moral agency. Such denial may be institutional or collective as well as individual. Ascription or denial of responsibility is a highly difficult matter that often has to do with “negotiating” diverse interpretations of facts and events more than with disagreements about values. Ascribing responsibility is partly a negotiation about harms, obligations, blame and credits related to the actions of both individuals and institutions, and often related to positions and tasks individuals hold or perform within institutions (French 1992, Goodin 1985). To ascribe interpersonal responsibility is for “some person to identify another person as the cause of a harmful or untoward event, because of some action that was performed by that other person, and in light of the fact that the person that was identified occupied a certain type of position or role or station and cannot support an acceptable defence, justification, or excuse for the action” (French 1991). Actions could also refer to acts of omission, when people fail to do something that could have avoided harm. But this is a far more complicated case to make. Institutional responsibility is a hybrid case where both individuals and collectives are held responsible. Ascribing political responsibilities is related to *different ways to reason about actions in relation to injustices*, for instance reasoning derived or related to the actual power or privilege agents may have or related to the connections they may hold with the injustice (Young 2004).

Most theories of responsibility agree that the tasks or roles one may perform are among the most important determinants of responsibilities for one’s actions. The same argument holds for organisations. In fact, most ethical codes, common in business organisations but also others,

relate to tasks and roles: what it is that people are expected to do, or to refrain from doing. However, such a ‘responsibility logic’ tends to be ignored in the case of global institutions. Here sources of accountability are more related to (formal and informal) mechanisms and rules of action; or even resolved by reference to legal articles of agreement, no matter how little relevant these may be in relation to the tasks and roles actually performed.

Thus, we view individual and institutional practices of responsibility also as discursive—manifested in the ideas and concepts used by these actors, and their capacity to refer or deny moral agency in their accounts of what is relevant knowledge for reducing poverty. Our earlier work tells us that development agents like the World Bank or UNDP have accepted many of the values enshrined in the Universal Declaration of Human Rights, and view their work—as organisations—as protecting and promoting rights. Our sense is that, personally, many of the individuals working for these organisations would feel uneasy to work for an institution that violates or ignores human rights. What seems to happen is not a denial of the values promoted by human rights, but a denial or distancing of the institutional roles and personal roles (as experts and practitioners) in relation to the forces producing and perpetuating poverty. The result is moral distance and not an environment conducive to awareness, one that would acknowledge and thus abide by obligations or responsibilities.

Yet moral distance is socially created. Social distance allows for a “diffusion of responsibility”; for a de-legitimization of moral motives (Bauman 1992). Such a view is not a theoretical construct one takes lightly, but a very basic issue with far reaching consequences. This is the same argument made by Jonathan Glover in his attempt to explain the moral distance that permitted the biggest moral atrocities of the 20th century (Glover 2001). An understanding of the

complex ways in which moral principles interact with everyday life is, Glover remind us, precisely *the way* to understand a ‘side of human nature often left in darkness.’

Ascription of responsibility is then not only about a straightforward application of moral values, but something that society manipulates, exploits or redirects (Bauman 1992, Glover 2001).² And we must understand society here in broad terms, including social institutions such as multilateral development agencies. Bauman’s analysis of moral responsibility refers to an extreme case, the ways in which the Nazis were able to create the social distance that allowed them to perform the most heinous crimes without compromising their moral values. But the point is a general one. By looking only at ethical principles as abstract forms of theorising about human nature, societies and institutions, we are left in the darkness, as Glover argues, as to why some practices that most cultures and peoples deem unethical and unacceptable, are repeatedly occurring across history. This argument applies, we argue, to the pervasive poverty that millions of human beings suffer across the globe, including the poverty of citizens in advanced economies.

What is important is not explicit ethical language, but how ethical values are imbued in ideas and embedded in institutions in ways that frame the choices they make. Some development actors seek to bridge their moral distance from the poor through explicit value analysis and the use of ideas with imbued moral values that have eventually become embedded in the organisational culture: for example the UNDP’s notion of human development (St. Clair 2004). Often the ethical language or stated ethical principles defended by development agencies are disconnected from their discourse and practice. In the same way that we found that potentially path breaking ideas are often drained of their political impact, largely because multilateral development agencies have interpreted their task as mostly technical and apolitical, we may see that responsibilities are avoided and social distance constructed by interpreting tasks, social positions

or descriptions of events and roles, in technocratic and apolitical ways. If left unchallenged, such practices perpetuate the questionable belief that development actors are already performing their obligations, that they are not the cause of poverty nor do they harm the poor or support institutions and individuals that do harm them. A picture of *the facts* that requires further investigation and that prevents open debate about responsibility ascription.

Bringing in ethics not only introduces a new intellectual inspiration, it also introduces the normative dimension in a far more explicit form than in our earlier CANDID³ analysis of how institutions incorporate new impulses. Here, it was important to take account of *inter* and *intra* institutional competition and collaboration, and to examine how institutions and divisions within institutions maintain their different ‘identities’. The dilemma for the individual in such circumstances is seen to be how to relate to two, to some extent, contrasted peer groups: of academics and practitioners. When ethics is explicitly included, the dilemma for the individual becomes still further complicated – since he or she may feel it not only appropriate but even necessary that policy also reflect their own personal ethical convictions.

It is important, we argue, to investigate what mechanisms allow staff of these agencies and the institutions themselves to approach or to distance themselves from obligations towards poverty. What allows them to be both morally engaged but also detached in the face of widespread, dehumanizing poverty? What types of moral, political and technocratic substitutions permit such detachment and how do these translate into interpreting or accounting for facts in particular ways? What determines the actual responsibility practices of staff in the multilateral organisations who work on poverty? How does the institutional framework in which people work make a difference?

Answers to these questions may help clarify how to mainstream human rights with development knowledge and policy in ways that avoid instrumentalizing the essential intrinsic value of human rights: as the expression of the moral worth of all human beings. This may help linking the ‘why’ of aid with the ‘how’: how aid policies are thought through and implemented. This in turn may lead to new ways of thinking about evaluation, and the meanings of development effectiveness. In the remainder of this paper, we take the World Bank as an example; presenting a preliminary examination of some of the issues just discussed in relation to a specific case.

Responsibilities for the Eradication of Poverty: The Case of the World Bank

The issue of human rights may be taken up at two different, but related, levels within the Bank. One is at the overall, strategic level; the other is at the operational level. We will discuss each in turn. In formal, organisational terms, the World Bank’s concerns for ethics were first explicitly addressed in a small department created after the World Development Report (WDR) 2000/2001, *Attacking Poverty*. This department is in charge of co-ordinating a project on interfaith dialogue, recently extended to include ethical values more generally. So far it has had a marginal role in the Bank. (Nevertheless, the Bank has for many years had an informal gathering called the “Friday morning group” where a few staff members meet to discuss some of the moral aspects of their work.) More recently, former President Wolfensohn appointed Alfredo Sfeir-Younis as the World Bank’s Senior Advisor on Human Rights. Although he left his position in summer 2005, this appointment may be interpreted as another sign of the Bank’s commitment to engage with human rights issues and more generally to include concerns for basic moral responsibilities. This, however, in fact depends on the amount of influence that the Advisor is allowed to exert, not least over operational policy.

The two initiatives just mentioned may be taken as strategic ‘signals’ emanating from the highest echelons of the Bank concerning the issue of moral responsibility; but in formal terms it is the Board of the Bank that has executive power. It appears from its documents that the Bank’s notion of rights is thin and somewhat incoherent, often expressed in legalistic more than ethical terms. We find declarative statements such as “the mainstreaming of human rights into everything we do” (World Bank 2002). However, according to a recent summary of a meeting addressing human rights in the Bank, staff members tend to ask: “Should an economic development institution embrace the fundamental values, elements, and instruments of a human rights approach to sustainable development? (World Bank 2002).” There appears to be a reluctance to address rights directly, perhaps derived from the legal constraints of the Bank’s mandate, which says that the institution should avoid engaging in political matters. The Legal Department has always played an important part in interpreting the Bank’s mandate and status, and its role is discussed below.

The World Bank's Senior Advisor on Human Rights, Sfeir-Younis, has given a number of talks, and also written speeches for President Wolfensohn. His style seems to be more theoretical-philosophical than that of Wolfensohn. Perhaps the most clear statement of his position is in his essay “Human Rights and Economic Development: Can they be Reconciled? A View from the World Bank” (2003). (It is important to note that the text expresses Sfeir-Younis own opinions, and not those of the Bank as an institution).

First, Sfeir-Younis argues that it is crucial to address the role that economics, and in particular economic values, play a part in restraining the Bank from engaging more openly with human rights issues. Economics can be characterised, he argues, as a collection of values – albeit changing with context and over time; it is impossible to view economic issues, rights and the

operationalisation of policies as separate matters. What weaves them together are precisely underlying values; and a focus on values is the most important way to mainstream human rights into economic development (Sfeir-Younis 2003: 3). Some values are dominant (thus consumerism and individualism dominate economics), but it is not clear that this should continue; and different countries and contexts have their own values as well. Today we are in a situation in which economic thinking dominates values related to common issues or to the value of inclusion. It is crucial then to see the role played by institutions, Sfeir-Younis claims, in changing the course of humanity, in enabling change. The reconciliation between economic and human rights issues needs to occur at an institutional level, Sfeir-Younis argues, as much as at an ideological level. He then moves on to address matters of governance at the country level, the roles of non-state organizations like NGOs and some reflection on the ways in which the Bank itself may be transformed as an agent of change. Sfeir-Younis focuses his attention on the strengthening of the UN system in general, and the added value to which linkages on human rights across the system's diverse institutions may lead. He then addresses the ways in which new approaches in the Bank related to poverty reduction have put the Bank closer to human rights principles, such as for example the recent emphasis on empowerment or lack of 'voice'.

A second important area of emphasis in Sfeir-Younis' article is the relation between rights-based development and socio-economic rights. He argues that this leads us to investigate processes of wealth creation and wealth accumulation. Unless wealth creation is linked to socio-economic rights, human rights may remain disassociated from economic planning and economic decision-making. Human rights, Sfeir-Younis argues, may learn from the intellectual journey of sustainable development, which led to a re-linking of environmental matters with wealth creation.

In summary, Sfeir-Younis raises some very basic and challenging issues. Given the preliminary nature of our research, it is not clear to what extent – if any – these have been followed up within the Bank. But this depends not simply on the Bank’s mandate, but also on the ‘culture’ of the Bank: the many formal and informal rules, norms and practices of different departments and the power some of those may have above others.

In the Operational Departments a powerful imperative is to lend money, and the attitude taken to human rights issues is predominantly instrumental, that is “will such an approach make for more and better lending?” Among economists, whose views tend to dominate, there is some scepticism. Among other social scientists such as anthropologists or sociologists there appears to be more openness – but even here a degree of caution. While they are generally convinced (as argued in the recent Social Development Strategy) that, for example, accountability is a very important element, this does not necessarily mean that this can or should be operationalised through explicit reference to human rights. Among those who emphasise the importance of human rights, there is still some discussion as to whether a human rights dimension is qualitatively different in some sense, or whether it can best be integrated with concepts that have already been advanced in recent years. That is, empowerment and participation or a more expansive use of Sen’s capability approach. However, human rights still play a quite limited role in the intellectual work the Bank produces. Perhaps the best insight into the core values and ideas of the Bank is the annual World Development Report (WDR). Two recent reports are of particular significance and deserve extended discussion.

WDR 2000/1 was on the topic of poverty, and the debates concerning its content were unusually transparent since drafts were posted on the Bank’s website, and comments invited. The process was quite turbulent, and the lead editor of the report, Ravi Kanbur, quit in protest claiming undue

influence from the US Treasury Department (Kanbur, 2001). Much of the debate regarding this incident can best be seen as value frameworks clashing with one another, rather than cognitive differences.

The WDR 2000/1 report claims to offer a new view of poverty that recognizes the now widely accepted idea that poverty eradication is about the human beings behind the statistics. The report claims to draw its conception from two main sources: 1) the voices of the poor themselves, and 2) the philosophical arguments by Amartya Sen and others for viewing poverty as a deprivation of basic capabilities rather than merely low incomes (WDR 2000, 1.2,1.3). Even though these references may lead to a more explicit role of ethical values in the WDR, in the end the report elaborates on poverty through instrumental argumentation. That is, the Report “still bases poverty alleviation policies on economic growth and consumption thereby blurring the important distinction between a people oriented approach to poverty and a people oriented conception of economy (Skirbekk and St. Clair 2001: 11)”.

In short, the report states that Sen’s capability approach helps to explain that poverty is more than lack of income, and offers arguments to include deprivations in health and education. But “the text does not provide further explicit claims regarding Sen’s approach to poverty. ... The report is blind as to how Sen’s approach may be incompatible with other theses stated in the report or with long-held beliefs inside the World Bank bureaucracy” (Skirbekk and St.Clair 2001: 14). In brief, this may be seen as a missed opportunity to address the connections between basic capabilities, the linkages between liberty and socio-economic rights, and even the linkages with human rights that Sen’s work directly provides.

The forthcoming WDR 2005/6 is on Equity and Development.⁴ The report makes use of Sen's notion of capability but, as with WDR 2000/1, in a largely rhetorical way, disconnected from the rest of the logic of the report. The first draft risks collapsing intrinsic and instrumental values in a fallacious way. It is unclear as to whether equity is a fundamental and non-tradable value (referring to justice, and ultimately based on the intrinsic moral worth of all human beings); or an instrumental economic value (more equitable distribution leads to more economic growth). If the case for equity is made primarily on instrumental rather than intrinsic grounds, this implies a modest place for human rights, if any. The final draft has the merit of clarifying the distinction between the intrinsic and instrumental case for equity, but chooses to focus primarily on the latter. Thus the main argument in Part II, entitled 'Why Does Equity Matter'⁵ is instrumental. Human rights, as such, receive very modest attention: human rights legislation is referred to as one of five types of evidence that 'fairness matters'.

The Human Rights Obligations of the World Bank: Legal Positions

The Articles of Agreement of the Bank state that "The Bank and its officers shall not interfere in the political affairs of any member country ... Only economic considerations shall be relevant to their decisions ...". The Legal Department, which has responsibility for advising on the interpretation of these articles, was long seen as a conservative element in the World Bank. In the early 1990s, when issues of governance entered more explicitly onto the agenda (whether broadly defined, or more narrowly focusing on corruption and 'good management') there was much discussion, in which the Senior Vice-President (General Counsel) played an important part. This led to what may be described as cautious change. The question now arises whether further change is desirable and possible; and there is some evidence that this is so.

There has been discussion both within and outside the Bank as to its possible legal obligations, as an institution, and in particular as an expert body offering knowledge and policy for poverty.

According to Van Genugten (2003), for example, what is important is that new approaches and directions in the Bank – such as governance, social safety nets, or efforts to enhance countries to meet health and education targets – be expanded and evaluated according to both socio-economic and cultural rights, national regulations and international human rights laws. Even though a focus on poverty issues is important, it is *per se* not sufficient to guarantee protection of basic rights nor necessarily consistent, procedurally, with rights broadly understood (Van Genugten 2003).

An important debate among legal scholars is the extent to which the Bank is bound to respect and/or promote international law. One of those who have made detailed investigations of the possible legal obligations of the Bank argues that the institution was established according to international law, “through the adoption, ratification and entry into force of their Articles of agreement as treaties among states” (Skogly 2003: 46). Flowing from the Articles of Agreement, it follows that the Bank is a legal person with duties and responsibilities, arguably in the same way as business corporations are treated as legal persons. This means, according to Skogly, that the Bank has a responsibility to carry its mandate “within the framework of international law” (Skogly 2003: 47). From this, it follows that the Bank is also obliged to respect human rights as articulated by the UN Charter, as well as by customary international law and ‘general principles’ of law (Darrow, 2003). This obligation entails that Bank programmes and policies ought not to violate human rights. Skogly adds, furthermore, that such obligation is not only negative, but also positive.

Even though the Bank has recognized its positive role in the promotion of economic, cultural and social rights, there is no indication as to how this is ensured or monitored (Skogly 2001: 55).

Regarding positive obligations to protect and to fulfil people's rights, it may be argued, from a legal perspective, that although the Bank itself does not hold full (perfect) human rights obligations (as it is not a ratifying party to human rights treaties), it has implicit obligations to the degree that its member states are committed by ratification. According to the principle of extraterritorial obligations, it can be argued that member states are bound by the conventions they have ratified with regard to their behaviour through the Bank's operations (Andreassen & McNeill 2004).

In short, some scholars agree that the Bank is legally bound to comply and even to promote human rights. Perhaps, the most detailed attempt to provide guiding principles is found in the "Tilburg Guiding Principles of World Bank, IMF and Human Rights" (Van Genugten, Hunt and Mathews 2003; see also Van Genugten & Perez-Bustillo, 2001).

Moral Responsibility: Roles and Capacities

The legal arguments just stated have their counterparts, still more broadly expressed, in the moral arena. It is important to recall that moral responsibility embraces broader aspects than any legislation, and that it is desirable that this be the case. A central issue in both cases is the responsibility of an institution as opposed to an individual. Literature on responsibility ethics has determined, from many different perspectives and through diverse lines of argumentation, the ways in which collectivities and institutions, such as business corporations, may be considered moral persons as well as legal persons (French, 1994; more recently, on institutions, Erskine 2003). Broadly, both the legal and the moral arguments are ultimately based on the particular capacities and roles that an institution – such as the Bank – has and performs. From a moral perspective, the shift from an economic to a human rights and ethics based perspective with regard to poverty aims to appeal to the same sense of moral concern, and even outrage, that extreme human rights violations such as genocide or torture give rise to. But it is a challenging

task to link this to the everyday practices, including discursive practices, of actors and institutions engaged in poverty reduction, their knowledge and their policies.

As we have outlined above, responsibility ascription requires tracing actions (or omissions) and their consequences. Clearly, the causal relations between actions or omissions and the severe poverty of a particular individual or group are highly difficult to establish. Yet, this is no reason to refrain from investigating those linkages. In fact, many violations of civil or liberty rights are also highly complex to trace; yet many incentives are put in place simply to prevent these violations from occurring, often at an extremely high cost. Moral responsibility is in itself much broader than causal responsibility, although ideally the presence of both leads to more transparent ascriptions of responsibility. It is reasonable to expect that global institutions entrusted with gaining and applying expertise in poverty reduction should follow the precautionary principle: to protect people from severe poverty. The argument for a forward-looking responsibility to protect can be made both at a legal and at a moral level. However, in keeping with the theoretical framework outlined in the former section, our aim in this study is to make an empirical investigation of actual responsibility practices, including discursive practices.

What follows are some preliminary suggestions regarding the World Bank, outlining a number of responsibilities that apply to this global institution, a) in relation to its capacities; and, linked to those, b) in relation to its roles. Response-ability, that is, the ability or capacity to respond either by solving a problem or preventing harm, is one of the most fundamental grounds for ascribing responsibility. Thus, investigating responsibilities of the Bank requires a very detailed account of its capacities. In addition, the scope of moral agency, as outlined above, depends very often on the context. It is here that it is important to look at the roles played by the Bank as an organisation, and at the roles and audiences of the experts as they work and represent the Bank.

At a general level, it may be argued that if – as most ethical theorists agree – there are duties and responsibilities to create institutions that protect the rights of people, then surely development aid agencies are precisely such organisations. The tax revenue from donor country citizens is appropriated precisely under such rationale: to aid poor countries and their people in achieving what is considered a better quality of life. However, such responsibilities, even at the broad level, need to be qualified. We agree with Henry Shue “that one wants institutions that function effectively to honour rights while imposing only duties that make fair demands on those who bear them.” (1996: 166). For citizens of advanced economies, which are mostly those donating funds for development, the least that democratic citizenship allows us to demand is a transparent debate as to what mechanisms allow, hinder or diffuse moral proximity needed for the ascription of responsibilities for poverty in development aid agents.

Responsibility and Roles: Thinking about Expertise and Responsibility

There is little research addressing the issue, but we agree with Martin Hollis that “expertise carries special ethical responsibilities.” (Hollis 1991: 205). Our earlier work suggests that the way in which knowledge is applied in making and advising on policy may diffuse or avoid rather than promote acknowledgment of either human rights or ethical concerns related to poverty and the poor.

Regarding the content of recommended policies, one may refer to both the global and the national/local level. To promote market openness in its various manifestations on the grounds that this leads to increased economic growth and thus the reduction of poverty begs the question of what alternative global systems one could envision that would primarily avoid severe poverty. The extent to which the economic restructuring occurring worldwide is producing or reducing

poverty is one of the most debated issues in globalisation studies; and critics often identify the Bank as one of the main actors in such restructuring. However, the discussions tend to take place within a very limited scope; the actual question of poverty production is begged for. As Thomas Pogge rightly argues, one of the most fundamental matters for the moral assessment of an economic order is “whether there is a feasible institutional alternative under which starvations would not occur. It does not matter, or does not matter much, in what causal relations the relevant order stands to the starvation in question.” (Pogge 2002: 13). A similar argument is made by Amartya Sen in evaluating more generally current globalization processes.

The criticism that a distributional arrangement from cooperation is unfair cannot be rebutted by just noting that all the parties are better off than would be the case in the absence of cooperation: there are many of such arrangements and the real exercise is the choice between these various alternatives (Sen 2002: page number).

It is here that the roles and capacities of the Bank, with regard to knowledge and policies addressing poverty, are fundamentally inter-linked. The Bank’s economic advice to client countries, and its ‘global ideas’ (e.g. related to social policy, safety nets, the provision of people’s basic needs) cannot be separated from the overarching system of rules and regulations that constitute the global economic system. The Bank has both the capacity (in terms of power and in terms of knowledge), to challenge the global architecture, and the responsibility to address the manifold problems related to the scientific uncertainty surrounding economic knowledge and economic policy prescriptions. Not only are economic advisors, including the Bank and its experts, responsible for the consequences of their recommendations (for example structural adjustment programmes) on people’s lives; they are also responsible, as Stiglitz claims, for disclosing the limits of the knowledge they provide (Stiglitz 2001).

The forthcoming WDR 2006 indicates both the potential of and the likely limits to World Bank action in this respect. The Report is quite critical of international laws and agreements. For example:

“The laws that govern the functionings of global markets, like all international laws, are the result of complex negotiations... questions about the legitimacy of negotiating processes and enforcement mechanisms risk undermining the applications of laws... greater participation and voice in rule setting bodies would help ensure that outcomes are more favourable to developing countries” (WDR 2006: 10.67).

The World Bank is a very important organisation concerning poverty reduction policies, and such passages indicate how it might actively engage in trying to redress such imbalances of power. This can be promoted both through advocacy (as implied in some sections of this WDR 2006), and, for example, by providing technical assistance to developing countries in negotiating international agreements more beneficial to their needs. Yet, the Report is in other respects quite cautious. There is no attempt to take on the arguments of Sfeir-Younis, summarised above. Moreover, the report is, like its predecessors, written in economic language for economists, thus leaving it constrained within a technocratic frame which sets the domain for ethical consideration with regard to poverty in a very narrow and limited way. To change this it would be necessary to address the most fundamental sources of legitimacy and credibility of the Bank's knowledge, and to challenge the circularity between the knowledge produced and promoted by the Bank and the ways in which it is legitimized (St. Clair 2006 b). However, this is not to deny the numerous, and sometimes vociferous critical voices in the organisation – although these are seldom heard outside – and high profile examples of staff leaving the Bank.

To conclude, the Bank is certainly not the only agent endowed with the task of eliminating poverty; many other institutions and individuals share that responsibility including poor countries' citizens, politicians and bureaucrats. Nevertheless, the roles and capacities of the Bank as a particularly powerful actor in global politics and in global knowledge call for an in-depth investigation into its role as an expert body; including the question of how moral distance is created and perpetuated. The legitimacy of the World Bank may be seriously damaged if it is not able to respond to the increasing calls for democratic accountability. And these may legitimately include a "responsibility to protect", to *protect people's freedom from poverty*. Such a forward looking notion of responsibility would require a deep analysis of the roles and capacities of the Bank, an assessment of the manifold areas of uncertainty of economic science, and a transparent treatment of the entanglement between ethics, knowledge and politics. The audience of a legitimate World Bank, we suggest, is not, or at least not only, mainstream economists and powerful global elites, but all the citizens of all the countries that make up this global organisation.

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¹ Acknowledgements. We thank Dan Banik, Benedicte Bull, David Crocker, Andreas Føllesdahl, Des Gasper, and Thomas Pogge, for useful revisions and suggestions during the preparation of the first draft of this paper. We also thank the participants of the Workshop Research Bank on the World Bank, in particular to Dick Robinson and the editors of this volume Diane Stone and Chris Wright, for useful comments and suggestions that have improved the paper.

² Interestingly, Glover does not refer to Bauman's earlier work, one of the landmark studies of the role of morality in society. A possible explanation is the gap that exists also between the social sciences and the humanities. In our opinion, both are needed for a proper elaboration of moral responsibilities for the eradication of poverty. The conceptual work resulting from this project aims to establish a dialogue between philosophers and social scientists. Neither Bauman's landmark study, nor Glover's work has to our knowledge, been applied to study poverty. But see Pogge (2005).

³ CANDID is the acronym of our former research project investigating the **creation, adoption, negation and distortion of ideas in development**. See http://www.sum.uio.no/research/global_governance/candid/index.html

⁴ At the time of writing this paper, only the final draft of the report has been available. The comments that follow are based on the written drafts, and public presentations in Oslo, Washington and Dakar, Senegal.

⁵ A significant change from the earlier draft in which it was 'Does Equity Matter?'