Why a Declaration on Universal Responsibilities?

Suggestions for reflection on

Status, Content, and Potential Impact

BACKGROUND DOCUMENT

by Edith Sizoo

"The world has changed, and we must change with it…
What is required of us now is a new era of responsibility."
President Barack Obama in his inaugural address

"A journey of a thousand miles starts with a single step"
Chinese saying

Introduction

The present document intends to offer a background for reflection on the status, content, and potential impact of an **international** Reference text on **Universal Responsibilities.**

It argues why the new challenges humanity has to face in the 21st century call for a renewed effort to claim the need for such a text, setting out **human responsibilities in all spheres of life,** endorsed not only by **states** but also by **citizens** and **major powers of influence** at various political, economic and social levels. It thus aims to respond to a question often asked since the initiative to promote the idea of a Declaration of Human Responsibilities was taken at the World Citizens Assembly[1] in Lille, 2001: *Is there indeed a need for such a reference text?*

The answer given in the following pages boils down to a "yes," although recognizing that an international text is not sufficient. Other efforts are needed as well, at different levels and sectors of society, locally and regionally. Such a multi-level process will contribute to the emergence of **cultures of responsibility** and serve as a catalyst for raising awareness of the need for an authoritative reference text, and of monitoring such a text once it has come about.

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[1]   http://www.alliance21.org/lille/en/

The present document focuses in particular on the need of such a text at the **international** level. This issue will be dealt with in three different ways:

First of all, an effort will be made to learn from *the experiences of other international initiatives* in this field (Part I).

Secondly, the choice to focus on the need to *strengthen the sense of responsibility in all societies* will be defended (Part II). For this purpose, the various dimensions of the concept of responsibility itself will be made explicit, their societal relevance elucidated, and their cultural variations illustrated. These clarifications are of course relevant as well for those who are concentrating their efforts on promoting cultures of responsibility in various fields of professional and social activities.

Thirdly, the key question of *why to aim as well at an authoritative text* on Universal Responsibilities *at the international level* will be directly addressed in Part III.

In Annex I, the reader will find descriptions of key concepts, and Annex II gives a selection of the literature that was consulted.

Thus this document consists of three main parts:

Part I: Results of Comparative Analysis of existing Charters / Declarations

I.1. Juridical status of the documents

I.2. Focus of the documents: some examples

1.3. Lessons learned from the comparative analysis

Part II: Reflections on: Why focus on Responsibility?

II.1. Responsibility: dimensions, societal relevance, and cultural variations

Part III: Motivations for an international Reference text on Universal Responsibilities

III.1. Why an *international* Declaration?

III.2. Step-by-step strategy for potential impact

ANNEX I: D**escriptions of key notions**

ANNEX II: Literature consulted

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In the last few decades, quite a number of texts have emerged proposing ethical principles for various fields of human activity. Obviously, it is imperative to have a close look at their content acknowledging the thinking that inspired them. At the same time, it seems equally important to ask the critical question as to how authoritative they are, in order to assess the potential impact of such initiatives, and hence our own. Therefore a comparative study of a selection of these documents has been undertaken. It was geared toward texts that proclaim ethical notions considered to be of fundamental importance for harmonious relations between human beings and of human beings with the non-human living world. The selection focuses on the following key-notions:

- Responsibility
- Rights
- Human beings and Nature
- Cultural Diversity
- Compassion
- Interdependence and Governance

The choice is far from exhaustive, but hopefully sufficiently indicative to offer suggestions for reflection on the status, content and potential impact of an International Reference text on Human Responsibilities.

I.1. Juridical status of the documents

As a variety of words is used to indicate the status of the documents under study, so it seems useful to have a closer look at definitions given by two main dictionaries, *Webster's Dictionary* and *Le grand Robert de la langue française*. These provide the following distinctions that go <u>from intentions to legally binding commitments</u>.

DECLARATION

Webster's Dictionary:

- Statement or document **proclaiming** the principles, aims, or policy of a public body
- Declaration of Rights: a formal declaration **enumerating** the rights of the citizen

Le Grand Robert de la langue française:

- *« Action de déclarer »: affirmation, **annonce**, aveu, **promesse**, révélation*
- *Déclaration des Droits: **document précédant une Constitution** qui énonce les droits et les libertés reconnus aux citoyens*

CHARTER / CHARTE

Webster's dictionary:

- An instrument in writing <u>from the power of a state</u> or country granting or **guaranteeing rights**, franchises or **privileges**
- An instrument in writing **creating and defining the franchises** of a city, university, company or other public or private corporation
- **Constitution** (Charter of the United nations)

Le Grand Robert de la langue française:

- ***Règles fondamentales** d'une **organisation officielle** (Charte des Nations Unies, Charte d'un syndicat)*

COVENANT (ENG.) / CONVENTION or ENGAGEMENT CONTRACTUEL (FR)

Webster's Dictionary:

- An <u>agreement</u> that is usually solemn and **intended to be binding**
- The **promises** of God as revealed in the Scriptures **conditioned** on certain terms on the part of man (obedience, repentance and faith)

Le Grand Robert de la langue française:

- *Convention / <u>engagement</u> formel, **contractuel***
- *Union contractée par <u>engagement</u> **mutuel***

The Biblical concept of the "Covenant" of God with Israel engages each party in <u>mutual</u> responsibility and mutual commitment. God's covenantal relationships with Noah, Abraham, Moses, and David involve an <u>unconditional commitment to fulfill a promise or an obligation</u> that has enduring value (*in Responsible Leadership*, by Christoph Stueckelberger).

SOCIAL CONTRACT / CONTRAT SOCIAL

Webster's Dictionary:

- Contract: agreement that is **legally enforceable**; **mutual obligation**
- Social: relating to a concern with the welfare of human beings as members of a society

Le Grand Robert de la langue française:

- *Contrat social: convention entre les gouvernants et les gouvernés ou entre les membres d'une société (comparer : **Pacte**)*

CONVENTION

Webster's dictionary:

- Agreement between two or more states arranging for the **regulation** of matters affecting all of them

- Agreement **enforceable in law.**

BILL / PROJET DE LOI

Webster's Dictionary:

- **a draft of a law presented to a legislature for enactment: a proposed or projected law**

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I.2. Focus of the documents: some examples

In this section some examples are provided of the above-mentioned types of text focusing on: Responsibility, Rights, Human beings and Nature, Cultural Diversity, Compassion, Interdependence, and Governance.

In **ANNEX I** the reader will find **descriptions of these and other key concepts** found in a variety of charters, declarations, articles, or books.

ON RESPONSIBILITIES

A UNIVERSAL DECLARATION OF HUMAN RESPONSIBILITIES

Adopted by the InterAction Council[2] (**1997/1998**)

The Declaration of the InterAction Council is meant to

"bring rights and freedoms into balance and to promote a move from the freedom of indifference to the freedom of involvement"

It limits itself to setting out "universal ethical standards":

"All people, to the best of their knowledge and ability, have a responsibility to foster a better social order, both at home and globally, a goal which cannot be achieved by laws, prescriptions, and conventions alone. . . . Without ethics and self-restraint that are their result, humankind would revert to the survival of the fittest."

The Interaction Council—composed of "statesmen who have held the highest office in their own countries"—proposed this Declaration for consideration by the UN General Assembly as a complement of the UDHR. In a reaction to it the General Assembly approved instead a "*Declaration on the Right*

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[2]   http://www.interactioncouncil.org/

and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms"[3] (December 9, 1998).

YOUTH CHARTER OF RESPONSIBILITIES: *LET'S TAKE CARE OF THE PLANET*

Youth International Conference, Brasilia, June **2010**

This Charter was created by YOUNG delegates, children and adolescents, from 53 countries in the world, after careful preparation through the educational systems in thousands of schools all over the world.[4]

> "*We are all aware of the environmental challenges that our Planet faces. Some people say that money is the solution; some say that intelligence is. Money does not matter when more than 400 boys and girls get together to take care of their home. A home that has been damaged over time, with an unstable and unsure future.*
>
> *If we want to protect ourselves from environmental changes, we need to take on these actions and responsibilities ourselves.*
>
> *If not now, then when? If not us, then who?"*

This Charter distinguishes itself from all others in that it sets out Responsibilities that are at the same time translated into most concrete every day Actions; actions that these youngsters commit themselves to and that every person can take. And it calls on governments, companies, and all other organizations to talk less about good intentions, and to demonstrate their own commitment through… responsible acting.[5]

CAUX ROUND TABLE PRINCIPLES for Corporate Business, 1992[6]

In 1992, a group of business leaders came together at the Caux Round Table to operationalize the Common Good by creating the Caux Round Table (CRT) Principles that set out guidelines for a company's responsibility toward its customer, employees, owners and investors, suppliers, competitors and communities. Stephen Young, Global Executive Director of the Caux Round Table, has called these principles the "first global code of conduct for capitalists written by senior capitalists from different moral traditions." He describes the process of their formation as "blending the Minnesota principles of stewardship with regard to stakeholder concerns with the vision of Ryuzaburo Kaku [president, chairman and chief executive of Canon from 1977 to 1999] of *kyosei* and, third, with Pope John II's principle of human dignity." The General Principles are a moral code for business practice and a call to stewardship of business resources to serve the Common Good through the character and conduct of the

3   http://www2.ohchr.org/english/law/freedom.htm
4
http://www.unep.org/Tunza/youth/LinkClick.aspx?fileticket=Sh5ZMAppJt0%3D&tabid=4679&language=en-US
5   http://www.letstakecareoftheplanet.net
6   http://www.cauxroundtable.org/index.cfm?menuid=8

people making decisions. The General Principles are introduced with the very bold claim that "law and market forces are necessary but insufficient guides for conduct." The call goes beyond economic and legal rationality and toward a higher good, or to a higher guide, for conduct: "Beyond the Letter of Law toward a Spirit of Trust . . . _Kyosei and the Common Good are rooted in the morality of connectedness with others and an openness to the transcendental_."

(_in_ Thompson Mike J., _Operationalising the Common Good in Business through Leadership and Spirituality_, European SPES Cahier no. 4, 2010, Garant Uitgevers, Antwerp, Belgium)

ACCOUNTABILITY CHARTER of the International Non-governmental Organizations[7]

December 20, 2005

"[This] Charter outlines our common commitment to excellence, transparency and accountability. To demonstrate and build on these commitments, we seek to:

- identify and define shared principles, policies and practices;
- enhance transparency and accountability, both internally and externally;
- encourage communication with stakeholders; and
- improve our performance and effectiveness as organizations."

The Principles of this Charter pertain to:

- _Respect for Universal Principles (like human rights, ecosystem protection, sustainable development and other public goods)_

- _Independence_

- _Responsible advocacy_

- _Effective programs_

- _Non-discrimination_

- _Transparency_ (reporting, audit, accuracy of information)

- _Good Governance_

- _Ethical fundraising_ (donors, use of donations, gifts in kind, agents)

- _Professional management_ (financial controls, evaluation, public criticism, partners, etc.)

PROJET DE DÉCLARATION UNIVERSELLE DES DEVOIRS FONDAMENTAUX DE LA PERSONNE[8]

This draft for a "Universal Declaration of the Person's Fundamental Duties" was formulated under the auspices of the Cercle de Recherche sur les Droits et les Devoirs de la Personne Humaine, CRED,[9] which has special advisory status for the Economic and Social Council of the UN (ECOSOC). The

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7   http://www.ingoaccountabilitycharter.org/
8   http://www.credong.org/fr/projet1.htm
9   http://www.credong.org/fr/index.html

proposal has "a philosophical nature. It draws not from written law, but essentially from natural law. It relies on reason, need, and altruistic tendencies, not on custom. It founds political law on moral universal law."

<p style="text-align:center;">**DECLARATION TOWARD A GLOBAL ETHIC**</p>

(Global Ethic Foundation for Inter-cultural and Inter-religious Research, Education and Encounter, founded by Hans Kueng)[10]

"We affirm that a common set of <u>core values</u> is found <u>in the teachings of the religions</u>, and that these form the basis of a global ethic."

The Declaration sets out the <u>principles of a global ethic</u>, a fundamental demand to treat every human being humanely, and a number of "<u>commitments</u>" to …

<p style="text-align:center;">***ON RIGHTS***</p>

THE AMERICAN DECLARATION OF THE RIGTHS AND DUTIES OF MAN (1948)[11]

"All men are born free and equal, in dignity and in rights, and being endowed by nature with reason and conscience, they should conduct themselves as brothers one to another. (. . .) The fulfillment of duty by each individual is a prerequisite to the rights of all. Rights and duties are interrelated in every social and political activity of man. While rights exalt individual liberty, duties express the dignity of that liberty.(. . .)

The international protection of the rights of man should be the principal guide of an evolving American law."

ALL articles of this declaration refer to <u>individual</u> rights and duties.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS[12]

Adopted by the General Assembly of the United Nations on **December 10, 1948**:

"The General Assembly proclaims this Universal Declaration of Human Rights as a <u>common standard of achievement for all peoples and all nations</u>, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to <u>promote respect for these rights and freedoms</u> and <u>by progressive measures</u>, national and international, to secure their universal and effective <u>recognition and observance</u>, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction."

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10   http://www.weltethos.org/dat-english/index.htm
11   http://www.cidh.org/basicos/english/Basic2.American%20Declaration.htm
12   http://www.un.org/en/documents/udhr/

International Covenants

On the same day that it adopted the Universal Declaration of Human Rights (December 10, 1948 with 48 votes in favor, no abstentions, and 8 Member States against), the General Assembly requested the Commission on HR to prepare, as a matter of priority, a draft covenant on human rights and draft measures of implementation. However, in 1951 the General Assembly Requested the Commission to draft two Covenants: one on Human Rights (civil and political) and another one to contain economic, social and cultural rights. These Covenants came into force only after ratification by the signatories. It was not until **1976** that the minimum of 35 ratifications was reached. In **1995** these two covenants were ratified by 132 states. The first Optional Protocol (an instrument for monitoring and control) to the two international covenants provided international machinery for dealing with complaints from individuals claiming to be victims of violations by any of the rights set forth in the Covenants.

The Covenants, by their nature multilateral conventions, are legally binding only for those states that have accepted them for ratification or accession.

The first Optional Protocol recognizes the competence of the HR Commission to receive and consider such complaints. If accepted: the state party alleged to be violating a provision of the Covenant must submit within six months written explanations or statements clarifying the matter and indicating the remedy, if any, that it may have applied.

The International Bill of Human Rights consists of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the first Optional Protocol to the International Covenant on Civil and Political Rights and the Second Optional Protocol aiming at the abolition of the death penalty.[13]

Remark:

The UNDH Rights has provided the basic philosophy for many legally binding international instruments. It also serves as a yardstick by which to measure the degree of respect for and compliance with international Human Rights standards.

The concluding Articles 28 to 30 recognize that everyone is entitled to a social and international order in which the human rights and fundamental freedoms set forth in the Univ. Decl. may be fully realized. They also stress the duties and responsibilities which each individual owes to his community. However, article 29 states that: "in the exercise of his

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[13]   http://www.un-documents.net/a3r217.htm

rights and freedoms, <u>everyone shall be subject</u> to such <u>limitations</u> as are <u>determined by law</u> solely for the purpose of securing due recognition and respect for the <u>rights and freedoms of others</u> and of meeting the <u>just requirements of morality, public order</u> and <u>the general welfare in a democratic society</u>."[14]

ON HUMAN BEINGS AND NATURE

WORLD CHARTER FOR NATURE[15]

Adopted by the General Assembly of the United Nations, 28 October **1982**

Aware that:

(a) Mankind is a part of nature and life depends on the uninterrupted functioning of natural systems which ensure the supply of energy and nutrients . . .

Convinced that:

(a) Every form of life is unique, warranting respect regardless of its worth to man, and, to accord other organisms such recognition, <u>man must be guided by a moral code of action</u> . . .

Under "Functions"

Article 8: In formulating long-term plans for economic development, population growth and the improvement of standards of living, due account shall be taken of the long-term capacity of natural systems to ensure the subsistence and settlement of the populations concerned, recognizing that this capacity may be enhanced through science and technology.

Under "Implementation':

Article 14: The principles set forth in the present Charter shall be reflected in the law and practices of each State, as well as at international level."[16]

THE EARTH CHARTER[17]

Framed jointly by the Earth Council (presided by Maurice Strong) and the International Green Cross (presided by Mikhail Gorbachev)

Preamble:

"We stand at a critical moment in Earth's history . . . it is imperative that we, the peoples of the Earth, <u>declare our responsibility</u> to <u>one another</u>, to <u>the greater community of life,</u> and to <u>future generations</u>."

The Earth Charter seeks to:

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[14]   Source of the information above on the International Bill of Human Rights: www.ohcr@org.
[15]   http://www.unep.org/law/PDF/UNEPEnv-LawGuide&PrincN05.pdf
[16]   http://www.un.org/documents/ga/res/37/a37r007.htm
[17]   http://www.earthcharterinaction.org/content/

- offer an ethical framework that provides a clear sense of direction (vision of hope, call to action);
- find support for the implementation of Earth Charter principles with an international legally binding instrument on environment and development.

The Earth Charter Committee does not attempt to specify the political, economic and environmental mechanisms required to implement its principles. Rather, it views the Earth Charter as a **"soft law" document** (like the UDHR) considered to be morally but **not legally** binding on state governments that agree to endorse and adopt it. The EC committee asserts that such a "soft law" document often forms the basis for the development of "hard law".

"Based on its experience at meetings such as the 2002 World Summit on Sustainable development, ECI has concluded that there is little chance that the General Assembly of the UN will adopt a resolution that is focused exclusively on the Earth Charter, but it may be possible to incorporate recognition of the Earth Charter in a Declaration or other resolution dealing with a broader set of issues." (Briefing paper, Thematic session EC+10 Event, 2009)

CHARTE de l'ENVIRONNEMENT: projet de Loi constitutionnelle (France, **2003)**[18]
(Draft of Constitutional Law)

"Le peuple français, considérant que . . ." Main considerations: sustainable development, present/future, preservation, prevention, precaution, to reconcile protection of the environment with social/economic development, education and training, research and innovation.

DRAFT: UNIVERSAL DECLARATION of the RIGHTS of MOTHER EARTH[19]
World Conference of the Peoples on Climate Change and the Rights of Mother Earth, Cochabamba, Bolivia 22 April 2010[20]
This text denounces the capitalist system as an imperialistic system of colonization of the planet and the industrialized countries as the only obstacles to respect of nature. These countries are defined as being the cause and origin of the ecological problems. The text proposes as an alternative the way of harmony with nature and respect of life,

> *"recognizing Mother Earth as a living being with whom we have an indivisible, interdependent, complementary and spiritual relation." "There cannot be equilibrium with nature if there does not exist equity between human beings."*

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[18]   http://www.legifrance.gouv.fr/html/constitution/const03.htm
[19]   http://pwccc.wordpress.com/2010/02/07/draft-universal-declaration-of-the-rights-of-mother-earth-2/
[20]   http://cmpcc.org/acuerdo-de-los-pueblos

ON CULTURAL DIVERSITY

UNIVERSAL DECLARATION ON CULTURAL DIVERSITY[21]

Adopted by UNESCO Nov. **2001**

The General Conference declares to be*:*

> *"committed to the full implementation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and other universally recognized legal instruments, such as the two International Covenants of 1966 relating respectively to civil and political rights and to economic, social and cultural rights."*

ON COMPASSION

CHARTER FOR COMPASSION: "A call to bring the world together"[22]

"The Charter of Compassion is a cooperative effort to restore not only compassionate thinking but, more importantly, compassionate action to the center of religious, moral and political life. . . . The Charter, crafted by people all over the world and drafted by a multi-faith, multi-national council of thinkers and leaders . . . is not simply a statement of principle; it is above all a summons to creative, practical and sustained action to meet the political, moral, religious, social and cultural problems of our time."

ON INTERDEPENDENCE AND GOVERNANCE

THE UNANIMOUS DECLARATION OF INTERDEPENDENCE[23]

By Thomas Jefferson and Cliff Humphrey, **1969**

". . . We hold these truths to be self-evident that all species have evolved with equal and unalienable rights, that among these are life, liberty and the pursuit of happiness. That to insure these rights, nature has instituted certain principles for the sustenance of all species, deriving these principles from the capabilities of the planet's life-support system. That whenever any behavior by members of one species becomes destructive of these principles, it is the function of other members of that species to alter or abolish such irrelevant behavior and to reestablish the theme of interdependence with all life, in such a form and in accordance with those natural principles that will affect their safety and happiness. . . . "

21   http://unesdoc.unesco.org/images/0012/001271/127160m.pdf
22   http://charterforcompassion.org/docs/cfc_dl_english.pdf
23   http://www.motherearthnews.com/Nature-Community/1970-03-01/The-Unanimous-Declaration-of-Interdependence-from-the-Whole-Earth-Catalog-S.aspx

WORLD GOVERNANCE PROJECT CHARTER[24]

This charter is a plea for a **"Universal Declaration of Interdependence,"** formulated by Collegium International, consisting of politicians and intellectuals, chaired jointly by Milan Kucan and Michel Rocard, stating that there is a need to "*rethink and go beyond the limits of international law and of its founding principle, national sovereignty, in the name of a superior principle, in the name of Justice.*"

Recurrent values and ensuing objectives

Throughout all these statements, declarations and charters the following values are generally considered of fundamental importance for harmonious relations among human beings and between human beings and the non-human living world:

- human dignity
- respect for all forms of life (biodiversity and human diversity)
- non-violence
- freedom of expression and/or opinion
- compassion
- equity
- solidarity
- hospitality
- truthfulness
- moderation/frugality
- altruism
- social justice (including freedom of expression)
- priority of the common good over individual interests

Ensuing objectives:

- the flourishing of human potential and creativity
- recognition of interdependence and interconnectedness
- preservation of biodiversity and natural resources (prudence and precaution)
- sustainable ways of life
- social and ecological economy
- equitable economic development
- recognition of cultural differences
- eradication of poverty
- democracy

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[24]   http://www.collegium-international.net/?page_id=357

- corporate social responsibility

I.3. Lessons learned from the comparative analysis

Remark 1: on the status of the documents

From what has been exposed under I.1., one may conclude that in terms of international law a "Charter" or a "Declaration" (even a "universal" one) without a covenant that defines measures of application and a protocol for monitoring and control, the principles formulated in these texts remain an appeal to ethical behavior without consequences for non-observation of them and consequently with less impact.

It should also be noted that until now none of the international civil society organizations (like the initiators of the texts mentioned above) has succeeded in putting their proposal on the agenda of the United Nations General Assembly.

Would that imply that one has to accept—like the Earth Charter Committee did—to restrict one's objective to a "*soft law" document* (like the Universal Declaration of Human Rights) considered to be morally but not legally binding for state governments that have agreed to endorse and adopt it; a "soft law" document that nevertheless often forms the <u>basis for the development of "*hard law"</u>?

Remark 2: on their content

Strikingly enough, in practically none of the texts, charters, declarations, ethical codes of conduct, etc. does one find an explicit recognition of the fact that in daily social practices <u>values</u> are given a <u>hierarchic order</u>, and that the <u>priority</u> given to one or the other is determined not only in terms of cultural contexts but also of specific circumstances (social, professional, or other).

To put this in another way, there is hardly any mention of the fact that daily practices generate <u>dilemmas</u> because of concrete choices to be made as to <u>which values</u> should—in a given situation—prevail at the cost of others, such as the need to encourage economic development while protecting the environment and respecting human rights.

The absence of recognition of these real problems lessens the potential impact of the implementation of the values advocated.

Remark 3: on the potential impact

- Charters certainly provide inspiration and enhance consciousness of the ideas on which they focus, but the essential question remains as to how effective they are. It is clear that a text appealing for responsible behavior, in other words, the implementation of values in daily practices, will have more impact if there are *sanctions for non-observation* attached to it. These need *not* be *exclusively juridical*. Observation of principles may also be encouraged by *exposure of behavior* that is not consistent with agreed principles/commitments. This may be done by the communities to which a person belongs, but also by institutions/organizations in charge of monitoring these behaviors, like the UN Human Rights Commission or Human Rights Watch. The publication of their reports is an example of such exposure.

- It goes without saying that an important factor for potential impact is the moral, social, and political influence of the signatories. This does not necessarily mean that the highest level of international representation, like the UN General Assembly, will have the most impact. Were a Declaration of responsibilities for each professional sector to be agreed upon by actors in the concerned field of human activity (like the Hippocratic Oath for medical practitioners), its impact would be more immediate than a UN Charter signed by Member States.

- To enhance the potential impact over time, a step-by-step approach is not only inevitable but probably more effective as well.

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Part II

Reflections on: Why focus on responsibility?
dimensions, societal relevance, cultural variations

Responsibility: a *charge*

The idea of "responsibility" refers in the first place and everywhere in the world to *"charges"*—often seen as *"burdens"* (literally and figuratively)—that must be fulfilled in order to create, maintain, or establish things that are considered important for living together as a group of human beings. As such, it has a positive connotation because it refers to taking care of what is usually valued by a human group/society/nation for the functioning of society.

The word "responsibility" in non-Western languages often has several interesting connotations. For instance, the Lingala word for responsibility, *"mokumba,"* is a synonym of weight and *pregnancy,* that not only of a woman but also of the chief and the elders, who are carrying the weight of 'social pregnancy'.

Responsibility: a *relational* concept

The relational dimension of responsibility is universal. Although there are hardly any symmetrical equivalents to be found in the languages of the world for the English word "responsibility," the idea of responsibility in the sense of taking care of what is valued by a broader environment, resonates everywhere.

The European word derived from the Latin "*respondere*" shows the inherent relational nature of the notion: being responsive to others. The words used in other languages usually spring from different linguistic roots, but all refer to a relational ethics.

Some examples:

* Responsibility: Emmanuel Lévinas: "I am responsible because you exist." In other words: others make me responsible in spite of myself. They precede my freedom and my will. Hans Jonas (in: Das Prinzip Verantwortung): "Responsibility is not one virtue among others. It is a principle; it is the very foundation of ethics."

* Chinese: "ze ren" is a charge entrusted to someone who is trustworthy (JIN Siyan [25]

* Hebrew: "ahraï" contains the word "other" (aher) and the word brother (ah)

* Hindi: "uttardaitva" means the response that is due to others implying a "heavy" charge. The word "zimmedari" is also a compound: "zimma" means weight, burden, task, and "dari" simply

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[25]   In: *Responsabilité et Cultures du monde*, Edith SIZOO (ed.), Éditions Charles Léopold Mayer, Paris, 2008, ISBN: 978- 2- 84377- 141- 5

Responsibility and Cultures of the World, Edith SIZOO (ed.), P.I.E. Peter Lang, 2010, ISBN 978-90-5201-670-2

means doing something. For most Indians, to be responsible simply means to do one's Dharma, that is, one's obligations toward oneself, one's family, friends, profession, the state, ancestors, other forms of life, the gods. (Makarand Paranjape) [26]

*<u>Maori (New Zealand):</u> "kaitiakitanga.</u>" Although the Maori language does not contain a word that is directly comparable to "responsibility," the concept of kaitiakitanga, because of its significant ethical dimension, resonates the most with "responsibility." The root word of kaitiakitanga is "tiaki," which means to care for, to foster, to nourish. A "kaitiaki" is a guardian who nurtures relations between human beings and with the natural world. (Charles Te Ahukaramü Royal [27]

*<u>Philippines:</u> "pakikipagkapwa" is viewed as the "overarching primary value" among Filipinos. At the root of the concept of kapwa is "the unified single identity of the 'self,' an identity shared with other human beings and even with non-human forms of life," whereas in English, "others" is commonly used in opposition to self, implying separate identities. (Sylvia Guerrero [28])

Cultural variations in the relational dimension of responsibility also appear in the motivations for *assuming* responsibility, the ensuing degree of *monitoring and control,* and in *time-related dimensions*.

Assuming responsibilities

While rights are claimed, responsibilities are assumed. But not for the same reasons everywhere neither for the same things.

Generally speaking, the *distinction* between <u>duty</u> and <u>responsibility</u> is less marked in non-Western cultural contexts than in Western ones. In the latter, *duty* is perceived as a *constraint defined and imposed by others*, while *responsibility* is rather felt to be related to a personal commitment out of *free will*. The idea that one may assume a responsibility by one's own choice entails that one can also be held to account for the consequences of one's acts. (No wonder that in Germany after World War II the question of the distinction between duty and responsibility was initiated by a number of Jewish philosophers such as Hans Jonas, Hannah Ahrend, and others, and later in France by the well-known Emmanuel Lévinas).

In the African context this distinction is usually less clear-cut. There, it is not so much a matter of a human choice to make. Rather, it is the "social order of things," that is, the social, divine or cosmic order in which everyone must play her/his role and assume the tasks/duties that go with them. Even the ancestors are responsible for the protection of the living members of their extended family, because "the dead are not dead."(Isidore Ndaywel E Nziem) [29]

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[26]   *Ibidem*
[27]   *Ibidem*
[28]   *Ibidem*
[29]   *Ibidem*

In the Chinese context, the individual prefers to shy away from personal responsibility unless that implies losing face.

> YU Shuo: "*The concept of 'responsibility' (*ze ren*) reflects the typically paradoxical nature of Chinese thought. It refers partly to those who wield authority, who are automatically deemed responsible, whereas other human beings as individuals are not. Their only duty is to obey their superior. The refusal to assume individual responsibility can also be seen in people's refusal to voluntarily sign a contract, a charter... . . . It would be courting danger! They prefer the seal of neutrality. The idea of responsibility also refers to a moral precept that we are all responsible for everyone else under the sun. But putting this moral precept into practice (for instance, by giving assistance to people trapped in a blazing building) does not come from a feeling of moral compulsion but rather as a public demonstration of one's goodness, so as not to lose face, not to incur shame. This type of responsibility is difficult with regard to those with whom one has no connection. This being so, there is a general moral obligation 'where anyone suffers injustice on the way, to lend arms to his assistance.'*
> *While the moral precepts of responsibility and solidarity may be linked to the idea of guilt in Western culture, China's moral codes are based on that of shame. This cultural difference results in very different practices.*"[30]

For people in India, the Philippines and the indigenous peoples, the vision of the individual as being only one element and an integral part of the big cosmic whole ("the woven universe"), there is not much question of being responsible out of free choice. In these worldviews one thinks rather in terms of "shared identity," the self *is* the other. The idea of responsibility would be expressed by terms like "taking care," and with regard to nature by being a guardian.

Thus, according to the various cultural and social contexts, a charge may be assumed:

- out of free will, out of concern for others or for something
- because one is entrusted with a task by a group to which one belongs
- because it is considered inherent to the nature of being human as one is an integral part of the whole of the living world.

Monitoring and controlling ways in which responsibilities are exercised
This other aspect of responsibility seems to be more pronounced in the full European meaning of the word "responsibility" (originating in Roman law) than in resonating words for responsibility in non-

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[30]   YU Shuo in: Edith Sizoo, *What Words do not say,* Éditions-Diffusion Charles Léopold Mayer, Paris, 2000, p. 49

Western languages. In the last few decades, the rather Western notion of "accountability" (combined with "transparency") has become prominent in international political discourse, in particular with regard to funding procedures for development programs. Contemporary literature about the concept of "accountability", in particular when related to "good governance", offers a large range of (different) definitions and interpretations depending on whose accountability one is talking about and in which fields of human activity, in other words, the pluri-dimensional nature of the concept of accountability.

However, given the more holistic view in Asian and indigenous worldviews of the human being as an integral part of the group to which one belongs and with which one identifies, even extending to the cosmic whole ("you are like a drop in the ocean"), the idea that when a human being assumes responsibilities she/he is at the same time "held responsible" for his/her actions is so inherent that there seems less need to make this explicit and invent a word for it (like "accountability").

> *Charles Te Ahukaramū Royal, about "earth-tuned sensitivity": "Lying at the heart of indigenous worldviews is the perspective that humans are a product and an expression of the earth. . . . It is deepened further by the idea that as we proceed through life the earth continues to bequeath her bounty to us in many ways. A simple example is our use of her resources. This idea of a fundamental and conscious connection between the earth and humankind is what is meant by people and persons being 'indigenous'."[31]*

Time-related dimensions: retroactive/prospective responsibility

It seems that the notion of time is merely a product of human imagination, for the human mind is incapable of apprehending reality beyond its own perception.

Although no strict dividing line can be drawn between South, North, East and West, nor between industrialized and agrarian societies, with regard to understanding of time and the way it is measured, those who are involved in intercultural relations are constantly confronted with different attitudes toward time. Indeed, these attitudes have an important impact on the way people shape their ordinary life-world, during the day and at night. They are also deeply interwoven with people's outlook on humankind's place in the world around it and its (in)capacity to influence what is happening there. They engender a different attitude to organization and production, to the rhythm of work and priority-setting, and also to dealing with health and sickness, with life and death.

Varying understandings of time and the ensuing ways of dealing with it are among the most prominent hidden sources of cultural misunderstandings. Time is illusion (Buddhism), space-and-cyclical time (Taoist cosmology), time spirals from event to event (Hinduism, sub-Saharan Africa, among others), sacred and profane time (Arab/Muslim perception), time progresses on a linear line (Western context):

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[31]   *Ibidem*

these conceptions are not strictly separated, either in content or in occurrence among the different civilizations in the world. Furthermore, each of them has a long history during which emphasis on their various aspects changed. At present, they partly overlap, but are nevertheless distinct enough to have different bearings on notions commonly used in international communication, such as: planning, development, progress, inventing strategies…,[32] and therefore on responsibility toward the past, present and future.

François Ost and Sébastien Van Drooghenbroeck:

> *"As far as the temporal incorporation of responsibility is concerned, law has until now favored what could be termed its* <u>*backward-looking aspect*</u>*: based on institutionalized procedures used to* **identify the author of a past offence** *(or damage), attribute responsibility and, where necessary, impose a punishment or the obligation to make reparation. But . . . this repressive and backward-looking view of responsibility does not cover its every meaning, as illustrated notably by the major ecological and demographic challenges humanity is currently facing. What has followed is a more involving conception of responsibility which looks to the future: being responsible has now expanded . . . to apply to the person who, independently from any idea of fault, takes on a responsibility, assumes a task . . . . We know how, for example, in environmental law, this* <u>*future-looking responsibility*</u> *is extended by the principles of* **prevention** *and* **precaution** *as well as a whole series of procedural rights to participation (information, consultation and recourse) . . . ."[33]*

Whose responsibility? A field of tension

The question of who is responsible for what or for whom is an age-old question. Since immemorial times, human beings who live together in a group have been bound to share out among themselves the tasks to be accomplished in order to live in harmony and to survive together, and so to share out the responsibilities that come with these tasks. The more separately human groups have lived from one another, the stronger the cohesion within the group (the "we-feeling") and consequently the clarity regarding respective responsibilities. However, with the ever-growing internal complexity of societies and the increasing interdependence among them, the "we-feeling" is changing too and the answer to the question "Who is responsible for what or for whom?" has become problematic.

"We-feeling" is determined by the ways in which people perceive the reality that surrounds them, who and what are considered to be part of their "world," of their community of destiny, how the relation

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[32]   Edith Sizoo, *What Words do not say,* Éditions-Diffusion Charles Léopold Mayer, Paris, 2000, p. 39, etc.

[33]   Ost François & Van Drooghenbroeck Sébastien, *La responsabilité, face cachée des droits de l'homme (*Responsibility: The Hidden Face of Human Rights*)*, Brussels, Bruylant, 2004, p. 110

between the individual and the wider social environment is understood, how the division of labor is organized, and therefore how individual and collective responsibilities are perceived.

In some cultural contexts, for instance among the native peoples of the Andes in Latin America, the idea of "we" is extended not only to human beings but to the world of animals and plants as well. The idea of community and relatives is not reduced to what is generally understood by social organization. The Andean concept of "*ayllu*" is clearly described by Grimaldo Rengifo Vásquez (1998) as follows:

> "*The 'ayllu' is a community of relatives made up of human persons, the members of nature, and the members of 'huacas' or deities. . . . In the 'ayllu', the activity of its members is not modeled from the outside. It is a result of conversations that take place between the community of humans ('runas'), the communities of deities ('huacas'), and the natural communities ('sallqa', in a brotherly atmosphere of profound equivalency. . . . The word 'relatives' is extended also to the cultivated plants—to the 'chacra'. The peasants consider the potatoes of their 'chacra' to be their daughters, and when they are newly incorporated they are called daughters-in-law. . . . The deity mountains are considered to be our grandfathers, thus extending kinship to the collectivity of the 'huacas' (deities). . . . Andean 'reciprocity' is the 'pleasure of giving and nurturing with affection' and is not a constraining obligation within the framework of a certain 'right' or 'responsibility' to return what has been given. . . .*
> *Since all relatives are being permanently nurtured, the notions of loneliness and orphanhood do not exist; instead there is caring.*"[34]

Collective responsibility: its conceptual problems

Although some thinkers criticize the frequent use of collective responsibility as an excuse for doing nothing at the individual level, there remains the need to recognize that collective responsibility is a pertinent issue. Collectives (nations, international fora, the G20, the UN, religious institutions, non-governmental organizations, etc.)—through their representatives—are bound to play a role in meeting all sorts of challenges, including global ones (like climate change and bio-diversity). As a consequence, each of these collectives has to settle internally how to share these responsibilities and how they are accounted for.

> "***Collective responsibility is plausible, but not simple conceptually***. *Collective obligation inheres in our humanity as social beings. It refers to a broad moral duty commonly shared by the general public to resolve their common problems and supervise their institutions. While their parameters are elusive, collectives are powerful realities. Would we witness the growth of the military by specific acts of U.S. presidents and congress, except that public sentiment ultimately endorsed such action? The United States has spent more on military technology since Ronald Reagan than all of our prior history put together. The current defense budget is nearly*

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[34]   Edith Sizoo, *What Words do not say,* Éditions-Diffusion Charles Léopold Mayer, Paris, 2000, p. 29

as large as the rest of the industrial world spends on weaponry combined. The president requests these appropriations and congress passes them. However, while hesitant to make direct causal connections, we know instinctively that overweening nationalism plays a critical role in a militaristic approach to world affairs.

We understand also that materialism in some important sense is a feature of American society that fosters tragic inequities in the world's resources. President Bush refused to sign the Kyoto Accords, is personally skeptical of the scientific data on global warming, and fervently believes that any pacts on global warming violate the national interest. But, once again, isn't there a collective responsibility that we share? Doesn't materialism in our society as a whole dim our moral discernment here?

*In terms of nationalism and materialism, we are unable to allocate a precise quotient of concrete obligation among specific individuals. But **the concept of collective responsibility is pertinent and necessary.** And establishing that claim is what needs doing. It is not enough to argue that responsibility has practical value. It needs to be an inescapable imperative. A commitment to the common good and accountability among ourselves must be embedded in our culture, and America as a relatively young nation has not developed a rich and definable culture."*

(Clifford Christians[35])

The distribution of responsibilities: a societal need

The economic and social development processes that have taken place in all societies of the world over the last century, the new information and communication technologies, the globalization process of the markets, all these factors have contributed to the growing complexity of allocation and division of labor. This phenomenon also requires an increased specification of the distribution of responsibilities.

Current crises with regard to responsibility: confusion and conflicts

Although this <u>distribution of responsibilities</u> is inevitable, it is also a <u>bone of contention</u> because it entails the *establishment of a hierarchy of power*. It is bound to provoke disputes about how much responsibility should go with which degree of power. And it is causing tensions because there are always disagreements in concrete situations about the priority that needs to be given to different values.

Confusion

This crisis is partly due to fundamental societal changes on which it is difficult to get a grip and which cause confusion in several ways.

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[35]   *Ibid: Responsibility and Cultures of the World.*

There are the *technical developments* in the field of communication, which *affect existing social relations* and require adjustments in the exercise of responsibilities. For example, do employees have the right to talk maliciously about their employers on their Facebook page? Confusing are also technical developments *posing ethical questions*, for instance about how far to go with respect to ending or prolonging life and who should set that boundary. Finally, there are technical developments allowing a fairly precise *prediction of future threats* to life on the planet. These have to be met, but by whom and how?

Organizational developments contribute to confusion as well. People at the top of big enterprises or government bureaucracies usually do not know what, under their responsibility, takes place at lower levels. In case of disasters caused by their personnel, they tend to make a distinction between being responsible and being guilty. A striking example of this was the position of a French Minister of Health who stated in 1991 that she was "responsible but not guilty" of the HIV-contaminated blood-transfusion scandal within the French national blood-transfusion center. This way of avoiding taking a position leaves the question unanswered as to what, then, ministerial responsibility implies…

All this goes together with a *fragmentation of societies,* a phenomenon of modernity: fragmentation of the social fabric causing less social cohesion, and also fragmentation in the sciences. These fragmentations are logically leading to a *fragmentation of responsibility,* which in turn creates open spaces of undefined responsibilities where nobody knows anymore who is responsible for what. So it can happen for example, that sick people are given different medicines by different specialists without anybody making sure (taking the responsibility) that all those medicines can be combined without harm.

Last, but not least, confusion is also caused by *growing uncertainties about the values that (still) keep national societies together and define responsible citizenship.* For this reason, China is reintroducing Confucianism, while right-wing movements in Europe are claiming the need to clarify and defend national identity and what that implies for being… or no longer being a citizen.

Conflicts

But this crisis does not only create confusion. There is also *conflict and struggle related to the different dimensions of responsibility* mentioned earlier. In line with these distinctions, they are about:

- for <u>what</u> responsibility should be <u>taken</u>: for example, in some national societies many people question whether the individual should share responsibility for all the members of the nation, with respect to national social welfare, like medical care for instance, while in others this is self-evident;
- <u>how</u> responsibility should be <u>exercised</u>: for example, the idea that company heads or government agencies are responsible for setting the rules for their own conduct and their

personnel or citizens, respectively, is usually not denied, but the manner in which they do this is often contested;

- how responsibility should be accounted for: disputes about to what extent information on the exercise of responsibility and its results should be given and to whom specifically can be noticed everywhere; the behavior of bank traders with regard to the current financial crisis is a clear point in case.

Co-responsibility: the citizen and the state

If *rights* pertain to guaranteeing the dignity and freedom of *individuals,* co-responsibility implies that everyone assumes his/her share of responsibility for others, for society and for the living world.

These responsibilities are **differentiated** and **proportionate** to one's freedom, access to information, knowledge, wealth, and power.

However, co-responsibility as a concept is not as self-evident as it seems when applied to the great variety of relations in the world between the state and its citizens. In countries where the state is not necessarily the guarantor of rights, human dignity, freedom, justice, equity and social protection, the idea of citizenship may not have a positive resonance, and consequently responsibility is seen as mutual solidarity to be assumed mainly within one's own social safety net (family, clan, community). (In Mali the question "What is the state?" is answered by "The state? That is the tax bureau!").

"De-responsibilization"

The current crises in the field of distribution of responsibilities as described above are leading to another increasing phenomenon: "de-responsibilization." This phenomenon manifests itself in different ways. In societies where responsibility is primarily attributed to the individual, this may become such a heavy burden that people tend to shift their responsibility onto someone else. This is one of the reasons why insurance companies are among the most flourishing businesses in the West.

But a more serious and alarming aspect of this crisis is that the increasing internal fragmentation of societies combined with the growing intricacy of supra-national economic relations leads to open spaces of undefined responsibilities. This is exactly why all international conferences on environmental problems can yield such totally insufficient results and why multi-national corporations can act irresponsibly.

Concluding remark on the question: "Why focus on responsibility?"

In spite of the complexity of the concept and the practice of responsibility, the above effort to make explicit the various aspects of responsibility has hopefully clarified that the choice of the notion of responsibility was basically inspired by its twofold nature:

1. <u>Assuming</u> a charge in response to an appeal, a request, a concern (French: *répondre à*)
2. <u>To account for</u> one's ways of exercising that charge (French: *répondre de*)

The idea of responsibility is not superior to other values, but it distinguishes itself from others by these <u>two intrinsically related aspects</u>: <u>an ethical one</u> and <u>a potentially enforceable one</u>. This is the very reason why this concept is key to elaborating an internationally recognized reference text that is <u>not only an appeal to live up to moral standards</u> (as most Declarations do), but that <u>induces their application</u>. Arguing for a moral obligation to act responsibly has proven to be insufficient. Responsibility needs to be accepted as an inescapable imperative enhanced by the interdependence of ecological, social, economic, political, and judiciary aspects of living together on this planet.

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Part III

Motivations for an *international* reference text on Universal Responsibilities

III.1. Why an *International* Declaration ?
III.2. Step-by-step strategy for potential impact

III.1. **Why an *international* Declaration?**

The key answer to this question is twofold: the fact that the current crises with regard to responsibility are leading to ever growing ***"de-responsibilization"*** (as argued above) and that therefore a ***worldwide dialog*** leading to an agreement on the ***redefinition of responsibility*** in the face of the new challenges of the 21st century is urgently required.

The challenges have to do with the unprecedented mutations taking place in the fields of technology, economy, and social relations worldwide. These are at the root of new kinds of ecological, economic/financial, political, and social crises.

The globalization process causing *ever increasing interdependence* internationally is making the exercise of *responsibility* not only more complex, but worse, much *easier to escape*, let alone to control. Current reactions to this situation are to *restrain responsibility* not only at the *personal* level ("What can *I* do about those global problems?!"), but also in terms of *co-responsibility* at the *international* level (see for instance, the repeated failures of UN Conferences on climate change). As a consequence, many responsibilities are left unspecified and are therefore not allocated. A striking example is the juridical wrangling about who was responsible for what in the BP deep-sea oil-digging disaster.

Up till now, answers to these crises have been insufficient from national and international governing bodies and institutions, scientific institutions, corporate business, and religious institutions.

All these reasons call for promoting the idea of a **"Third pillar" of international life,** an additional international Declaration that, like the UN Charter, for peace and development, and the Universal Declaration of Human Rights, underpins the functioning of international relations. A Declaration that goes <u>beyond one-issue</u> declarations (rights, peace, development, environment, commerce, etc.) to an <u>overarching concept</u> that is <u>key</u> to the <u>application of moral values</u> in all fields of human activity. A basic agreement leading to an international reference text setting out **human responsibilities in all spheres of life,** a text that is **endorsed** not only by **states** but also by **citizens** and **major powers of influence** at the political, economic, and social levels. A text that would **inspire codes of conduct** and **international agreements,** and would ultimately serve as a **source for juridical measures**.

II.3. Step-by-step strategy for potential impact

Addressing various actors in the fields of human activities (state, civil)

If an international reference text on Human Responsibilities were meant to address governmental bodies as well as the multiple non-state levels of society (the business world, actors in all fields of human activity like scientists, the military, educators, artists, social activists, youth, etc.), it would be bound to formulate only very general principles for an ethics of responsibility. But the question is whether such a text would have any more impact than all the existing ethical texts, one more beautifully formulated than the next.

Or would the solution be to diversify and consider the suggestions of a group of high-level political and juridical experts who propose five different, but complementary texts:

1. <u>the Declaration itself,</u> which should be two pages, one page of preamble and one page of general principles to be the basis for future international law;

2. <u>a draft UN resolution to be presented to the General Assembly</u>; this would be a first step for putting a Declaration of Universal Responsibilities on the agenda of the UN. In order to appeal to <u>all</u> Member States, this resolution should address a <u>common</u> burning issue, possibly climate change;

3. a document presenting the concrete applications of the Declaration principles by different stakeholders, in particular in the professional and social fields, preferably by way of Declarations of Responsibility of Professional and Social actors;

4. a document to be submitted to the civil-society conference organized on the occasion of the conference of Heads of State Rio+20, mid-2012; this text would transpose the Declaration principles into another style of language, a "We, the people" document with a strong civil commitment to responsibility and an appeal to governments and the international corporate business world;

5. a commentary providing the context, the motivation, and the juridical possibilities for a Declaration to have real impact.

The *Declarations of Responsibility of Professional and Social actors* and the *"We, the people" document* will further advance "cultures of responsibility" and energize the existing **groundswell** in civil society that is indispensable for putting pressure on governing bodies at institutional levels (political, business, non-governmental, etc.). On the other hand, their impact will be reinforced by an *International Declaration*.

The way forward

The question of monitoring and controlling the application of Universal Responsibilities principles is at the very heart of the problem. Here again, diversification of efforts is the pragmatic approach.

If Declarations of Responsibility of Professional and Social actors included monitoring mechanisms and instruments (which is currently rarely the case), this would further advance their impact. One instrument would be evaluation by a third party of the degree of integration and implementation of the principles in daily practices. It is a pragmatic and pedagogical tool that enhances internal dialogue on what is intended and what is actually achieved within the field of the human activity concerned.

An intermediary step to a "universal declaration", a Declaration of Universal Responsibilities could be for intergovernmental bodies (like the WTO, WHO, the World Bank, the IMF, UNDP, etc.) to endorse principles of responsibility including accountability in their areas of concern.

With regard to the "supreme level" of the United Nations, we saw in the above section on the various existing Declarations and Declarations that the possible mechanisms and instruments for effectively controlling the application of agreed principles are too often blocked by the political will of states that give priority to their sovereignty and national interests over the imperative of global necessity.

As said before, it took the General Assembly of the United Nations 28 years to obtain the minimum number of 35 ratifications of the covenant setting out the measures and control mechanisms for the application of the principles set out in the Universal Declaration of Human Rights, and 47 years to obtain 132 ratifications. Ideas on how such monitoring and control could be achieved are not lacking. They are to be found in particular among thinkers on renewing the foundations of governance. The real problem is the political will to set and apply binding measures.

The low degree of political will is a reality. But it is precisely this reality that justifies our audacity as citizens of the world to overcome feelings of powerlessness and try to achieve the *"new era of responsibility"* that Barack Obama has rightly called for. At the same time, a Chinese saying tells us: *"A journey of a thousand miles starts with a single step."* Indeed, a step-by-step approach is the wisest and most effective route to overcome the barriers we find on the road.

But in order to avoid that our journey last longer than a thousand miles, each step, including the first one, needs *a sense of direction*. All that has been discussed above is meant to contribute to clarifying this sense "as we walk," determined to achieve the new era of responsibility the world urgently needs.

So let us encourage one another and may the first single step of each of us be followed by many others!

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ANNEX I   DESCRIPTIONS of KEY NOTIONS[36]

RESPONSIBILITY

The concept of responsibility resonates, even in everyday vocabulary, on **two wavelengths** of a very different nature: an **ethical** one—feeling responsible for a situation or another person, a moral feeling that induces a personal commitment to act—and a **juridical** one, which refers to the legal system, which allows the damage done to someone else or to the environment to be appreciated, and claiming compensation for this damage. It is the tension between these two components that makes for the richness of the concept of responsibility because it is at the same time an appeal to moral consciousness and a potential source, or even an expression, of rights as established in juridical systems.

("*Conceiving an inventive tension between antagonistic poles, in the midst of which the concept of responsibility navigates*." Antoine Garapon and Pierre Calame, September 29, 2010)

COLLECTIVE RESPONSIBILITY

". . . in addition to our separate responsibilities to our individual societies, we have a <u>collective</u> responsibility to uphold the principles of human dignity, equality and equity at the global level. As leaders we have a duty therefore to all the world's people . . ."
(United Nations Millennium Declaration, adopted by the General Assembly, September 8, 2000)

UNIVERSAL RESPONSIBILITY

"I believe that our every act has a universal dimension. Because of this, ethical discipline, wholesome conduct, and careful discernment are crucial ingredients for a meaningful, happy life. . . . Universal Responsibility . . . may not be an exact translation of the Tibetan term I have in mind, *chi sem*, which means, literally, <u>universal (*chi*) consciousness (*sem*)</u>. Although the notion of responsibility is implied rather than explicit in the Tibetan, it is definitely there. . . . [It is] a reorientation of our heart and mind away from self and toward others. . . . a sense . . . of the equal right of all others to happiness and not to suffer . . . I believe that the culture of perpetual economic growth needs to be questioned . . . The question of justice is also closely connected . . . with universal responsibility . . . [It also means that] we have a duty to care for each member of our society . . ."
- His Holiness The Dalai Lama, *Ethics for the New Millennium*, Riverhead Books, New York, NY, 1999.

"To realize [our] aspirations, we must decide to live with a sense of universal responsibility, identifying ourselves with the whole Earth community as well as our local communities. We are at once citizens of different nations and of one world in which the local and global are linked. Everyone shares responsibility for the present and future well-being of the human family and the larger living

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world. The spirit of human solidarity and kinship with all life is strengthened when we live with reverence for the mystery of being, gratitude for the gift of life, and humility regarding the human place in nature.

We urgently need a shared vision of basic values to provide an ethical foundation for the emerging world community."

- "The Earth Declaration," Preamble

RESPONSIBLE CONSUMPTION

The "5Rs policy" for responsible consumption consists of: Reflect, Refuse, Reduce, Reuse, and Recycle.

- Charter of Responsibilities – Let's Take Care of the Planet, Children and Youth International Conference

SOCIAL RESPONSIBILITY

On Corporate Social Responsibility, the **Japanese** notion of **kyosei** was defined by Ryuzaburo Kaku (Chairman and CEO of Canon from 1977 to 1999) as "a spirit of cooperation" in which individuals and organizations live and work together for the Common Good. He led the way in re-conceiving the responsibility of multinational corporations and the possibility of their not leading us into consumerist ruin but toward a good that goes beyond the good of its shareholders, promoting a spirit of practice that was rooted both in the **Confucian** idea of **Shuchu kiyaku** and the Western idea of the **Common Good**. "The Common Good is founded on a conception of justice which seeks to balance individual and community interests fairly and to pay particular attention to those who are socially or economically marginalized and whose welfare becomes a sign of the Common Good."
Dr. Mike Thompson, "Operationalizing the Common Good in Business through Leadership and Spirituality," paper presented at the conference "Leadership, Spirituality and the Common Good, East and West Approaches," Shanghai, October 2008, European SPES cahier 4

"Responsibility is a principle of action, of anticipation, of diligence, and of precaution in the professional sphere. Being responsible is being capable of responding, but also of doing, anticipating, and planning, then to account for what was done. Responsibility is a competence that needs to be legitimized, hence recognized."

- Manifeste pour la responsabilité sociale des cadres en entreprise (Manifesto for the social responsibility of company executives)

"Corporate social responsibility is the contribution of organizations to sustainable development. It is manifested through the organization's willingness to assume responsibility for the impacts of its decisions and activities on society and on the environment, and account for them."

- AFNOR Groupe, "Responsabilité sociétale : l'évaluation AFAQ 26000, pour distinguer les bonnes pratiques", Press Release, November 15, 2010[37]

RESPONSIBILITY and FREEDOM are interdependent

"Responsibility, as a moral quality, serves as a natural, voluntary check for freedom. In any society, freedom can never be exercised without limits. Thus, the more freedom we enjoy, the greater the responsibility we bear toward others, as well as ourselves. The more talents we possess, the bigger the responsibility we have to develop them to their fullest capacity. We must move away from the freedom of indifference toward the freedom of involvement."

- A Universal Declaration of Human Responsibilities, proposed by the InterAction Council, 1997[38]

RESPONSIBILITY and RIGHTS

"The Ganges of rights originates in the Himalayan of Responsibilities."
- Mahatma Gandhi

"The fulfillment of duty by each individual is a prerequisite to the rights of all. Rights and duties are interrelated in every social and political activity of man. While rights exalt individual liberty, duties express the dignity of that liberty. Duties of a juridical nature presuppose others of a moral nature which support them in principle and constitute their basis."
- OAS American Declaration of the Rights and Duties of Man, Bogota, 1948)

Note that the concept of "rights" as such is <u>not defined</u> in the Universal Declaration of Human Rights. Rather, this Declaration sets out the recognition of the <u>rights to</u>... "the inherent dignity . . . of all members of the human family," life, liberty and security of person , equality before the law, freedom of movement, of thought, of expression, of religion, of choice in marriage, etc. etc., the right to work, to education, to cultural life, etc. etc.
The word "<u>duty</u>" occurs <u>only once</u> in this Declaration, in Article 29: *"Everyone has duties to the community in which alone the free and full development of his personality is possible."*

RESPONSIBILITIES, OBLIGATIONS, DUTIES

". . . as noted by J. Rivero 'the counterpart of rights, from the legal point of view, is not duties, but obligations. Expressing rights and duties in the same text can bring about doubt regarding the legal value of rights, and leads to thinking that, like duties, they are only of the realm of ethics.'[39] So although the concept of *obligation* is <u>incontestably legal</u> (the counterpart of rights), on the other hand the concept of *duty* leans in direction of <u>morals</u>, . . . To the pair "obligation, duty," we would

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[37]   http://www.afnor.org/groupe/espace-presse/les-communiques-de-presse/2010/novembre-2010/responsabilite-societale-l-evaluation-afaq-26000-pour-distinguer-les-bonnes-pratiques
[38]   http://www.interactioncouncil.org/udhr/declaration/udhr.pdf
[39]   J. RIVERO, *Les libertés publiques, I. Les droits de l'homme*, Paris, P.U.F., 1987, p. 74.

like to add a third term, that of "*responsibility,*" which, in spite of its numerous and important legal uses, we would like to attract <u>into the orbit of ethics</u>, itself distinct from that of morals. . . . While legal obligations can be sanctioned by the courts and can be brought to the justice of public constraint, morals pertains to a system of perhaps broader commandments and interdictions but nevertheless still determined, whereas an ethical <u>responsibility</u> is part of the <u>potentially unlimited and unconditional circle of values</u>, which, as we shall see, <u>culminate in the recognition of every man's **dignity**</u>. Set in this perspective, duties, and subsequently **responsibilities, are probably not likely to be directly transcribed into the legal order**; it will take a lot to work them into the legal order from the inside, according to procedures that we will need to specify. . . .

It is the major challenge of this study to show how much we are linked to the freedom of others and that it is precisely the vocation of law to materialize this common freedom: '<u>leaguing (o*b-ligare*) with the law,</u>' explains P. Meyer-Bisch, '<u>burdens us with a mutual responsibility that will guarantee true development of our freedom</u>'."

- François OST and Sébastien Van Drooghenbroeck, *La Responsabilité: face cachée des Droits de l'Homme*, Bruylant, Brussels, 2005.

FROM HERE ON IN ALPHABETIAL ORDER

CULTURAL DIVERSITY

". . . culture should be regarded as the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs. . . .

Culture takes diverse forms across time and space. This diversity is embodied in the uniqueness and plurality of the identities of the groups and societies making up humankind. As a source of exchange, innovation and creativity, cultural diversity is as necessary for humankind as biodiversity is for nature. In this sense it is the common heritage of humanity and should be recognized and affirmed for the benefit of present and future generations."

- Universal Declaration on Cultural Diversity, UNESCO, 2002

COMPASSION

"The principle of compassion lies at the heart of all religious, ethical and spiritual traditions, calling us always to treat all others as we wish to be treated ourselves. Compassion impels us to work tirelessly to alleviate the suffering of our fellow creatures, to dethrone ourselves from the center of our world and put another there, and to honor the inviolable sanctity of every single human being, treating everybody, without exception, with absolute justice, equity and respect."

- Charter for Compassion, a call to bring the world together[40]

GOVERNANCE

"Governance is the art of societies to manage themselves on their own. . . . five main principles of governance: the first has to do with the <u>legitimacy of institutions and people</u>. . . . The second general principle has to do with the <u>balance between rights and responsibilities</u> that are the

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[40]   http://charterforcompassion.org/site/

foundation of citizenship and with the conditions in which every individual feels he or she is part of a common destiny, feels he or she is a stakeholder in the elaboration of this collective destiny. . . . The third principle of governance is that of the competence and the relevance of institutions. . . . Fourth principle, cooperation among actors. It involves the idea of an interest higher than particular interests and a possible equitable sharing in this cooperation. . . . The fifth major principle of governance is the need to articulate scales of governance from the local to the global. . . . the ability to make these different levels cooperate."

- Pierre Calame, *Visages de Paix dans la tourmente,* IRENEES, Paris, 2009

WORLD GOVERNANCE

"The sovereign equality of all states is in a sense a precondition for world governance. However, the way in which international law has developed over the years has caused a basic shift in the way sovereignty has to be understood in contemporary society.

In essence, sovereignty must now be exercised in the interest not of a sovereign state but of the citizens and those who reside in the territory of the sovereign state. This applies in particular to observance of human-rights standards and the principles of a society under the rule of law. . . . The globalization and increasing interdependence among states also means that **sovereignty must be exercised by entering into binding legal obligations** and often through membership in international organizations (sometimes referred to as "**pooled sovereignty**"). The Charter of the United Nations regulates when state sovereignty has to yield as a consequence of decisions by the Security Council in the interest of the maintenance of international peace and security. . . . There is today much talk about new actors in the field of international law. The engagement of non-governmental organizations has a long tradition. Their engagement both at the national and international level is a necessary component in a democratic society."

- Ingvar Carlsson, former Prime Minister of the Kingdom of Sweden (1986-1991 and 1994-1996, in "Restoring International law: Legal, Political and Human Dimensions", Chairman's report on the High Level Expert Group Meeting of the InterAction Council, June 19, 2008)

INTERDEPENDENCE

"Recognizing the integral and interdependent nature of the Earth, our home."
- Preamble of the Rio Declaration, Earth Summit, 1990[41]

"The advent [of a] 'world community of destiny' calls for the proclamation of the principle of global inter-solidarity, a true 'Declaration of interdependence.' That is, the institution of a world governance worthy of its name. . . . It is necessary to reconsider, in order to go beyond them, the limits of international law and its founding principle, national sovereignty—in the name of a higher principle, in the name of Justice. Because world governance is the ability to rise beyond bargaining among particular interests and to make global political decisions—in the name of humankind."
 - Appel pour une Déclaration universelle de l'Interdépendance, Collegium International

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[41]   http://www.c-fam.org/docLib/20080625_Rio_Declaration_on_Environment.pdf

"We declare that we are interdependent. Each of us depends on the well-being of the whole, and so we must have respect for the community of living beings, for people, animals and plants, and for the preservation of Earth, the air, water and soil."
- Declaration toward a Global Ethic, Hans Kueng Foundation

"The international division of labor, the globalization of markets, and information and communication technology have greatly multiplied interdependences and the complexity of the technical and economic order (international finance being an extreme case). The process has reached a degree such, that in the order of production as in that of consumption, it has become difficult if not impossible for ordinary citizens not only to control the many indirect consequences of their actions, but even to simply know them."
- Bruno Mallard, brief comments on the Charter of Human Responsibilities, 2010)

NATURE and HUMAN BEINGS
"Civilization is rooted in nature, which has shaped human culture and influenced all artistic and scientific achievement, and living in harmony with nature gives man the best opportunities for the development of his creativity, and for rest and recreation."
- World Charter for Nature, UN, 1982[42]

"There cannot be equilibrium between man and nature if there is no equity between human beings."
- draft: Universal Declaration of the Rights of Mother Earth, Bolivia, 2010[43]

"Mother Earth must be recognized as a living being with whom we have an indivisible, interdependent, complementary and spiritual relation."
- draft: Universal Declaration of the Rights of Mother Earth, Bolivia, 2010[44]

NORM
"A norm is by definition voluntary and non-binding. She sheds light, explains, provides additional information, and avoids incomprehension and arbitrariness. It is drawn up by consensus, which is to say that it cannot privilege the interests of a restricted group of actors but quite the contrary of the largest number."
- *La Norme ISO 26000, Responsabilité sociétale des entreprises*, AFNOR Groupe, http://www.afnor.org

OECONOMY
"Speaking of "*oeconomy*" rather than "economy" reminds us of the original meaning of the word: 'to manage our household wisely,' the household being today our planet. That is what production and trade are about. The definition and guidelines of 21st-century economy should therefore be: oeconomy is a branch of governance; its goal is to institute actors, institutional frameworks,

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42   http://www.unep.org/law/PDF/UNEPEnv-LawGuide&PrincN05.pdf
43   http://pwccc.wordpress.com/2010/02/07/draft-universal-declaration-of-the-rights-of-mother-earth-2/
44   http://pwccc.wordpress.com/2010/02/07/draft-universal-declaration-of-the-rights-of-mother-earth-2/

processes, and rules that seek to organize the production, distribution, and usage of goods and services and to guarantee humanity maximum well-being by using the best in technological capabilities and human creativity; at the same time, it strives to preserve and enrich the biosphere and to preserve the interests, rights, and initiative of future generations in conditions of responsibility and equity upon which all can agree. The initiative for Rethinking the Economy (IRE- www.i-r-e.org) and the *Essay on Oeconomy* (P. Calame www.eclm.fr) offer concrete proposals for enforcing these guidelines."

- Reinventing Europe's Future: 18 proposals for debate submitted to the members of the European parliament

SOCIAL CONTRACT

"Social contract means the recognition of mutual responsibilities. Responsibilities are the hidden side of rights: there are no effective rights, be they social, environmental, or cultural, unless there are actors who feel responsible for enforcing them. [Social contract implies:] balancing fairly, for each citizen, rights and responsibilities."

- Reinventing Europe's Future: 18 proposals for debate submitted to the members of the European parliament, 2009

SOLIDARITY / SOLIDARITÉ

The Webster's Dictionary defines "solidarity" as follows:

"An entire union of interests and responsibilities in a group: community of interests, objectives, or standards."

Le dictionnaire Robert définit ainsi le mot **solidaire**:

« Commun à plusieurs personnes de manière que chacun répond de tout (...) se dit des personnes qui répondent en commun l'une pour l'autre d'une même chose; qui se sentent liées par une responsabilité et des intérêts communs ». La solidarité traduit en acte cette responsabilité mutuelle qui dépasse la simple addition des besoins individuels. Elle est le « sol » sur lequel peut s'édifier une société.

SUSTAINABLE DEVELOPMENT

"Sustainable development responds to the needs of the present without compromising the capacity of future generations to respond to theirs. It covers three dimensions: economic, social, and environmental."

- AFNOR Groupe, "Responsabilité sociétale : l'évaluation AFAQ 26000, pour distinguer les bonnes pratiques", Press Release, November 15, 2010[45]

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[45]   http://www.afnor.org/groupe/espace-presse/les-communiques-de-presse/2010/novembre-2010/responsabilite-societale-l-evaluation-afaq-26000-pour-distinguer-les-bonnes-pratiques

ANNEX II   LITERATURE CONSULTED / LITTERATURE ETUDIEE

ETHICS TEXTS (Declarations, Charters, Manifestos, etc.)

- The Universal Declaration of Human Rights (UN 1948)
- The American Declaration of the Rights and Duties of Man (US 1948)
- The International Covenant on Civil and Political Rights (UN 1966)
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- Charte de l'Environnement: Projet de Loi constitutionnelle (France 2003)
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- Proposition pour une Déclaration Universelle du Bien Commun (François Houtart 2010)
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- European SPES Cahier no. 4, *Leadership, Spirituality and the Common Good, East and West approaches*, Garant Uitgevers, Antwerp, Belgium, 2010)

- STUECKELBERGER Christoph, MUGAMBO Jesse N.K., *Responsible Leadership,* WCC Publications 2007
- SREENIVASA Sudha , KUMAR D. Jeevan, *Uniting in Responsibilities in a Culture of Rights,* Center for Gandhian Studies 2010
- THEODORE DE BARRY & TU WEIMING Eds., *Confucianism and Human Rights,* Columbia University Press, 1998
- TREMBLAY Rodrigue, *Le code pour une éthique globale*, Liber 2009
- VACQUIN Monette, éd*., La Responsabilité*, Les Editions autrement 2002
- VIELAJUS Martin, éd., *La société civile mondiale à l'épreuve du réel,* Editions Charles Léopold Mayer 2009
- ZIELINSKI Agata, *Lévinas: La responsabilité est sans pourquoi,* PUF 2004

ARTICLES

- CALAME Pierre, *Pourquoi la gouvernance mondiale de l'environnement avance-t-elle si lentement ?* Intervention à Brasilia CONFINT 2010
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