

**Human rights and the bottom billion**

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*\*37 Global poverty is today widely discussed as a human rights issue. But how should it be approached? In addressing this question, the present paper examines the influential work of Paul Collier, Thomas Pogge, and the Office of the High Commissioner for Human Rights. While each contributes significantly to our understanding, it is argued that none attaches sufficient importance to the relationality and systematicity of privilege and deprivation.*

In his recent book *The Bottom Billion* development economist Paul Collier writes of the billion or so people who live in the world's very poorest countries.<sup>1</sup> The statistics for these places are grim even by the standards of states that are not affluent: average life expectancy is 50, as against 67 elsewhere in the developing world; infant mortality is 14 per cent, as against 4 per cent in other developing countries; and the proportion of children with symptoms of long-term malnutrition is 36 per cent, while in other developing countries it is 20 per cent.<sup>2</sup> But for Collier the point about these societies which justifies concentrating on their distinctive problems is not just that they are exceptionally poor; it is also that the prognosis for them is exceptionally bleak, inasmuch as their economies are failing to grow. Indeed, for much of the time since the 1980s their economies have been in accelerating decline, with the result that today they are about where they were in 1970.<sup>3</sup> Collier identifies 58 countries as being in this situation, most, though not all, of them in Africa, and he argues that it is they which today constitute the “real challenge of development”.<sup>4</sup> Rather than thinking, as we have been accustomed to do, in terms of a rich world and a poor world, he contends that we need to start thinking in terms of a rich world, a developing world and a world that is failing to develop, home to his eponymous “bottom billion”.

Collier's account of what is going wrong for the bottom billion and how it could be reversed has received immense attention since his book came out in 2007. So it seems \*38 appropriate to examine his analysis and connect it to ongoing discussions about global poverty as a human rights issue. That, at any rate, is my premise in this paper. I shall begin by briefly outlining Collier's argument, noting as I do something of its engagement with international law in general and the international protection of human rights in particular. Perhaps the most conspicuous context for discussions of global poverty within human rights circles is the effort by the Office of the UN High Commissioner for Human Rights to elaborate and promote a “human rights approach to poverty reduction”, and I shall next refer to that.

Yet the idea that human rights may have something to do with poverty and its reduction is certainly not confined to this project of the OHCHR; discussions on the subject unfold within many settings, including academic literature.<sup>5</sup> In a further section of the paper, I shall highlight the writings of philosopher Thomas Pogge on the “human rights of the global poor”. Pogge's scholarship is instructive because he helps us to see what is missing in the analyses of both

Collier and the OHCHR. Alongside their considerable contributions, it becomes apparent that they leave out of account the role of international law in establishing the very conditions within which poverty can occur. This is a significant limitation, though at the end I shall mention another way of thinking about these issues, reflected in work by Mike Davis (among others), which suggests that Pogge himself may not push the discussion far enough. Overall my argument will be that any adequate engagement with the problem of global poverty must confront the extent to which deprivation and privilege are linked, both to one another and to wider systemic phenomena that need themselves to be part of what is in question.

### **The bottom billion**

If, as just indicated, Collier's central claim is that the bottom billion countries are not just the poorest but also differ from the rest of the developing world in having economies that are failing to grow, the first half of his book is devoted to explaining why this is so. In his assessment, the explanation is that bottom billion countries are caught in a series of traps. He does not argue that poverty is itself a trap; rather, the traps have to do with features of the countries concerned. Specifically, his analysis describes four traps that prevent economic development.

The first is the “conflict trap”. This refers to the prolonged or recurrent conflict that characterises the recent history of most of the bottom billion countries, whether in the shape of civil war, internal unrest or repeated *coups d'état*. The second is the “natural resource trap”. This points to the phenomenon known as the ‘resource curse’ or ‘Dutch disease’--the now familiar irony that resource wealth often fails to translate into, and even actively inhibits, economic prosperity. The third trap is what Collier calls the “trap of being landlocked with bad neighbours”. Here he evokes the situation of many very poor countries, especially in Africa, that lack direct access to the sea and have equally poor and unstable neighbours. The combined effect of these two factors is to reduce the opportunities for global trade, since there can be no reliance on secure transit through coastal states, while the surrounding poverty and instability also reduce the opportunities for regional trade. Fourth and final in Collier's list is what he calls the “trap of bad governance in a small country”. Insofar as the poorest countries are disproportionately in the category of so-called ‘failing states’, the claim here is that the prospects of initiating and sustaining reforms are curtailed where there are small populations and especially where there are relatively small educated populations. In each case Collier draws on empirical data to show how the relevant predicament is in some sense self-perpetuating, such that societies become trapped and struggle to escape.

The question then becomes how they can be helped to escape, and Collier devotes the second half of his book to the discussion of strategies that might be deployed. These include but extend beyond development aid. Also encompassed are three further instruments. To begin with, he advocates the opening of markets. Collier considers that trade liberalisation is vital for development in the poorest states. Secondly, and somewhat gingerly, he raises the possibility of international military action. In his view, armed intervention may be all that will work to restore civil peace in non-developing states, and he urges us to put aside our post-Iraq qualms in that regard. Finally, he proposes the adoption of new “laws and charters”. By these he intends modifications to national laws on such matters as banking, taxation and corruption, along with the elaboration of a raft of new international “charters”, as he calls them, again to do with corruption and transparency, but also, more generally, democracy, the rule of law, transitional justice and foreign investment.

Quite clearly there is a significant legal, and especially international legal, dimension to these various ideas. Collier plainly believes that international law can play a role in helping the bottom billion countries to escape from the traps in which they are caught, but it needs recasting and supplementing. His recommendations engage long-running debates over humanitarian intervention, investment protection and the democratic entitlement, among many other things. At the same time, the plan to elaborate new international charters prompts questions about the relation between these charters and existing norms, and, more generally, about processes of change in international law and the relative merits of ‘hard’ and ‘soft’ law. But is this remedial activity the only part international law plays in Collier's story? As a prelude to answering that question, it is worth noting that, while Collier has much to say about

how the traps work and what can be done to free countries from them, he is considerably more tight-lipped when it comes to how they arise in the first place. He simply takes the existence of the traps as the given reality from which his analysis proceeds. Yet if the bottom billion are to be helped to escape, it is surely necessary to understand how these particular circumstances come to constitute traps--what it is that makes it possible for them to operate in this manner. One aspect of this concerns international law.

Consider, for example, what Collier terms the trap of being landlocked with bad neighbours. It is easy to see how this works to reduce the opportunities for both global and regional trade. On the other hand, it is also easy to see how it only has this effect because certain background legal norms are in place. For being landlocked with bad neighbours would not be a development trap if territorial boundaries did not have the significance which they have under international law. It would not be a development trap if the international legal principle of *uti possidetis* did not dictate that the administrative boundaries of the former empires have to remain as the international boundaries of \*40 post-colonial states. (After all, none of those empires was itself landlocked.) And it would not be a development trap if landlocked states had stronger rights of maritime access or at any rate better prospects of enforcing the correlative duties owed by transit states under the international law of the sea. Liberating the bottom billion countries from the traps in which they are currently caught is international law's only explicit or avowed part in Collier's story. But, as this example shows, international law also helps to set the traps. Presupposed, then, in Collier's narrative is another, earlier role in which international law belongs with the processes that ensnare the bottom billion countries and that keep them ensnared, and that less heroic chapter too must be brought into account.



Another limitation of Collier's analysis is also worth highlighting at this stage. He sees economic growth as central to poverty alleviation. Although very conscious of the criticisms of growth as an indicator of development, and very alert to the massively influential work by Amartya Sen and others promoting the idea of development as freedom and, with it, the 'capabilities' approach and the concept of 'human development',<sup>6</sup> Collier nonetheless insists that the "central problem of the bottom billion is that they have not grown".<sup>7</sup> In consequence, the whole thrust of his analysis is to show what can be done to induce economic growth in these societies. So far as I am aware, that approach has both supporters and detractors in development economics, and I am not in a position to evaluate their arguments. What is clear, however, is that the effect is to elide distributional asymmetries within bottom billion countries.

This fits with the way Collier sets up his argument: the key disparity is that between the bottom billion and the rest of the world. Disparities in the distribution of goods and opportunities within bottom billion countries are mostly placed outside the frame of analysis, as indeed are disparities in the distribution of goods and opportunities beyond bottom billion countries. To be sure, Collier is concerned with absolute, rather than relative, poverty.<sup>8</sup> But, especially in developing states, rising living standards coexist with hunger and the lack of clean water, decent housing, basic education and health care facilities. The idea that poverty has a fixed location, whatever its broad accuracy, risks exacerbating the inequalities that set the scene for deprivation in the first place. And this, of course, is where human rights come in.

Human rights are not part of Collier's story, but if we consider global poverty from the perspective of their recognition and protection, it is immediately apparent that an aggregative, location-specific approach of the sort adopted by Collier will not do. The premise of the international protection of human rights is that every human being has rights--both traditional liberal rights to liberty, privacy, free speech and the like, and socio-economic rights to adequate food, water and housing, to education and the highest attainable standard of health, and to work in decent conditions and for fair pay. International human rights law asserts that these rights must be respected, \*41 protected and fulfilled in a non-discriminatory manner, and this calls for an approach that is not aggregative but distributive, and not location-specific but oriented to a complex geography that in today's world most certainly includes Collier's bottom billion countries but is surely not coextensive with them.

## Human rights and poverty reduction

Let me turn now to a context in which human rights are very much part of the story. Since its first session in 1987, the Committee on Economic, Social and Cultural Rights has examined many different aspects of global poverty in terms of their implications for human rights. In the reporting process, whereby states parties to the International Covenant on Economic, Social and Cultural Rights must report periodically on the consistency of their law and practice with the Covenant, the Committee has highlighted issues that engage the socio-economic rights of some of the world's poorest people. The same goes for many of the special procedures which operate under the umbrella of the UN Human Rights Council and the UN Sub-Commission on the Promotion and Protection of Human Rights. For example, the UN Special Rapporteur on the Right to Food has repeatedly raised the problem of famine and chronic hunger in bottom billion countries and elsewhere.

With a view to building on this work, the Office of the UN High Commissioner for Human Rights began in 2001 to consider the elaboration of guidelines on a “human rights approach to poverty alleviation”. This was seen to dovetail with the broader effort, launched by the UN Secretary-General in 1997, to integrate human rights into all the Organization's activities, including its activities in the sphere of development. Draft Guidelines on a Human Rights Approach to Poverty Reduction were prepared in 2002, and in 2004 a report was issued setting out the conceptual framework which informed the Guidelines and which, in turn, they were intended to promote.<sup>9</sup> It is on this report, entitled “Human Rights and Poverty Reduction: A Conceptual Framework”, that I now want briefly to dwell.

The report starts by noting that the move to integrate human rights into poverty reduction strategies, as advocated and elaborated within development agencies, draws on the very considerable legitimacy of human rights. This is seen to derive not only from the moral authority of norms that are rooted in considerations of human dignity, but also from the fact that human rights norms are widely endorsed in all regions of the world, and that all states of the world are parties to at least one human rights treaty. The authors then review the various ways in which human rights may be relevant to poverty reduction. They may have “constitutive” relevance, in the sense that poverty is constituted by violations of human rights. They may have “instrumental” relevance, in the sense that the promotion of human rights can help with the reduction of poverty. And they may have “constraint-based” relevance, in the sense that human rights may \*42 impose constraints on the types of action that poverty reduction can justify. The report follows the capability approach I mentioned earlier, regarding poverty in terms of factors affecting human capabilities.

In this approach, the central issue is not just economic growth, but the extent to which each individual has command over economic resources. Socio-economic human rights are, accordingly, given a constitutive place, with other human rights also entering the equation as instrumental and constraint-based considerations. What then is the content of a human rights approach to poverty reduction? The report highlights five principal elements. Expressed telegraphically, these are: (1) empowerment of the poor and their participation in poverty reduction strategies; (2) explicit recognition of the relevance of obligations correlative to human rights; (3) accountability for compliance with human rights and access to mechanisms of accountability by the poor; (4) non-discrimination in the application of law and policy; and (5) international co-operation and the progressive realisation of socio-economic rights, subject to proviso that certain core obligations have immediate effect. For the authors of the report, the primary significance of a human rights approach to poverty reduction is this catalogue and the practical experience and interpretive corpus that come along with it. At the same time, and more generally, what is significant is the basic idea that poverty reduction is not simply a matter of charity, prudence or good practice, but can instead be claimed as a right that imposes legal duties on governments and others.

Thinking back to Collier's analysis, it is plain that this report of the OHCHR departs from his approach in a number of important ways. Of course, their respective starting-points and objectives are quite different. Collier sets out to explain the poverty of the bottom billion countries, and to propose strategies for helping them to overcome it. The OHCHR seeks to emphasise the relevance of human rights for poverty reduction, and to promote general principles that could guide efforts in that regard. On the other hand, both take global poverty as their subject, and both

necessarily make claims about the nature and scope of the problem and its solutions. As we saw earlier, Collier adopts an approach that stresses economic growth, and that considers global poverty in largely aggregative terms. His analysis also has a location-specific dimension that sits uneasily with the universality of human rights. In contrast, the OHCHR insists that human rights have multifaceted relevance to poverty reduction, and that approaches to development must take into account a range of rights-related matters, among them the principle of non-discrimination. The report by the OHCHR reflects concern about the distribution of poverty among countries, as well as within them and throughout the world.

At another level, however, these two texts may not be so very far apart. One thing, at any rate, that both share is the sense of global poverty as a problem with its roots largely in domestic factors. That is to say, the issue for both Collier and the OHCHR is bad policies, despotic leaders, and corrupt elites, along with lack of accountability, lack of expertise, deficient public institutions, geographical disadvantage, and persistent civil strife. Thus, Collier stresses the trapped situation of bottom billion countries, but puts to one side the question of how the traps arise and to what extent international law may be involved. Likewise, the OHCHR highlights the failure to take seriously or understand correctly obligations in the field of human rights, but passes over the issue of what accounts for this failure and whether we must scrutinise international arrangements to find out. To be sure, the obligations in question are seen to include duties of “international cooperation” on the part of wealthier countries, to help in the \*43 reduction of poverty. But just as Collier conceives international law only in remedial mode, so too the OHCHR has relatively little to say about how the international system may contribute not just to the reduction of poverty but also to its production. The idea that global poverty may belong with wider logics, processes and relations is not part of its “conceptual framework”.

### **The human rights of the global poor**

The OHCHR's report exemplifies one approach to global poverty as a human rights issue. Another approach can be illustrated with reference to the work of Thomas Pogge. In a series of writings Pogge has put forward the argument that, in the context of persistent, widespread and often life-threatening poverty, human rights are both “recognised and violated by international law”.<sup>10</sup> By this he means that the international recognition and protection of rights, including rights to the basic necessities for life, coexist with a normative and institutional order that systematically undermines those rights so that at the same time international law contributes to their violation. In defending this claim, he insists that poverty cannot be explained by reference to national or local factors alone. Apart from other considerations, the “domestic poverty thesis”,<sup>11</sup> as he calls it, leaves out of account the extent to which current inequalities are historical, and especially colonial, legacies.

Of course, not all post-colonial states have fallen into the extreme poverty of the bottom billion; some have done very well economically. But to infer from that that the bottom billion countries have only themselves to blame for their predicament--or more specifically, that they have only their own ruling elites and perhaps also their social, cultural, geographical, climatic and demographic circumstances to blame--is, according to Pogge, to commit the “some-all fallacy”. This is the idea that because some success stories happen, success is available to all. That is a fallacy because in many situations success is not available to all; indeed, the success of some can serve precisely to assure the continuing and even deepening failure of others. While it would clearly be too simple to characterise the world economy as a zero-sum game such that one party's gain is automatically another's loss, there can be little doubt that outcomes are interdependent. Thus, for example, as Collier also observes, China's economic ascendancy has had catastrophic effects in many other Third World states by reducing the latter's prospects in manufacturing and services, and tying their economies all the more tightly to natural resources.

Much of Pogge's discussion revolves around international trade law, and the ways in which trade treaties and the procedures associated with them are stacked against poor countries. Beyond that, however, he also highlights more general, structural features of the international legal system, showing how they contribute to creating \*44 a framework within which “bad governance” (to recall Collier's phrase) and other afflictions of bottom billion

countries such as the “natural resource trap” and “conflict trap” are enabled and sustained. Central to this part of Pogge's argument is the point that under international law the normal criterion for exercising the sovereign powers of government is effective control. While few countries today follow the practice of explicit recognition of governments, there is wide acceptance that the government of a state is whatever group of people is capable of acting as such. However they gained power and however they exercise power, it is taken to be they who represent the state concerned in international dealings. This implies a range of things--among them, as Pogge notes, the privilege freely to dispose of the country's natural resources, to borrow in the country's name, to make binding treaty obligations on behalf of the population, and to use state funds to import arms. Pogge calls these the “international resource privilege”, the “international borrowing privilege”, the “international treaty privilege” and the “international arms privilege”,<sup>12</sup> but to international lawyers a more familiar, compendious term would simply be ‘sovereignty’.

How do these privileges enable and sustain bad governance and other problems? To take one example, the international resource privilege means that in poor but resource-rich countries there exist strong incentives for violent acquisition of power and few incentives for democratic reform. Those who manage to win control can generate great wealth through the sale of natural resources, secure in the knowledge that the sales they make will be valid and enforceable throughout the world. Thus, “no matter how badly [a government rules], they continue to have resources to sell and money to spend”, not least on the arms needed to keep them in power.<sup>13</sup> For all the attention lavished in development economics on the phenomenon of the resource curse, Pogge observes that the global order is standardly held “fixed as a given background”;<sup>14</sup> the role is rarely considered of the “global rules that grant the resource privilege to any group in power, irrespective of its domestic illegitimacy”.<sup>15</sup> I referred earlier to the way Collier's “trap of being landlocked with bad neighbours” is mediated by international legal norms, and here we see that the same applies to his “natural resource trap”. Indeed, the same applies to each of the traps in which the bottom billion countries are caught; each can be seen as partly set by international law if only we choose to look.

Pogge's claim is that the international order which includes these norms is effectively imposed on the global poor, and that this imposition “constitutes a massive violation of the human right to basic necessities--a violation for which the governments and electorates of the more powerful countries bear primary responsibility”.<sup>16</sup> Of course, gunboat diplomacy of the kind associated with the opium trade in the 19th century is not often witnessed today. But he contends that there is nonetheless a form of coercive or, at any rate, non-consensual imposition which arises not just from the undemocratic circumstances of many poor countries, but also from their weak bargaining power and lack of practical options. Thus, for instance, the voluntariness of participation in <sup>45</sup> the international trade regime should not be allowed to conceal the fact that, between joining on terms that impede catching up and bearing the considerable costs of remaining outside the regime, there is precious little room for manoeuvre. Besides, when human rights are in question, no act of the victims can justify violation, for human rights are in principle inalienable.

And violation, to Pogge's mind, is most certainly what is occurring. Citing the current toll of an historically unprecedented 18 million poverty-related deaths per year, he contends that today's global poverty represents “arguably the largest [human rights] violation ever committed in human history”.<sup>17</sup> In analytical terms, he contends that this violation implicates even negative obligations. That is to say, the issue is not just a failure to prevent avoidable harm, but an active contribution to its incidence; it is not just the lack of aid, but the ongoing need for aid. As he explains, “the poor are systematically impoverished by present institutional arrangements and have been so impoverished for a long time during which our advantage and their disadvantage have been compounded”.<sup>18</sup> It follows for him that the collective obligation of the rich world is to change those arrangements, and his work includes discussion of possible reform initiatives.

How does this analysis compare with the report by the OHCHR? Again it is important to note the significant differences in their respective projects. The OHCHR addresses development agencies, urging them to take into account human rights and, in so doing, to pay particular attention to a series of fundamental norms, principles and ideas drawn from international human rights law and the experience of the institutions associated with it. For his part, Pogge addresses the world at large, and particularly people in rich countries, trying to make them aware of how

global poverty constitutes a violation of human rights and how they and their governments are themselves complicit in that violation. At the same time, there is obviously shared subject matter insofar as both write about global poverty as an issue of human rights.

In this regard, it is notable that, while the OHCHR leaves aside the question of how the international system may contribute to the production of poverty, Pogge takes that as his central theme. For him, the relevance of international law to global poverty cannot be seen only in terms of the recognition of human rights and their constitutive, instrumental and constraint-based significance for poverty reduction; the relevance of international law must be seen also in terms of establishing the conditions that permit impoverishment and even foster it. As he depicts the situation, international law's stand against global poverty is Janus-faced. In his assessment, too, the problem is not simply a matter of overlooking human rights or misunderstanding their implications; structural features in the international system are involved, and hence structural change is needed if durable improvements are to occur. Equally, what is at issue is not a given state of affairs; it is an active and contingent process in which the disadvantage of some and the advantage of others are compounded. At a broader level, however, Pogge leaves some important questions unanswered. What are the dynamics of the process he describes? How is it that disadvantage and advantage are compounded? And is this outcome purely fortuitous, or are there systemic logics at work?

#### **\*46 Right-holding on a planet of slums**

One scholar who can help us in pursuing these questions is Mike Davis. Davis is a geographer and the author of books on diverse topics that include the 'El Niño' famines of the late 19th century<sup>19</sup> and the proliferation of slums in our own time that is a concomitant of worldwide urbanisation.<sup>20</sup> Common to all Davis's books is an interest in the spatial aspects of social inequality: the ways in which patterns of human settlement, boundary drawing, territorial organisation and city planning relate to configurations of power, wealth and opportunity. More generally, however, he is interested in affluence and hardship, and their production and reproduction in different places and times. His analysis of urbanisation is illuminating with regard to contemporary global poverty.

Davis points to the epochal shift whereby a majority of the world's population now lives, not in rural environments, but in urban settings. These urban settings, moreover, are not the 'cities of light' of utopian imagining, nor even the tidy milieux of modern life. Rather, for much of humanity, they are slums, whether sited in the midst of cities or at their precarious edge, on floodplains, in swamps, at desert fringes or next to toxic waste dumps. In Davis's account, the immiseration of slum dwellers is inseparable from the affluence-generating dimensions of globalisation. That is to say, the same processes that have enlarged opportunities for some have reduced the life chances of others. A "latecapitalist triage" has occurred, he contends, in which some people have been designated "a permanently redundant mass, an excessive burden that cannot be included now or in the future, in economy and society".<sup>21</sup> Thus, slum dwellers are simply "warehoused",<sup>22</sup> and work--if they can get work at all--in low-wage, unprotected and unskilled jobs, sometimes in factories, but more often in the informal economy, with its "myriad invisible networks of exploitation".<sup>23</sup>

Towards the beginning of *The Bottom Billion*, Collier remarks that "all societies used to be poor".<sup>24</sup> Asking his readers to imagine the situation of the world's poorest, he continues: "You don't have to try that hard to imagine this condition--our ancestors lived this way."<sup>25</sup> But is it really the case that his and his likely readers' ancestors were poor in the way the bottom billion are currently poor? For Davis, poverty of the kind experienced today is not a token of backwardness, but a modern phenomenon. Far from signalling the persistence of outmoded ways of life, it is linked to the destruction of traditional livelihoods and of the practices associated with them that once kept destitution at bay.

And just as he points to the impacts of this contemporary phase of modernisation, so too in his book on the famines of the late 19th century Davis highlights the impacts of an earlier phase of modernisation.<sup>26</sup> During that period rainfall shortages in parts of the non-European world resulted for the first time in human history in mass starvation.

\*47 To be sure, the droughts that occurred were exceptionally severe, the consequence of climatic perturbations known as 'El Niño events'. But nature was not alone responsible for these deaths; politics also played a part. For whereas previously systems had been in place for coping with the effects of rainfall variation, incorporation into global commodity markets had put an end to those time-honoured procedures of food security and left agriculturists mortally exposed.

Though Davis writes here of events that happened more than a century ago, his analysis again casts doubt on the assumption that contemporary forms of poverty are vestiges of an old order. More than that, his analysis brings into focus the complex dynamics according to which natural disasters are never purely natural, and social misfortunes are never purely misfortunes. He shows that the processes which impoverish the bottom billion are not just dysfunctions, mishaps or signs of local problems or weaknesses. Rather, they belong with the logics of a world that is structured around multiple and shifting forms of exploitation. This has important strategic implications, inasmuch as poverty reduction then appears to hinge not just on changing policies, nor even on implementing institutional reforms, but on curbing the power and curtailing the privilege of those on the 'winning' side of current global relations.<sup>27</sup>

In earlier discussion, I highlighted the way, for Collier and the OHCHR, poverty is a national problem, albeit one that will not be overcome without international action. By contrast, Pogge insists that international arrangements are themselves part of the problem, so that solutions cannot depend only on initiatives with respect to trade, civil conflict, the rule of law and human rights, but must address the legal and institutional context within which all outcomes are determined. Pogge wants us to see how international law helps to sustain global poverty, even as it recognises the right of everyone to be free from want. But if Davis is correct, this contradiction at the heart of the "human rights of the global poor" may not be so anomalous. It may simply deliver a reminder that, under prevailing conditions, accumulation depends on appropriation, prosperity goes hand in hand with superfluity, and modernisation brings benefits that are ambiguous, selective and exceedingly costly.

To today's 'redundant mass', our world has become a 'planet of slums', in which wealth mocks the emergence of a large "informal working class, without legal recognition".<sup>28</sup> And where there is no legal recognition, there is, of course, no civic status on the basis of which to assert rights; in effect, the very right is denied 'to have rights'.<sup>29</sup> At the same time, large-scale manufacturing in many sectors centres on formal employment in 'export processing' or similar zones, where competition to fulfil orders is linked to long working hours and low, often intermittent pay. The drift of all this is surely clear. Much as we may like to believe that everything can yield mutual gain, poverty reduction instead challenges us to confront the reality that, as Karl Marx put it in one of his early writings, "in the same relations in which wealth is produced, poverty is produced also".<sup>30</sup>

#### **\*48 Conclusion: decommodifying the bottom billion**

It is customary in discussions of global poverty to begin with statistics, and this paper has been no exception. In the book from which I drew my statistics, Collier goes further, using numbers to work out costs and compare them with benefits. While that is, of course, a standard approach in economic research, there is something exceptionally striking about the way civil war, state failure, military intervention, and pretty well every other phenomenon relevant to his story all get priced in Collier's expert hands. One senses almost a kind of bravado, as though he is saying to his readers: "I can put a price tag on anything; just dare me".

But cost-benefit analysis is a commodifying and reifying method, geared to producing commensurability. As is widely observed, everything depends on what are counted as costs and benefits, and from whose perspective the assessments are made. At the same time, the approach also fails to register the systematic asymmetry that **marks** the distribution of costs and benefits, both within countries and across the world: some people almost always enjoy social benefits while bearing few attendant costs, and the reverse applies to others. Beyond all this, we know that numbers cannot capture everything, and can even obscure aspects of reality that are as important as those they



reveal. As a way of summing up, let me now end by highlighting two key points that risk getting obscured, not only in Collier's influential work, but also in discussions of global poverty as a human rights issue.

One is expressed in the famous quip by the writer and director Bertholt Brecht: "famines do not simply occur; they are organised by the grain trade". Davis's study of late 19th century hunger has already reminded us that vulnerability to starvation when famines occur is one aspect of extreme poverty, but Brecht's point surely holds equally for other aspects. Focusing on numbers tends to make it seem as though poverty just happens to the world. No one seems to have caused it; no actions seem to account for it; no course of decision-making seems to have determined it. It is just there--a brute, if tragic, fact which we must all do our very best to overcome. But how are we to overcome it? If poverty arrives with the forces of nature, then, like gravity, it cannot be defied; it can only be accommodated. In the absence of any history that implicates us, we have no ground from which to re-imagine its future, and are condemned to live in an eternal present, without significant change. Rejecting that manner of thinking about destitution, Brecht invites us to consider poverty not as an object or 'thing', but rather as an historical process which is neither spontaneous nor anonymous. He invites us to see that impoverishment is purposefully, even if generally inattentively and without malicious design, organised by particular agents in particular contexts. Viewed in this light, poverty is not simply an occurrence but a policy option and practical project. It is something certain groups of people do to others.

This leads to a second key point that risks getting obscured: poverty is not just a condition, but a relationship. While the world economy cannot be captured in the simple model of a zero-sum game, it is nonetheless the case that the convergence or mutuality of interests is very often overstated. One aspect of this touches on exploitation, whether in formal employment or in the lives of those whose fate it is to be rendered superfluous and consigned to "informal survivalism".<sup>31</sup> Considered from the standpoint of a concern \*49 with that problem, Collier's analysis is notably lacking in attention to the relational dimensions of global poverty. This is epitomised in the notion of the "bottom billion" itself--a number that is relative (to the top or next billion), and yet, as a concept, curiously autonomous and non-relational: these poorest of the poor are simply there, a feature on our analytical landscape. And just as in his work all eyes are on the bottom billion and what we might do to help them, so too in human rights circles the focus is on the victims and on the rights and correlative obligations they may assert. Those who benefit from current arrangements remain comfortably out of view.

To be sure, the facts of global poverty are not easy to live with. As psychologist and social theorist Ashis Nandy once commented, "one has to spend enormous psychological resources to ensure that they [these facts] do not interfere with our 'normal' life by burdening us with a crippling sense of guilt".<sup>32</sup> Thus, we are prone to do anything to avoid contemplating the idea that prosperity may be linked to poverty, and even in some way dependent upon it. The question I have tried to raise is whether, in discussions of global poverty as a human rights issue, the repression of that discomfiting idea can and should be resisted.

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<sup>1</sup>. P. Collier, *The Bottom Billion* (Oxford: OUP, 2007).

<sup>2</sup>. Collier, *The Bottom Billion*, pp.7-8.

<sup>3</sup>. Collier, *The Bottom Billion*, p.10.

<sup>4</sup>. Collier, *The Bottom Billion*, p.4.

- [5.](#) For a recent overview, which is also an important intervention in the debate, see M. Salomon, *Global Responsibility for Human Rights: World Poverty and the Development of International Law* (Oxford: OUP, 2007).
- [6.](#) A. Sen, *Development as Freedom* (Oxford: OUP, 1999). See also the successive *Human Development Reports*, available at <http://hdr.undp.org/en/> [Accessed December 31, 2008].
- [7.](#) Collier, *The Bottom Billion*, p.11.
- [8.](#) In development terminology, he is concerned specifically with ‘extreme poverty’, currently equated by the World Bank with survival on less than US\$1.25 per day at 2005 prices (adjusted for purchasing power parity).
- [9.](#) See *Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies and Human Rights and Poverty Reduction: A Conceptual Framework*. Both documents are available at: <http://www2.ohchr.org/english/issues/poverty/guidelines.htm> [Accessed December 31, 2008]. The authors of the 2004 report are the three experts whom the OHCHR invited to help with the elaboration of the Draft Guidelines: Paul Hunt, Manfred Nowak and Siddiq Osmani.
- [10.](#) I refer principally here to T. Pogge, “Recognized and Violated by International Law: The Human Rights of the Global Poor” 18 *Leiden Journal of International Law* (2005) 717. See also T. Pogge, *World Poverty and Human Rights* (Cambridge: Polity Press, 2002) and “World Poverty and Human Rights” 19 *Ethics and International Affairs* (2005) 1.
- [11.](#) T. Pogge, “Recognized and Violated by International Law: The Human Rights of the Global Poor” 18 *Leiden Journal of International Law* (2005) 717, at 722.
- [12.](#) Pogge, “Recognized and Violated by International Law”, 737-739.
- [13.](#) Pogge, “Recognized and Violated by International Law”, 738.
- [14.](#) Pogge, “Recognized and Violated by International Law”, 738.
- [15.](#) Pogge, “Recognized and Violated by International Law”, 738.
- [16.](#) Pogge, “Recognized and Violated by International Law”, 741.
- [17.](#) Pogge, “Recognized and Violated by International Law”, 741.
- [18.](#) Pogge, “Recognized and Violated by International Law”, 741.
- [19.](#) M. Davis, *Late Victorian Holocausts* (London: Verso, 2001).
- [20.](#) M. Davis, *Planet of Slums* (London: Verso, 2006).
- [21.](#) Davis, *Planet of Slums*, p.199.
- [22.](#) Davis, *Planet of Slums*, p.201.
- [23.](#) Davis, *Planet of Slums*, p.181.
- [24.](#) Collier, *The Bottom Billion*, p.5.
- [25.](#) Collier, *The Bottom Billion*, p.5.
- [26.](#) See Davis, *Late Victorian Holocausts*.
- [27.](#) See further E.O. Wright, *Interrogating Inequality* (London: Verso, 1994), Ch.2.
- [28.](#) Davis, *Planet of Slums*, p.175.
- [29.](#) See H. Arendt, *Origins of Totalitarianism* (London: Harcourt, 1966), p.296 (and *passim*).
- [30.](#) K. Marx, *The Poverty of Philosophy*, quoted in *Capital Vol.1* (London: Penguin, 1990), p.799, fn.23.
- [31.](#) M. Davis, *Planet of Slums*, p.178.
- [32.](#) A. Nandy, “The Beautiful, Expanding Future of Poverty: Popular Economics of a Psychological Defense”, 4 *International Studies Review* (2002), 107, at 111.

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