

*Philosophical  
and spiritual  
perspectives*  
*on*  
DECENT WORK

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Edited by Dominique Peccoud



International Labour Office • Geneva



ILO International Institute for Labour Studies



World Council of Churches

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## PREFACE

The International Labour Organization was created in 1919, in the first instance as an organization to set an international minimum level of labour standards. Divergences in labour standards and their application were at the time seen as one of the root causes of social tensions and conflicts, which could foster – as the world at that time had just experienced with great pain – war and revolutions. The ILO's scope of activity has over the decades considerably enlarged beyond this core function, which still remains and on which a large amount of the Organization's comparative advantage is dependent. In a multidimensional world, the mandate of the ILO is to help strengthen its social dimension.

Therefore, the ILO recently adopted the Decent Work Agenda, which reflects, in clear language, certain universal aspirations of people throughout the world. It is therefore called upon to reach out to these people worldwide in a time of globalization. This is at the same time a personal goal for individual fulfilment; a collective goal for the social partners; and a developmental goal for countries. When pursuing its Decent Work Agenda, the ILO has to look at the overall means available to it and its tripartite constituents: governments, employers and trade unions. These partners also have to face a more complex, more vibrant world than some 80 years ago, with more independent actors, some better empowered than others.

One of the prerequisites for a meaningful life is a certain minimum level of principles and rights. These human rights at work are derived from the Constitution of the ILO and set out in the ILO Declaration on Fundamental Principles and Rights at Work. When adopting this Declaration in June 1998, the International Labour Conference also set out a follow-up mechanism to ensure the effective promotion of these principles and rights. These fundamental rights concern freedom of association and the right to collective bargaining, the abolition of forced and child labour, and the absence of discrimination in employment and occupation.

The normative aspects of the Decent Work Agenda are broader than this short list of principles and rights, also known as core labour standards. These are enabling rights, and promoting and respecting them will also create better conditions for the realization of other standards essential for decent conditions of work and life. For instance, a proper application of any standards regarding wages, working time, safety and health, social security, and so on, no doubt requires that the fundamental conditions of freedom and constructive interaction be respected. An efficient wages policy is hardly compatible with a situation where the rights to organize and bargain collectively are denied.

Fundamental principles and rights are universal, and the 1998 Declaration reminds us that they should be promoted and realized by all countries, even if they have not ratified the international labour Conventions relating to the four categories. However, no universal principle is applied in the abstract; application always takes place in national and local circumstances. The key to successful application is the right mix of the universal principle and the ways in which those directly concerned can gain ownership over it. Labour standards are not pieces of machinery which come in a “one-size-fits-all” format. The way in which they fit, and contribute best, to national systems of labour market governance has to be negotiated, and the solutions must be reasonably commonly acceptable.

It might be easy to draw the conclusion that labour standards should thus in all respects, including philosophical and spiritual values, be as neutral as possible. Those who set out to draft the rules of the game should then be put, as John Rawls says in *The law of peoples*, into an “original position” – behind a “veil of ignorance”, where they put aside the racial, social and economic specificities of the country or group they represent. Instead of focusing on points of divergence and confrontational questions, the process would thus concentrate on specific subjects and to a great extent procedural matters.

One might say that such an approach most probably would lead to a “soft” consensus or to a minimal set of rights conceived in broad terms only – at worst, in too general terms to be meaningful. After all, everyone would agree that the sun rises in the East and sets in the West, but it would not be meaningful to stipulate this in an international political or legal instrument. In addition, labour relations are by their nature controversial in that the interests of several parties have to be reconciled. The aim is to deal with conflictual issues in a non-conflictual way, without denying the existence of conflicting interests but trying to produce win–win situations, or at least a situation where divergence can be tolerated.

However, it would be wrong to think that both fundamental and other labour standards should, or indeed could, simply be rules of the game, without any value-system being implied. After all, throughout its history the ILO has been operating on one underlying premise: that labour is not a commodity.

Consequently, standards for the labour market cannot be comparable to those which we apply to commodity or capital markets. In fact, one of the compelling reasons for establishing minimum standards was to ensure that competitive advantage would not be forced by making human beings work in unacceptable, undignified and hazardous conditions. In short, parallel to economic and social considerations, there is a strongly implied ethical dimension in labour standards.

And there is the inescapable fact that as decent labour standards and conditions of work, including employment and social security, diminish social tensions and thus the danger of conflict, we are dealing with an inseparable element of peace within and between nations. Social and labour questions may be seen as being “soft”, but shortcomings in them (as well as ignoring or neglecting them) have “hard” consequences through the economic and human cost of conflict.

The strength of fundamental principles and rights at work is that they conform to the basic philosophical and spiritual orientations and aspirations of the world. Of course, this does not limit itself to the normative aspects of the Decent Work Agenda; on the contrary, for instance, aiming to secure protection for all working women and men or indeed fostering productive job creation and social dialogue should sit well with all major religious and philosophical systems. Conversely, the major philosophical and spiritual orientations of the world should give further inspiration to the Decent Work Agenda and its implementation.

What, then, would be the ways to promote the necessary interaction and dialogue? The World Peace Summit, held in 2000, is an example: 1,000 religious and spiritual leaders were invited to represent the many faith traditions in a gathering at the United Nations Headquarters in New York, with the aim of promoting world peace. Other inter-religious dialogues involve small meetings of, say, 20 to 50 participants, convened to discuss precise topical and carefully chosen issues affecting society. That is the case with the World Faith Development Dialogue, initiated by the World Bank and the Archdiocese of Canterbury in the United Kingdom. The third meeting of this Dialogue was held in October 2002. This kind of targeted dialogue on specific points may well be more efficient than large meetings aimed at formulating unanimous positions and a consensus.

At the national level, coalitions fostering decent work could increasingly involve the major humanistic, philosophical, spiritual or religious orientations. Comparing notes between, say, churches and institutions or organizations in the labour market can reveal a much broader communality of values and aspirations than might be expected at first glance. In addition, churches and faith-based organizations can play an important role as partners in implementing fundamental principles and rights at work. In particular in the informal economy, where traditional employers' and workers' organizations

have limited access, they can be important actors in combating child labour, forced labour and discrimination, and they can help in providing more possibilities for the vulnerable and unorganized to have a voice in defending their and their families' vital interests.

What is essential is that dialogue and interaction focus on specific subjects and not on a global confrontation on ideological or religious positions. Rational dialogue to reach a common position is possible when it is limited to specific subjects, without denying the participants' different religious, spiritual or ideological convictions. It would also seem natural to proceed by establishing a first consensus on how to address fundamental questions and/or the framework in which more specific issues are to be dealt with. This raises a methodological question, as most probably the first issue to be addressed relates to how such a process should be conducted.

For instance, regarding the major orientations of the Decent Work Agenda and its application, in addition to the customary (and obligatory) tripartite dialogues and preparatory processes, there could be consultations with a view to taking into account and strengthening its philosophical and spiritual dimensions. A limited number of people who have deep roots in their own tradition and a clear understanding of the technical issues at stake could be involved. These people should be capable of making reflections which can interpret or reinterpret their own tradition in a new context. These must be people of dialogue, ready to understand the specific issues involved in the world of work. It would also be useful if they had knowledge and were also capable of engaging with the organizations and institutions involved.

Each participant in such consultations would be asked individually to give his or her considered views on the issues concerned, identifying what is negative or positive, what is missing, and which orientations should be further developed. This could form the basis of a first synthesis exploring both convergences and divergences between traditions and philosophical and spiritual orientations. Subsequently, in a closed session each participant could address the issues and answer questions posed by others. The report of such consultations would aim at a synthesis of all the points of agreement and also include the participants' written contributions, presenting a wide spectrum of views.

The goal would not be to reach consensus but to exchange views and explore how different issues related to the Decent Work Agenda might be seen and dealt with by different philosophical and spiritual orientations. For the organization concerned – in this case, of course, the ILO – the consultations would be purely and strictly advisory. The decisions on main orientations and their application would, naturally, remain fully in the hands of the constitutionally mandated parties.

The benefit of such an approach would be that the philosophical and spiritual dimensions of questions which concern intimately all actors in the world of work would be considered. This is not an unimportant question because, as noted earlier, the Decent Work Agenda has an important moral dimension and is about dignity at work. Needless to say, that people have work, and work in decent conditions, is central to the spiritual well-being of human beings. At a very practical level, such an exercise should also serve to diminish fears that orientations concerning work and labour standards are determined or dominated by some philosophical and spiritual orientations, ignoring others.

I write these words with the firm conviction that such a process will not mean any revision or readjustment of the fundamental orientations which have been agreed upon over the decades and which are now strengthened by the implementation of the Decent Work Agenda. As I have pointed out earlier, the principles adopted and the rights recognized have been deemed universal. What is important is to improve their application in different contexts, including different philosophical and spiritual ones. Fundamental principles and rights at work, and indeed the notion of Decent Work, should be no strangers to local religious and spiritual leaders, teachers, community elders and so on. Combating child labour, forced labour and discrimination, and giving a voice and empowerment to the unprotected, excluded and marginalized, should be vital matters for the whole community, county and country.

A method of the kind described above was tested by Dominique Peccoud, Special Adviser to the Director-General of the ILO for Socio-Religious Affairs, with the elements of the Decent Work Agenda during a one-year consultation and a seminar held in Geneva, Switzerland, 22-25 February 2002. This was done in cooperation between the ILO and the World Council of Churches (WCC). Participants in the meeting were either academics or social activists belonging to a particular community – and in some case both. Some ILO and WCC officials were also involved in the process. The communities represented included Judaism, Christianity and Islam; Hinduism and Buddhism; Confucianism, humanism and atheism.

The results show a fascinating convergence of views regarding key questions of dignity and rights of human beings at work, and regarding work itself. While they bear witness to the universal nature of the Decent Work Agenda, they also offer important insights for further implementing this agenda in the real world.

*Kari Tapiola*  
*Executive Director*  
*Standards and Fundamental Principles and Rights at Work Sector*



## FOREWORD

Since its origins, the ILO has created legal instruments to guide development policies that promote social justice, progress and freedom for all. There are two main ways of developing such instruments, according to whether emphasis is placed on the consequences or on the intentions of human moral behaviour.

The first approach is based on the view that legal instruments do not proceed from pre-existing transcendent values. Their main aim is to make people act so as to produce the greatest overall good in today's empirical world. Such a perspective, called "utilitarian", seeks to bring a kind of scientific certainty to issues concerning ethics. Thus, different courses of action are scientifically assessed to determine which will have the greatest positive impact, measured in terms of specific intrinsic values, such as "pleasure" (Jeremy Bentham, 1748–1832), "happiness" (John Stuart Mill, 1806–1873), "real ideals" such as freedom, knowledge, justice and beauty (George Moore, 1873–1958) and "preferences" (Kenneth Arrow, 1921–, Nobel Prize for Economics 1972). This practical approach is more prevalent in Anglo-Saxon countries. It raises two major questions when international instruments are to be developed: Who is to assess the impact of one or other course of action? What is envisaged when we seek to optimize the overall good in the world, that is, what constitutes the world – is it our country, race, all human beings, all sentient beings including animals, or even "Mother Earth"?

The alternative approach reflects the conception of law that prevails in value-based cultures. Here, law is the concrete incarnation of transcendent values that are embedded in philosophical, humanistic, spiritual or religious traditions, each of which proposes a global ideal as an answer to the question: "What is a meaningful human life?" These traditions view moral behaviour more in terms of the *intention* of an actor in his or her attempt to respect transcendent principles of action, such as absolute respect for inherent human dignity or the duties attached to one's caste.

Law making at the ILO may be perceived as a combination of the utilitarian and the value-based approaches. From a utilitarian perspective, particularly in the theory developed by Kenneth Arrow, expressed preferences on a particular issue are taken as the intrinsic value. This is how the ILO proceeds when carrying out preliminary studies for the development of a new legal instrument. Statistical studies are conducted to analyse a phenomenon quantitatively. At the same time, qualitative studies are made with ILO constituents (governments, and employers' and workers' organizations), and occasionally in partnership with civil society organizations, regarding practical experience and existing legal instruments. Through this pragmatic approach, the ILO secretariat (the Office) and its partners try to identify the main path to be sought.

Thus, for instance, in the early 1990s and long before the adoption in 1999 of the Worst Forms of Child Labour Convention (No. 182), the ILO InFocus Programme on Child Labour carried out studies to identify best practices. In this way, the Office tries to identify preferences for policy orientation. The first draft of the legal instrument is then written, taking these preferences into account. The draft is then discussed in order to integrate more of the constituents' preferences. Until this step there has been no explicit reflection on values, and the Office proceeds in an inductive manner as priorities emerge. The revised text is finally discussed, amended and adopted by the International Labour Conference. In the next stage, once the legal instrument is adopted, it has to be submitted to the national legislative bodies for ratification. Ratification serves to translate the adopted general legal instrument into specific laws that are applied concretely in the cultures of member States. During the stage of adoption, and even more so during the process of ratification, the issue emerges of how to take into account the underlying values of the specific cultures. The final aim is the adoption and enforcement of national laws.

Would it not be desirable – to make the ratification and enforcement phase of international laws more efficient – to take transcendent values into account at an earlier stage in the framing of international legal instruments? Doing so, however, raises the issue of the very existence of universal values that do not contradict the local values underlying local cultures. These cultures vary widely: they evolve in terms of the collective behaviour of members of broader civilizations confronted with new problems arising in the world and with constant technological change. Civilizations are themselves anchored in wider sets of values, specifically those held by the main philosophical and spiritual traditions. Here the issue becomes whether these main traditions share common values on which it would be possible to build international legal instruments that are universally recognized, or if the differences of opinion on the meaning

of human existence are so great that they are insurmountable, and will lead to an inescapable “clash of civilizations”.

The present approach suggests that, each time an international legal instrument correlated with human rights and development issues or a strategic paper orienting the actions of the Organization for the coming years is elaborated, the permanent secretariat of an international organization could consult a forum. This should be done long before the stage of formal adoption, with an early draft, in a purely advisory form, so as to lead to a later draft that would have taken into consideration this kind of value-based information. The consultative forum should not only be inter-religious, but should also embrace humanistic, philosophical, and spiritual traditions. An important issue may be raised here regarding whether the participants are representative of their tradition and sufficiently open-minded. It is important to note that it is necessary to select “enlightened” people of dialogue, who are very often easier to find at the margins of their community than among the defenders of its core values.

Such an approach, as described in more detail in the preface, can also be used with existing international instruments so as to better understand the difficulties of applying them at the national levels. The organizers of the ILO–WCC consultation and seminar believed that the Decent Work Agenda deserves close attention and support in the context of economic globalization and its consequences for the lives of people worldwide. Given the people-centred focus of this new ILO agenda, they wanted to explore the possibility of working together on it, with the support and involvement of major philosophical, spiritual and religious groups from different countries. This book contains the proceedings of that consultation.

- Part I discusses the issue at stake. Juan Somavia, Director-General of the ILO, presents the Decent Work Agenda. Konrad Raiser, General Secretary of the World Council of Churches, then proposes some remarks on the apparent conflict between the values behind the current process of globalization and those underlying the main humanistic and spiritual traditions.
- Part II presents a synthesis of the common points of view from the perspective of the different traditions represented at the consultation.
- Part III sets out the various opinions expressed by participants in separate articles. The first contributions are largely related to local issues: concerning South Africa, by Francis Wilson; Brazil, by Wanda Deifelt; and India, by Ashim Kumar Roy. These are followed by presentations with a more philosophical viewpoint: Alfredo Sfeir-Younis discusses economic issues, while Berma Klein-Goldewijk provides a human rights-based approach. Ensuing papers are connected with specific traditions:

## Philosophical and spiritual perspectives on Decent Work

Confucianism, by Dominic Sachsenmaier; Hinduism, by Swami Agnivesh; the Brahma Kumaris World Spiritual University, by Gayatri Naraine; Buddhism, by Damien Keown; and the monotheistic religions, classified in chronological order – Judaism, by François Garai; Christianity, by William A. McComish, François Dermange and myself; and Islam, by Zafar Shaheed, Farah Daghistani and Tidjane Thiam.

- A short assessment of the overall process is outlined in Part IV.
- The annex includes a brief summary of the Decent Work Agenda, an outline framework for contributions, and a list of participants.

*Dominique Peccoud*  
*Special Adviser to the Director-General of the ILO*  
*for Socio-Religious Affairs*

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Last but not least, my warm gratitude goes to all those who contributed to the process through their oral or written contributions and who are listed at the end of the book. No mention is made of their official titles or appellations and they appear informally as Mr or Ms, so that every reader will see the community of those who became friends in their search for shared meaning in our common Humanity.



PART I

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THE ISSUE AT STAKE: DECENT WORK IN  
THE CONTEXT OF GLOBALIZATION  
AND UNIVERSAL VALUES



# The ILO Decent Work Agenda as the aspiration of people: The insertion of values and ethics in the global economy

*Juan Somavia, Director-General, International Labour Office*

Let me really thank all of you for coming, and special thanks to the World Council of Churches with whom we have organized this session. This is something that we talked about with Konrad Raiser some time ago in a meeting, and fortunately we have been able to put it all together. I am very glad you are here. The spiritual dimension, and related issues, is something for which I care very deeply, personally, even if I am not involved full time. You know about these issues, you understand them and you can bring us light in terms of how we can use the strength of your different spiritual traditions.

I believe that it is absolutely essential that the world becomes aware of the importance of values and spiritual references in politics, human rights and social issues. The significance of spiritual traditions and religions in the world, and their focus on the identity of each individual person, goes without saying. Hence the importance of the linkage between the world of politics and the international system, on the one hand, and what the different spiritual and religious traditions represent in terms of the values and aspirations of society and of every human being, on the other hand. This linkage became evident during the preparation for the United Nations World Summit for Social Development in 1995. Until then, the spiritual dimension of issues such as the environment, human rights, population, social issues, problems of the city, and so on, was simply not present in the United Nations conferences of the nineties that were dealing with these topics.

The issues of the Social Summit that came across very clearly, over and over again, were poverty and social exclusion. In the search for solutions on how to overcome these, the world of work emerged in its different forms: employment, sustainable livelihood, income-sustaining activities, and the need for work. It was obvious that work was very much at the heart of how people perceived the solutions. However, in dealing with all this, the spiritual foundations of why work is a key factor in a society were never mentioned, nor why the elimination

of poverty is key to the moral quality of a society, nor why social exclusion within any of the spiritual traditions has different forms of problems. Early in its preparation, we emphasized that the Summit should be not only about the material implications of the issues of poverty, social exclusion and unemployment, but also about their spiritual dimension. This dimension was referred to in a couple of paragraphs, so that at least the issue was there, on the agenda. However, being a typical United Nations conference, the Summit dealt mainly with the traditional practicalities of the three issues in classical terms, while the spiritual perspective was largely absent. Nevertheless, this is one example – and there are many others, especially in the area of human rights – where it is possible to find a number of hooks or “avenues” by which the spiritual dimension can be inserted into the international system. There are many dedicated people worldwide who are endeavouring to make this happen.

The idea behind the organization of this ILO–WCC interfaith meeting was to see how spiritual issues and values could be connected with the work of the ILO, and specifically the Decent Work Agenda. However, it also has a wider meaning: the reflections here can be used in other contexts, in relation to other issues and in other endeavours to make this subject a priority. The meeting is organized around what the ILO is trying to do in this area, so that we can feel the strength and the sustenance of the values that you all represent; yet it also reaches beyond this particular agenda. The Decent Work Agenda stems very much from the Social Summit in the sense that it became clear that people “decoded” current social problems as being linked to their life at work. This can be seen at all levels, from people’s individual experience to the reality of politics today. There is not a single politician running for office anywhere in the world who can be elected without offering something in the field of work, whether it is more jobs or better jobs, because this is at the heart of the problems of today and of how people interpret their realities, in which they express their needs. It is therefore most surprising that within the international system – apart from the Social Summit’s highlight on employment – the notion of putting employment creation into the picture is simply not there. It is particularly surprising since anybody making an objective analysis of any of our societies would come to the conclusion that this is at the heart of the preoccupations of society, whether rich, poor, or in between. Each society has to face challenges within the field of work.

## The ILO Decent Work Agenda: Origin and values

The point of view of people is central to the ILO. In connection with the Social Summit, the first step out of poverty or into social integration is getting a job. If

the approach is to be truly people-centred, then the connection with what people think, aspire to and expect is essential. Today, one of the major concerns in people's lives is about work; the ILO is therefore directly connected with the worries and aspirations of people. The focus on work from a people-centred view is not simply a natural evolution within the ILO trying to respond to the issues of today by connecting with people, but it is also part of its mission to influence the rest of the international system,<sup>1</sup> so that the issues of the world of work acquire a much higher priority in the decision making of other institutions. We are asking ourselves: what is the best way in which the ILO can respond to the way people express their problems? Having perceived that it is in the field of work, what is there in the mandate and traditions of the ILO through which we can deepen our understanding and knowledge so that we can respond to that demand? That is how we defined the four strategic objectives of the ILO, i.e. full employment, workers' rights, social protection and social dialogue.

The first and most important value underlying the Decent Work paradigm is that labour is not a commodity (Declaration of Philadelphia, 1944). Work cannot be treated as just one more product on the market on which we place a certain "cost worth". It is true that the cost of production of a certain product includes the calculation of the cost of labour, which is in turn defined by the labour market. However, that which is a cost in terms of the production process is at the same time a human being; one is paying here for "something" called a human being, as well as for the material components. This is where the moral/ethical/values issue comes in because a person cannot be defined in terms of his or her relationship to society by the market.

Second, the notion of Decent Work comes from the way people themselves define it; why work is important to an individual, what are people's expectations from work. It is expressed in different ways: the opportunity to be able to educate children, to lead a stable family life, to have access to some sort of pension, or to be respected at work and in society. It is more than simply "keeping one's nose above the water" and it does not necessarily refer just to

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<sup>1</sup> Declaration concerning the aims and purposes of the ILO (Declaration of Philadelphia, 1944), Annex to the Constitution of the International Labour Organization.

Section II

Believing that experience has fully demonstrated the truth of the statement in the Constitution of the International Labour Organization that lasting peace can be established only if it is based on social justice, the Conference affirms that—

(a) all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity;

...

(c) all national and international policies and measures, in particular those of an economic and financial character, should be judged in this light and accepted only in so far as they may be held to promote and not to hinder the achievement of this fundamental objective ... .

the material level of things; it is more about the perception in one's own society of what a decent advance represents as one moves forward. The notion of decency is present in all types of societies but it does not have a uniform standard everywhere. In a developing country, for example, one cannot expect to have access to the same type of social security on a daily basis as in a developed country. However, advances in the conditions in a developing country can bring people closer to decency under those conditions. Therefore decency embraces flexibility, and it evolves.

The developed societies have a Decent Work Agenda because there are things that are fundamentally wrong in the way production systems work. Their agenda is perhaps linked not so much to income as to security, job changes, ageing, and so on. Thus it is clear that the "decent" component refers not just to the issue of income; there has to be quality to it. However, by using the word quality, the value component that people give to work is not reflected. Full employment, for example, was once an objective of the ILO, but this notion does not carry a value – it is a number, it distinguishes more from less. It is true that we need to strive for "full productive employment", but this is only an economic formulation that does not express the value dimension of work. It is for this reason that the notion of decency is used as it reflects the value component of work.

A third conviction is that work and the label we all carry within ourselves is more important than capital. Work is a source of dignity, of family stability and peace in the overall society. Work is linked with a person's sense of identity; indeed, almost all spiritual and religious traditions recognize that work is a source of personal dignity. People measure themselves in society through their relationship to work; hence the growing figures of unemployment and underemployment are tragic. Work is linked with the needs of the society, and primarily with the needs of the family; it is a fundamental component of family stability. People exclaim, "Oh God, what is happening to the families in the world! Look at all the tension and crises", but it is not generally recognized that there exists a relationship between family instability, on the one hand, and unemployment and the fact that the global economy is not delivering the amount of jobs that people need, on the other hand. An unemployed family goes through tremendous crises, often resulting in family rows (where women are usually the victims), child labour if the families are extremely poor, and many other tensions. Work is linked with peace. A community that works is a community at peace, and a community in which there is not enough work constitutes a threat to peace. Therefore, there is significantly more tension and lack of peace in a society in which there is massive unemployment, underemployment or work in poor conditions, as seen in certain developing countries.

The ILO clearly affirms its conviction that work, personal dignity, family stability and peace are more important than capital. This is upheld in a world where the equation all too often seems to have been turned around. Just by switching on the television one realizes that in the last 20 or 25 years, a new character has appeared on the world stage – the market. One cannot watch any global news broadcast without being told how the markets have reacted – the market has become an individual, and the media tell us that it is all-important. The market is indeed important but it is an instrument, a means of obtaining objects, of improving the dignity and quality of life of people ... but ultimately it is the people themselves who, through their social interactions, generate well-being, stability and peace for themselves and for others within the family and society.

## Implementation of the Decent Work Agenda: The ILO strategic objectives

Decent Work is what people aspire to, and at the same time it is what the strategic objectives of the ILO are aiming at: full employment, workers' rights, social protection and social dialogue. The strategic objectives respond not only to individual human needs and those of the family and the community, but also to the development perspective of the country.

Full employment is the first goal of the Decent Work Agenda. The official unemployment figures – which are underrated – began to rise at the beginning of the 1990s from around 100 million people unemployed to 160 million in 1999, and with the increase due to 11 September, we ended up in 2001 with around 190 million people unemployed around the world. More realistic figures are at least one billion people unemployed or underemployed, or working poor. The term “under work” is used where the system does not deliver the basic right or access to employment but a person still has to work to survive. It is this incredible capacity of people for survival that lays the foundation of the informal economy.

Workers' rights are the second objective. The heart of the matter is to move from work in the organized sector to the reality of life in the unorganized sector or the informal economy. The majority of the working-age population in many countries is active in the informal economy. This is the main reason why the ILO does not simply concentrate on rights at work; it would otherwise be missing out on the majority of workers in the world who are unemployed and/or who are active in the informal economy but not included in the statistics. In order to make workers' rights a living reality, they have to be linked to the actual production of work. If not, we would be considering only the rights of

an elite, those workers who have more or less stable employment defended by trade unions in an organized society. Facing the unemployment figures and the levels of informality in terms of regulating working conditions, it could be tempting to neglect workers' rights or social protection in favour of simply providing people with any type of work or income. The ILO strongly opposes this reasoning. The ILO conviction remains that everyone at work has rights and that whatever form that work takes, rights have to be respected; this is not contradictory to the priority to create jobs. One of the key rights is the right to organize. This right for workers to organize themselves is for the ILO an essential value in its structure. The right to organize is the instrument for workers to come together as citizens, to express their opinions and make their voices heard.

Another objective is social protection. It is the reality for an enormous number of people in the world to work for today and hope that the future will take care of itself. The ILO aims at changing that reality by slowly bringing in different levels of social protection. While there is a major debate on the classical forms of social security, the ILO's activities deal not only with formal systems of social security but also with bringing social security into the informal economy. Thus, ILO projects include developing microfinance and micro-insurance schemes, and linking these with established systems.

The fourth strategic objective of the Decent Work Agenda deals with the method, that of social dialogue. In this regard, the ILO is a very special institution – it is the only one that is both public and private. Governments form the core of the institution, but workers' delegates represent a quarter of the ILO Governing Body and employers' delegates another quarter. Without a strong faith in dialogue, an institution such as the ILO could never have functioned properly. This is precisely what the fourth strategic objective is about: social dialogue or tripartism as a better way of solving conflicts than confrontation.

Thus, the Decent Work Agenda is strongly connected to how people describe their needs and aspirations, and closely linked to the mandate of the ILO since it is active in the promotion of employment, workers' rights, social protection and social dialogue. Therefore, these four strategic objectives are precisely the origin, the logic and the outcome of the Decent Work Agenda.

## Decent Work as a foundation of the global economy

Some sectors within the international community say that low labour costs are good, high social expenditures should be lowered, relocation and subcontracting are more effective than having a permanent labour force, and so on. These social processes constitute a form of globalization that is fragile,

which happens because it has been imposed by force, not because it has acquired legitimacy. We have seen structures in the past, such as dictatorships and the Apartheid regime that seemed to be unmovable, unshakeable, strong, and in control – and we are seeing a similar climate today with the globalized economy. However, after a relatively short period of time, a radical change or even collapse occurred, which seemed impossible five years earlier. This is the way with systems, institutions or regimes that are built on force, which use power to impose their methods and not the acceptance of the governments.

Another type of force had to be used to bring about the collapse of such structures and thereby produce change. Sooner or later, legitimacy is absolutely fundamental for institutions, and the institutions of the global economy have not acquired legitimacy. This constitutes the main weakness of the system, and this is where we have to work – to bring in the ethical viewpoint in order to address this weakness. If this system does not deal with the issue of legitimacy, it is running into trouble. Moreover, it is not possible to keep on constructing and developing unless we deal with the key issues: the moral values and the ethical concepts behind this construction – concepts in terms of the objectives and goals according to which the global economy or the process of globalization is being organized.

The ILO also explores the social dimension of globalization. Globalization is generally considered as an economic phenomenon, or limited to merely financial and monetary terms. When addressing global problems, answers are systematically sought from financial spheres. However, within the ILO itself solutions are sought that are linked more to the productive economy, and perhaps this approach can be applied globally.

During the 2002 World Social Forum, held in Porto Alegre, Brazil, it was clear that if the ILO Decent Work Agenda were advanced, it could go a long way in offering solutions to the problems people were protesting about in the streets. During this meeting, there was a move from protesta to propuesta (from protest to proposal); i.e. the attitude was not of mass rejection of globalization – indeed one of the main benefits was clearly evident, that peoples' voices are increasingly more readily heard – but it was directed against a certain type of globalization, neo-liberal globalization. People were saying that they would like to see a global economy that respects dignity and people.

At the World Economic Forum, held in New York in 2002, heads of multinational companies acknowledged that things could simply not continue as they were. The Decent Work Agenda was considered as a platform for dialogue, especially since this agenda clearly underlines the reality of globalization, where businesses and enterprises are seen as a source of job creation. There were conflicts of opinion about the role of the ILO, but this

actually provided opportunities for dialogue to take place. One major problem that restricts progress in the debate is that there are insufficient platforms for dialogue. There is also a tendency for uninformed, emotional, ideologically driven debates – whereas what is needed is to sit down coolly and look at what works and what doesn't. Globalization has benefits and provides possibilities out of which good things can emerge: improved communication, information, the technological revolution, and so on. However, when these are applied to already unjust societies, it creates an even bigger divide between the haves and the have-nots.

A good thing applied to an unjust context produces an unjust result, but it does not mean that the thing is bad. In Porte Alegre it was interesting to note that the dynamics of the process came from civil society. International trade unions declared themselves part of civil society, which may imply an important step forward. Trade unions are the principal organized structures in civil society that we have today. If something is to happen globally in a way that reflects society, then the trade unions are likely to play an important role because of their level of organization and their partnerships. What is needed is a modernization of the thinking within trade unions, and at the same time of the civil society movement. They especially need to change their focus from that of “protest” to one of “proposal”.

It is not a question of protecting and defending the ways that things were done in the past. On the contrary, the Decent Work Agenda is a modern and adaptable instrument. The practice of subcontracting may be used as an example: from the ILO point of view, subcontracting as a method of operating better is in itself not wrong if the subcontractor respects the rules and values of the ILO. The problem is that in today's logic and culture, subcontracting ends up in export processing zones, where some countries suspend their labour regulations in order to attract capital. One also has to take into account different cultures. Some countries, for instance, have developed a work culture in which hiring and firing is much more difficult than in others. A “hire and fire” culture gives more flexibility and might produce more jobs, but they are less secure. These are balances that each society has to look at. The fundamental question is to ask if the rules of the worldwide financial, social and economic system are fair for everybody, e.g. for developing countries versus developed countries. Again, this is where the ethical and value perspective arises and where the joint thinking of the spiritual traditions of the world is so important – in highlighting the link between work and ethical values, and showing that a society cannot be morally “rubbled”; that one cannot move ahead unless there is a fundamental understanding, acceptance, recognition and commitment to a set of core values in order to organize the manner that society advances.

## Ethical and spiritual dimensions of the Decent Work Agenda

From whatever angle one tackles the global economy or promotes the Decent Work Agenda, one ends up with ethical questioning. The issues of accountability, transparency and democratic governance are all very much part of an ethical dimension. The Decent Work Agenda takes into account this questioning and it is essential for the ILO to point to an ethical, moral and spiritual option, which is “out there” and on which the ILO in its policy can thrive. Moreover, to be able to refer to what the spiritual and religious traditions have always said provides a powerful argument.

Spiritual and religious traditions have sometimes been used to foster conflict rather than peace. Fortunately, however, it does not seem to be the case in the field of work, where we see a level of convergence that can help to construct an ethical footing for the societies of today. The underlying question is how the importance of work in people’s minds and aspirations as a starting point of the Decent Work Agenda can be connected with the role of spiritual and religious traditions in setting up an ethic of values in today’s world. It is therefore necessary to see how work is understood by the different traditions. The written contributions from your traditions indicate that they all place similar importance on the different dimensions of work (individual dignity, family stability, peace) and the values and objectives of the Decent Work Agenda. This provides a certain legitimacy and strength to the ILO’s strategy. In some respects, the Agenda appears to be “swimming against the current”. To change things for the better is difficult and complex and there will always be interests that try to stop this. It is therefore essential to have the internal strength and conviction that the struggle for Decent Work is a just cause.

From an ILO point of view, it is very much the beginning of the road on how to insert the moral and ethical dimension into real-life debates, both at the level of the individual person and that of the community. As an individual I cannot just say that I go to Church every Sunday (in the Catholic tradition), and that I have set up this or that charity. The question is: What decisions do I take on Monday? What did I do on Tuesday that affected people in ways that no charity in the world is going to be able to help to compensate? How many times has it been said that if I didn’t bribe this official then I wouldn’t get the business? These conflicts exist, especially for those with power to take decisions. It is the lack of certain values that permit the problems of the world to happen. If we have certain beliefs then we have to be accountable and transparent, both in private and in public. It is a long struggle and at the same time we need to deepen it and make it come alive. The various spiritual and religious traditions will therefore be invaluable in assisting the ILO to move forward in this vital area.



# Conflicting values: Dialogue of cultures on Decent Work

*Konrad Raiser, General Secretary, World Council of Churches*

## Linking economy and society

Let me start by referring to some personal accounts by Juan Somavia, collected in a small ILO publication, of how the notion of Decent Work developed in his own thinking – which is very much connected to his political involvement, having been responsible for the 1995 World Summit for Social Development in Copenhagen. I go back to this origin of the concept of Decent Work because he traces the idea back to encounters with people. It is not a concept deduced from principles, from political positions developed out of the accumulated body of international labour Conventions, but it is more to do with what he heard people affirm as their basic concerns and what they understood to be the essential response.

To begin with, the realities of people's lives is decisive for entering into a fuller understanding of what Decent Work means and what the implications of this agenda are. People do not normally make the distinction between the individual and society. In people's everyday experience the individual person is part of the community. Starting from the perspective of people goes beyond or behind a dominant assumption in terms of the anthropology of *Homo economicus* – that of the radically individualized participant in economic and social life – and places the individual person in the context of the community. And it is precisely work that establishes this inseparable link between the individual person and the community. Work is at the root of establishing that living link, and it is therefore also at the root of maintaining the life of every community. No community can maintain itself without work.

Starting here and bringing forward the notion of Decent Work re-establishes the necessary link between the economy and society. It brings the economy back into the context of the life of the community, of society. In both regards, the focus on Decent Work is pointing to an essential integrating link that many of the religious communities, certainly the Christian Churches, have tended to

underestimate in its significance. The discussion on Decent Work is a welcome challenge to religious communities to rediscover that the right to work is integral to human life and dignity within the community. If the concerns of people are rightly identified as poverty and exclusion, it is obvious that it is work that provides the basic sustenance of life, and that it provides that integration in the community that is the source of a sense of dignity.

## Increasing inequalities in the globalized economy

From there, Juan Somavia in many of his reflections arrives at a critical assessment of the present situation under the globalized economy or the global market. I do not need to go into the details, because this is common knowledge and a common concern. The process of globalization has contributed to increasing inequalities. While there is growth, it is unequally distributed. The famous “trickle-down effect” does not take place, and it becomes more and more clear that it cannot take place structurally. It is a fallacy.

Economic growth has been, in most instances, jobless growth and has created a situation of structural unemployment. This is to be understood against the background that the dominant economic framework is in fact based on a strict separation between the economy and society; it denies that very linkage. Labour appears only as a cost factor to be reduced in order to increase the profit margin. Companies that lay off workers see their shares increase, which is the cynical irony of this kind of economic system. The consequence is the reduction of meaningful work and an increase of labour in the informal economy, which is not integrated into the formal economic and social system. If it is true that it is work that provides for the linkage between the individual and society, and between the economy and society, then of course it is not surprising that reducing work and labour to a cost factor and establishing a situation of structural unemployment lead to a process of fragmentation and disintegration of society.

## Crisis of legitimacy

The inability of States to address the issues of unemployment and exclusion, the inability of governments to deliver on what has been agreed and achieved in terms of basic rights and in particular social, economic and cultural rights, has been one of the main sources of the erosion of the legitimacy of governments. It is not only the fact that the globalization of the new economy increasingly limits the possibilities of intervention at the level of national governments and undercuts the traditional notions of national sovereignty; but

it basically calls into question the legitimacy of the structures of governments: local, national and global.

The questioning of the legitimacy of the present socio-political and economic order is at the very source of the attempt to formulate the notion of Decent Work as a crucial point of entry to re-establish and regain the sense of legitimacy. Legitimacy in this sense is related to the notion of rights and the implementation of basic rights. However, the concern for Decent Work goes a significant way beyond the traditional approach to work as a basic right, i.e. as part of the basic rights to life, such as the right to education, to security or to food. The notion of decency refers to that sense of community, of what is needed for a good and decent life within the community. This sense of decency is transmitted through and expressed in values that have their roots in culture and religions, hence the need of the Decent Work Agenda to help overcome the crisis of legitimacy.

## Conflicting values

Recognizing the crisis of legitimacy of all forms of governance, more and more political leaders turn to the faith communities and their representatives with the expectation that they might provide a new framework of basic values. Religion is expected to fulfil a particular function within the system, but what about the integrity of religion in terms of its own agenda? The question arises as to what extent and under which terms religious and spiritual leaders who are bound with and accountable to their communities should give in to this desire to restore legitimacy. To what extent can they help in resolving this crisis, this conflict? I think that no such conversation can begin without at the same time identifying clearly – and in the inevitably controversial language – the essential values on which this present economic system is built.

It is not a system without values, but it has a distorted notion of values, where value is reduced essentially to what can be measured quantitatively and, in particular, in monetary units. Labour thus becomes a cost factor and therefore the value of a human person is essentially measured in terms of what he/she can afford as a consumer. The purchasing power defines the position and the possibilities of integration or exclusion with regard to the community. All other values are relegated to a matter of individual preferences and choices, with no relevance to the coherence of the society. Some would go as far as speaking not only of the market system, but of a market society. This means that the basic values that underpin the market process have become the dominant values of society.

## Community ethos and spirituality

Thus, any engagement of religious and spiritual leaders with those who are the main actors within this economic and social framework cannot avoid the controversial debate about governing values. All traditional cultures and religions have an understanding of what is needed for “good life” and dignity, i.e. an understanding of decency. To combine work with the term “decency” establishes the linkage with those notions that are an integral part of our culture and religious traditions. The “soft values” of social justice, of solidarity and care, of compassion and of generosity that are deeply rooted in cultural and religious traditions must replace those “hard”, and essentially quantitative and monetary values.

What one might call the ethos of a given community of people is transmitted through cultural and religious forms, and it is this ethos that ultimately assures the coherence of the community. The diverse concepts of ethos, spirituality, culture and religion only describe different facets of what ultimately, from a human perspective, makes up the foundation of the life of a community, which goes beyond purely individual interests. It is for this reason that I am personally very sceptical with regard to the focusing on religious and spiritual leaders, setting them apart from what is a much wider and richer ensemble of cultural traditions whose spirituality is embedded in their customs, way of life, and so on. Spirituality ultimately is that which links us with the reality beyond the self and which re-establishes those linkages without which we – as individuals – would be condemned to die. Spirituality is expressed in different forms, through different behaviours and languages, and it is transmitted in different ways, but ultimately it is this reality which we need to grasp again and which has been deliberately excluded from conventional economic and social analysis.

## Global ethics

I believe that the very sustainability of this global system is at stake as long as it excludes the recognition of the role of values, of ethos, of spirituality, and of culture in people’s everyday life. There are of course efforts to formulate what has been termed as a “global ethic”, trying to lift up out of the different religious and cultural traditions those core values that seem to be compatible with one another. I believe that this is a very important endeavour that needs our full support. However, it cannot be just a first step. Eventually it will become a basic foundation, an abstract formulation of ethical concepts that people will hardly recognize as having any direct relationship to the ethos within which they themselves are rooted.

The search for a “global ethic” is more an effort of formulating that framework which allows us to interrelate the different religious, spiritual and ethical traditions among one another. It provides, as it were, the hermeneutical keys that help one to move from one universe of ethical discourse or value discourse into another universe. Just as our different languages at first sight seem totally incommunicable, and people rooted in one universe of language seem unable to communicate with people in another universe, yet there are ways of translating; so it is with the ethical, cultural and spiritual universes. They are not closed to another, they are not mutually exclusive, and the effort to work towards a framework of essential notions of values is destined to help us establish the links of communication between the vastly different and diverse universes in which we are rooted.

## Dialogue of cultures

If the global economy and the global system of governance are to become sustainable, then they need to be responsive to the demands of what is now called civil society. I understand the introduction of the concept of Decent Work as an effort to bring into the orbit of the ILO a more explicit representation of the different expressions of civil society beyond the trade unions (who certainly continue to be a very prominent manifestation of civil society, but which only point to one segment of a much wider reality).

I believe that those processes that some have described as “globalization from below”, which, for instance, are expressed in the framework of the World Social Forum in Porto Alegre, will and should receive more recognition in the international system. It is at this level of civil society that the real dialogue of cultures has to take place. It is not in the margin of the World Economic Forum or in relation to the World Bank or the World Trade Organization (WTO) that one can have a genuine dialogue of cultures. We must allow the different traditions to express themselves in their own terms and not in terms of an agenda that is essentially dominated by economic and business interests. Hence my scepticism with regard to the efforts of involving religious and spiritual leaders in the World Economic Forum.

What is at stake is essentially a different logic. The logic of culture and cultural dialogue is different from the logic of the market system or the logic of power. It is the integrity of this logic that needs to be understood more clearly, and then affirmed and protected among those whose main responsibility is to maintain the coherence of the communities in which people live their everyday lives. When one really enters into this dialogue of cultures and of religious traditions, then the main task is to learn how to live with plurality. That is not

## Philosophical and spiritual perspectives on Decent Work

an easy task, certainly not for those religious and cultural traditions that state that they have an exclusive claim to truth, which is true of Christianity, of Judaism and of Islam. These Semitic religions share a tendency towards exclusivity. Therefore the challenge here is the transformation of our own notion of values and of basic spiritual insights in order to create space for our encounters with others.

This is important for the fact that Decent Work is not only a claim, a demand in normative structures, but that Decent Work can be rooted in people's lives. The dialogue of cultures is absolutely necessary. I hope that the cooperation between the ILO and the WCC will help to establish a platform for the dialogue of cultures and religions on Decent Work.

PART II

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SYNTHESIS: CONVERGENT VIEWS ON  
DECENT WORK



## Synthesis of contributions from various humanistic, philosophical, spiritual and religious traditions

### Material, neo-human and holistic paradigms driving development policies

The major affirmation resulting from participants' contributions, reflecting the views of various humanistic, philosophical, spiritual and religious traditions<sup>1</sup> on the values that underpin the ILO's Decent Work Agenda, is the need to embrace the spiritual dimension of the human being in formulating and implementing international public policies, including the Agenda. Many international instruments today seem to be ethically and morally challenged. The debate on issues such as work, employment, sustainable livelihoods, poverty and social exclusion has, till now, been mostly anchored in a "material paradigm", comprising salaries, concerns about the physical quality of the workplace, social protection, and so on. These are undeniably important considerations; however, human existence also includes the non-material dimension. While the subject of work is at the heart of how people perceive the solutions to the world's social problems, the spiritual foundations underlying the central place of work in society are rarely put forward.

In his opening speech at the interfaith meeting, Juan Somavia, Director-General of the ILO, acknowledges that "it is absolutely essential that the world becomes aware of the importance of values and spiritual references in politics, human rights and social issues ... Hence the importance of the linkage between the world of politics and the international system, on the one hand, and what the different spiritual and religious traditions represent in terms of the values

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<sup>1</sup> This synthesis, prepared by Dominique Peccoud, is based upon the written contributions and oral interventions from experts and scholars of the following traditions: humanistic (various), Confucian, Hindu Reformist (Arya Samaj movement), the Brahma Kumaris World Spiritual University (hereafter shortened to the Brahma Kumaris), Buddhist, Jewish, Christian and Muslim. The opinions put forward do not in any way reflect or pretend to be an official position, either of the ILO or of the traditions themselves. The contributors expressed themselves in their individual capacity.

and aspirations of society and of every human being, on the other hand.” It is important for the ILO to know how work is understood by the different traditions and to draw parallels with the values and objectives of the ILO’s strategy. This in turn provides a “blessing”, a certain legitimacy to the ILO Decent Work Agenda. In this regard, the ILO invites the assistance of the various traditions on how to insert the moral, ethical, spiritual dimension into the debate on work and life, both at the level of the individual and of the community.

The human being is composed not only of material, but also social, ethical and spiritual dimensions and needs. While it is true that the global balance sheet seems to be generally positive, material progress has been hugely uneven. Millions are suffering from hunger and unemployment, with an income of less than 1 dollar per day. The same duality is true at the workplace: in parts of the world, workers have attained very high levels of material welfare, while in other places slavery, child labour, forced labour and gross violations of human rights are still practised.

### *The material paradigm*

Several interventions, including speeches by Juan Somavia and Konrad Raiser, General Secretary of the World Council of Churches, pointed to the fragility of economic and financial globalization, due to its lack of legitimacy and the fact that its foundation is not sufficiently anchored in moral or ethical values. The present economic system is based upon distorted values, where value is reduced to quantitative and monetary units. Labour becomes a cost factor to be reduced for the benefit of the shareholders. The worth of the human being is essentially measured in terms of profit or as a consumer. It is often the purchasing power of people that determines their integration or exclusion in society. We are “not only in a market system but in a market society”, and values not relevant to the market society are considered as private choices. At the 2002 World Social Forum in Porto Alegre – the alternative meeting to neo-liberal globalization – as well as at the World Economic Forum in New York in the same year, the Decent Work Agenda was considered as a platform for dialogue and for a reformed global economy that respects human dignity, the individual person, the family, nations, cultures, the environment, and so on. In an attempt to restore legitimacy, political and economic leaders turn to faith communities in order to come up with a new framework of values.

It is the combination of work with the term “decency” that establishes the link between the community and the cultural, ethical, religious and spiritual values that are an integral part of people’s traditions (the ethos or

spirituality of a community that goes beyond purely individual and material interests).

In criticizing the above material paradigm, the various contributions to the interfaith meeting advocate different approaches, ranging from a “neo-human” paradigm to an outspoken “holistic” one.

### *The neo-human paradigm*

The neo-human paradigm largely comprises efforts to mainstream human rights into economic development, but the material paradigm still constitutes the main driving force or reference in defining public policy making. At first glance, the Decent Work Agenda could be seen as conforming to this kind of neo-human paradigm; however, we will see later that it is not the case.

An often-heard argument is that any proposed universal rights are largely irrelevant to regional or national cultural and religious contexts. The convening by the ILO of a reflection group of different humanistic, philosophical, spiritual and religious traditions offers interest in that it sheds light on how the principles of the Decent Work Agenda are supported by and embodied in the ideas, precepts and values of these traditions. While supporting this approach, Konrad Raiser expressed his scepticism with regard to the efforts of involving religious and spiritual leaders in the World Economic Forum: “We must allow the different traditions to express themselves in their own terms and not in terms of an agenda that is essentially dominated by economic and business interests.” For him, the logic of cultural or interfaith dialogue is different from the logic of socio-economic agendas rooted in the classic market paradigm.

The methodology of our exercise is to draw analogies between the precepts of humanistic, philosophical, spiritual and religious traditions, on the one hand, and ILO instruments, on the other, in order to ground the rights and principles at work deeply in different socio-cultural frameworks. This would in turn enhance regional and local implementation of the worldwide ILO Decent Work Agenda.

To illustrate this methodology, an example can be given from one of the written contributions presenting a Muslim perspective on Decent Work. With regard to the elimination of all forms of forced and compulsory labour, an analogy is made between Islamic precepts and international instruments. Article 11a of the Cairo Declaration on Human Rights, 1990, states that “human beings are born free and no one has the right to enslave ...”, while in his farewell Hajj Sermon the Prophet says: “and your slaves, see that you feed them with such food as you eat yourself, and clothe them with clothes as you

yourself wear”. This is a far-reaching injunction to overcome the material differences that perpetuate exploitation of man by man.<sup>2</sup> It could also inspire the relationship between free workers and employers! “If a ... slave is appointed leader, listen to him and obey him ...”, says the Prophet. The fact that leadership is based upon piety and good deeds, and that slaves often originated from other tribes, nations and religions, bestows upon this saying some major implications regarding the issue of discrimination. This concept could influence the debate on whether migrant workers should be allowed leadership roles in workers’ and employers’ organizations.

With reference to the elimination of discrimination in employment and occupation, an analogy can be made between the Decent Work Agenda and the farewell speech of the Prophet saying: “there is no superiority for an Arab over a non-Arab, nor for a white over a black nor for the black over the white, except in piety. All mankind is the progeny of Adam.” This provides a self-evident and conclusive basis for equality of treatment. Furthermore, there is the beautiful and well-known instruction of Ali, the fourth Caliph: that his subjects are of two kinds, either they are brothers in religion, or they are equals in creation. This is surely an injunction against discrimination of any kind, and although it was aimed at specific situations of conquest, it can be transposed to the field of employment: it is not right to limit the participation of minorities in key positions of responsibility, such as in the field of labour relations (in workers’ and employers’ organizations).

There is great potential in seeking out analogies between rights and principles at work and the values advocated by the different traditions. Some Muslim women’s movements (from Morocco to Indonesia) have indeed applied this methodology of reviewing interpretations of the sharia in ways most useful for promoting their cause.

### *The holistic paradigm*

The limit of the neo-human model is that the material paradigm still constitutes the main framework of reference and driving force in defining public policy making, but the dilemmas created by the material paradigm are not only material in nature. Some dilemmas are indeed essentially moral and ethical, e.g. how can there be so many people who suffer from hunger, unemployment, poverty and exclusion while there is so much abundance, economic wealth and consumption elsewhere? The World Summit for Social Development not only

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<sup>2</sup> Throughout this book the nouns “man” and “men” or the pronouns “he”, “him” or “his” are used to refer to the human being, and apply equally to women.

dealt with the material implications of poverty, social exclusion and unemployment, but also with the spiritual dimension of these issues. The Decent Work Agenda stems largely from the Social Summit – it became clear to the ILO that people recognize that the social problems of today are linked to their life of work and to their everyday expectations, aspirations and needs. Furthermore, what people expect and aspire to is intimately connected with their cultural, religious, spiritual or philosophical value systems.

It is with regard to the dilemma of inequality and exclusion from decent life and work that the holistic paradigm seeks to be more radical by moving beyond the material paradigm. From a material and economic angle, the human being is collectively a producer of goods, and individually an earner of a livelihood. From a moral and spiritual angle, work is also a domain of human creativity, self-fulfilment, and a contribution to the common good of society.

This holistic model assumes that the human being is made up of needs and dimensions that are material, social, ethical and spiritual/transcendent. The Brahma Kumaris expresses the concept that “spirituality is at the heart of what it truly means to be human. Thus the deepest level of our identity is a spiritual one ... each of us is spiritual in nature”.<sup>3</sup> This approach presupposes a more profound revolution of values in decision making. It aims at a more holistic and truly transformational approach to the issue of work by focusing on the qualitative dimensions of human development and not just on its quantitative (material) dimensions. This notion of quality goes beyond the material aspects of quality – which might include, for example, an uncontaminated workplace, a safe job and a minimum income.

Quality extends through all aspects of human existence. There is a tendency in public policy to state that people should satisfy their material needs first and their non-material ones later. The debate on work and employment tends to focus on the quantitative/material aspects of quality. Of course it would be deceptive to concentrate on the spiritual or ethical aspects of work without acknowledging the importance of people’s fundamental material insurances at work. Indeed, basic needs such as food, clothing, housing, health and security need to be satisfied to enable a person to fully develop the ethical and spiritual dimension of his or her life. For this reason, we have hesitated to qualify this alternative model as a “spiritual” model, as suggested in several contributions; instead we refer to it as a holistic model.

Thus, quantity (material) and quality (including both material and spiritual) are two sides of the same human reality and not two distinct hierarchical

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<sup>3</sup> The spiritual dimension has been seen to be a powerful driving force, even in political spheres. Mahatma Gandhi, Nelson Mandela and Martin Luther King, driven by their spiritual “hard core”, brought to an end British colonialism, apartheid, and racial segregation in the United States.

elements in people's lives, to be satisfied in some sort of logical sequence. The Decent Work Agenda has a people-centred approach: it refers particularly to people's aspirations regarding work, and it is evident that those aspirations are both material and spiritual. The Agenda is based on certain non-material values such as "work is not a commodity", the human being is at the heart of work, the value of "decency",<sup>4</sup> and that work is more important than capital and constitutes a source of dignity, family stability and peace. The report of the Director-General of the ILO, *Reducing the Decent Work deficit: A global challenge*,<sup>5</sup> affirms that "...everywhere and for everybody Decent Work is about securing human dignity": thus it is clear that the ILO considers that dignity is not merely a "raw" material value, but includes non-material aspects of people's lives (such as being creative at work, leading a fulfilled family life and educating one's children). International declarations such as the Dumbarton Oaks Declaration and the Declaration of Philadelphia (both 1944) also point to the spiritual dimension: "All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity ... all national and international policies and measures, in particular those of an economic and financial character, should be judged in this light and accepted only in so far as they may be held to promote and not to hinder the achievement of this fundamental objective."<sup>6</sup>

The holistic paradigm may contribute significantly to the debate on Decent Work. Every factor concerning quality, pertaining to Decent Work, should be filtered through and be informed by these ethical, moral, spiritual and even religious values. Until now only some of these values have been embraced, and usually only within the confines of the respect for and implementation of human rights. The Decent Work Agenda was considered as an implementation of "the right to work", and as an integral part of social, economic and cultural rights. A rights approach has to do with equality between individuals and the protection of human dignity. Where this approach is not applied the legal status of people may be absent, as is often the case in the informal economy. The most fundamental right is the right for workers to organize themselves, the right to association, to dialogue and bargaining. However, human rights is only one dimension. In exchanges between the different traditions, the importance of combining a human rights approach to the Decent Work Agenda with a policy

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<sup>4</sup> "Decency" could be described as the expression and implementation of human dignity in a particular place and time. Thus it is not a uniform standard, nor does it have the same outlook for everybody, everywhere; there is flexibility and functionality in its application.

<sup>5</sup> Report of the Director-General, International Labour Conference, 89th Session, Geneva, 2001.

<sup>6</sup> *Constitution of the International Labour Organization*, Declaration of Philadelphia, 1944, para. II(a) and (b).

or capability approach was stressed. Affirmative action is needed, together with education through which people may be empowered to claim and exercise their rights. Reference was made to the excluded masses of the unemployed, the landless peasants, and workers without legal status.

While it is true that human values such as decency, dignity, equity, social justice, human security, dialogue, freedom and solidarity have been incorporated into public policy statements, little has been done to define and realize these values. In the material paradigm they tend to remain as words, but in the holistic paradigm they reflect a state of “being” (where a person identifies himself or herself with those values). If one argues that Decent Work is important to attain higher levels of human dignity, this implies that dignity is not just a material aspect of life, but rather a state of being embracing the entire person in his or her material, personal, relational, moral and spiritual dimensions. The same is true of the value of decency: it needs to be self-realized individually and collectively. Similarly the notion of work: work in a holistic paradigm only becomes truly “decent” work when it is a means of human transformation or self-realization, both in the material and in the ethical or spiritual sense.

This argument is well illustrated in a contribution from the Reformed Hindu Arya Samaj movement – which is outspoken on the holistic paradigm – where work is meant to be related to a “mission” in life in order to ensure its spiritual dimension (the Varna Ashram social institution was devised by the ancient sages for this purpose). All thoughts and actions take place within the framework of a certain mission (e.g. the mission to promote justice, or the mission to produce wealth in order to remove poverty) and should become a prayer to the Divine. A Decent Work culture is, in this tradition, strongly related to a mission, which makes humans less selfish, more social and “brimful with labour” (the meaning of *ashrama*). Work is thus placed beyond a mere material paradigm, into a larger spectrum of mission: detached action leading to the final transcendent goal of human life, namely bliss with all human beings and the entire universe. Another example, in the Buddhist tradition, is the Sarvodaya Shramadana movement in Sri Lanka, based on collaborative efforts at the local level. The spiritual aim of the movement is “a global transformation of human consciousness” needed to “bring humanity closer to peace and justice”, where relationships thrive on religious and spiritual values such as benevolence and love, as opposed to violence in thought, word and deed.

Thus public policy needs to develop the holistic paradigm, by taking into consideration and enhancing the more subtle levels of human existence, even if the material quality improvement of working and living conditions remains capital. The concept of Decent Work must be approached so as to transcend the

debate from its current gross material level to encompass the spiritual, ethical, and religious dimensions of human existence. It is in this context that the different traditions should be incorporated into a more holistic discourse in the ILO's policy making on Decent Work.

To quote another article from the Arya Samaj movement: "The mission of the ILO is therefore to enshrine spiritual values in the larger work culture, thereby making it a Decent Work culture. We have here a very strong spiritual paradigm concerning Decent Work, which is very critical of the present global neo-liberal economic paradigm of deregulation, privatization, flexibility, consumerism and free market economy in which profit, capital and wealth stands over people". A clear reference to the economic system is put forward by the Social Teaching of the Catholic Church: "If the organization of economic life is such that the human dignity of workers is compromised or their freedom of action is removed, then the Church does not hesitate to judge such an economic order to be unjust, even if it produces a vast amount of goods. It is even right to speak of a struggle against an economic order that upholds the absolute predominance of capital, and the possession of the means of production, in contrast to the free and personal nature of human work."

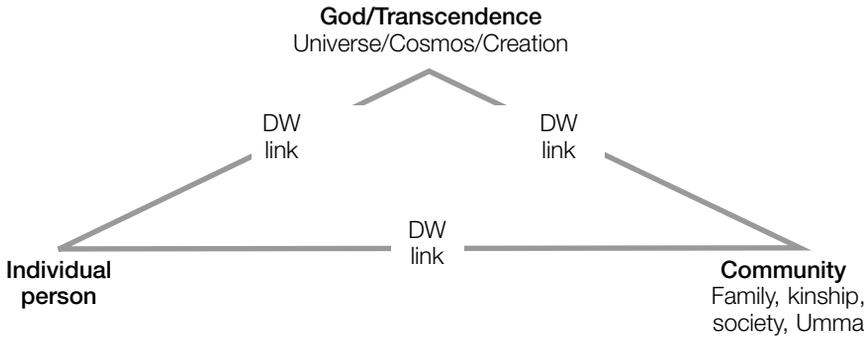
Mahatma Gandhi advocated "production by the masses" rather than "mass production" and "industrious culture" rather than an "industrial culture". Referring to the context of creating greater employment and income facilities, an African Muslim contribution advocates the reduction or elimination of agricultural subsidies (by the European Union or the United States), which impede the income of local African farmers who have to compete with products that are sold way below their production cost. The subsidies "kill farmers all over the developing countries. What is then the meaning of creating greater income and employment facilities?"

## Values, rights and policies

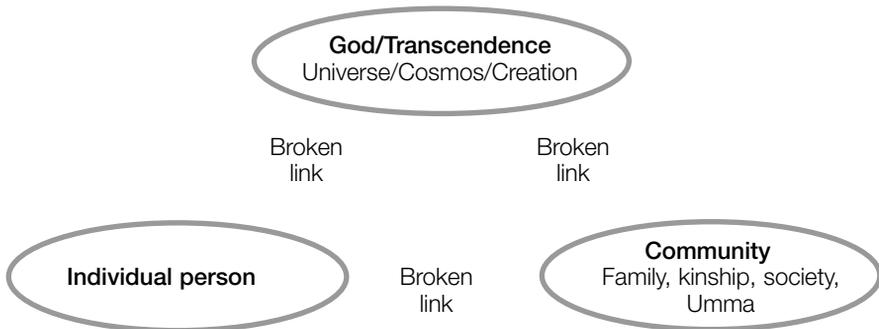
The different traditions attribute a high and positive value to work, based upon the concept of the divine "call" to work. Traditions speak of work according to its objective dimension (the outcome or end product of labour) and its subjective dimension (the worker as subject of work, expressing and enhancing his or her humanity through labour). This assumes that the worker is first a human being and thereby has priority over labour and its product. This is called the "primacy of man over labour".

Work as a typical human activity has three dimensions: personal (self-realization), social (work as the bridge between the individual and society) and spiritual or transcendent (a means of attaining the state of bliss with the Universe, the

Kingdom, or Nirvana). These three dimensions constitute three poles of a triangle composed of the individual, the community and the Cosmos (God). Decent Work (DW) can be perceived as the link joining these three poles, as shown below.



In a second triangle we see that absence of work (unemployment) or indecent work breaks the link between the three poles of the triangle. The three poles are excluded from one another: exclusion from oneself, from the community and from the cosmic dimension. This may be the case in the absence of sufficient employment opportunities, inadequate social protection, the denial of rights at work and shortcomings in social dialogue. It is the measure of the gap between the world we actually work in and the capability for people to live a better, more decent life.



The broken link leads to threefold exclusion:

- First, unemployment or indecent work can deprive a person from expressing their inherent dignity, resulting in alienation from the self. In extreme situations such negation of dignity leads to humiliation and dehumanization. It is essentially the submission of labour, as a cost factor,

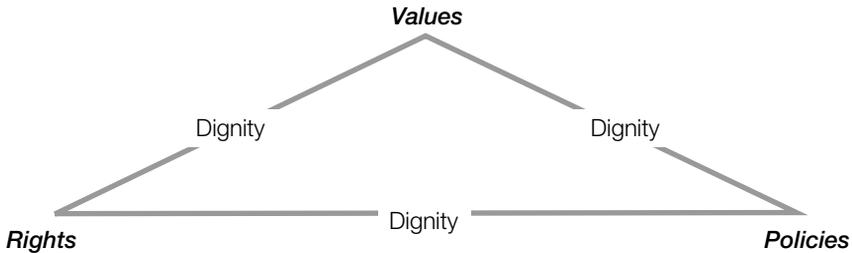
to capital, initiated by the Industrial Revolution but continued under the present globalized market society, which leads to exclusion and disintegration of the home, family, kinship and society. This is illustrated by the excluded in our societies: migrants, landless peasants, the unemployed, the voiceless, and those who have no legal status and who usually work in indecent work situations, mostly in a growing informal economy. They are excluded from respect, dignity with regard to others, and of a place in society.

- Secondly, exclusion from the cosmic, transcendent dimension, where the most sacred element in the human person is denied. For instance, although a child is considered the most precious gift of God/Creation, he or she may be subjected to one of the worst forms of exclusion or exploitation, and never feel connected with the Cosmos.
- Thirdly, exclusion at the individual level can happen at the level of an entire community: for example, groups in extreme poverty, Dalits (or “untouchables”), landless peasants and forced labourers. Entire groups may be excluded from the larger community, deprived of dignity and respect, or denied the experience of unity with the Creation.

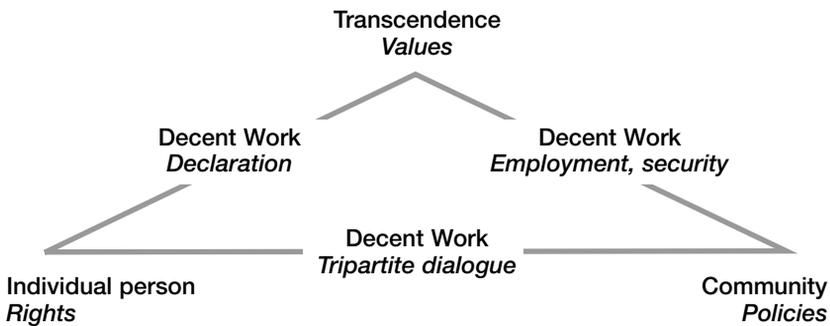
There is then no longer any meaningful future for such a community: when the link is broken between a group of individuals and the community, and between them and God or the Universe, there are no more shared values and links between society as a whole and the Universe or the Divine. The crisis engendered by a lack of Decent Work is connected with the environmental crisis. The environment is no longer received as a gift to be protected and there is no longer any transcendent meaning for development that becomes self-centred in the present generation.

In order to repair the link, to break the cycle of exclusion, and to restore the integrated relations within the triangle, we must advance Decent Work. The use of the expression “Decent Work” is itself positive and empowering since the excluded are referred to from the perspective of their inherent dignity (and not from the point of view of what they lack, be it food, income, job or land). A Decent Work strategy must be based on values, and these values must be expressed in a policy approach and in a rights approach. The policies aim at enabling people to exercise their rights. These rights are then the outcome, the fruit of the policy: for example, the “Reservations” policy in India enables the right to equal opportunities and non-discrimination. Education was considered as the primary goal in this policy approach, since through education the values of decency, love, justice, service and accountability are passed on to young people and can then be incorporated into their work. Rights are also the starting

point, the basic claim behind the policy. Thus the constitutional right of equality of all Indian citizens is the claim that lies behind the Reservations policy. This allows us to draw a second triangle: values, policies and rights, with *dignity* as the link between the three poles, as illustrated.



This second triangle can then be superimposed on the first one, giving the following:



Values refer to a spiritual, transcendent dimension; they are chosen by individuals and expressed within a community as a basic human right.<sup>7</sup> Hidden or explicitly stated, they are the fundamentals of policies.

Rights largely determine the recognition of a human being or a group by the larger community, and qualify their relations with the latter. Apart from the neo-utilitarian conception of law, rights reflect the shared traditional values of the community; thus they need to be promoted, implemented and defended in the community by policies.

<sup>7</sup> Cf. Universal Declaration of Human Rights, Article 18. "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

Policies concern the entire community; they should be the concrete implementation of shared values; they issue new rights and defend existing ones, and can also promote values through incentives.

Thus the Decent Work Agenda appears to be grounded in a threefold approach to values, rights and policies through its strategic objectives:

- The promotion of the *Declaration on Fundamental Principles and Rights at Work*, 1998, is grounded in universally recognized values to be implemented in rights.
- The development of *employment*, and *security* at work is an example of values inspiring policies.
- *Tripartite dialogue* is the best way of articulating the relationship between individuals or their representatives in subgroups (governments, employers and workers) to the entire community for promoting rights through the right policies.

From the above stems a critical attitude among all traditions towards the present global neo-liberal economic, material paradigm of consumerism and market economy in which profit, capital, wealth and stock shares stand over people. This criticism also explains why the traditions strongly advocate the ethical component of work, which can be defined as the responsibility of the individual in his or her work, and towards others in the workplace, the family and the larger community, as outlined in the Decent Work Agenda.

## Converging views of different traditions

Below are five statements of viewpoints shared by most traditions:

### 1. *The various traditions value work positively, based upon a divine or ethical call to work.*

No tradition has a low or negative image of work. Work is not considered as a necessary evil, or as a punishment or a degradation of humanity. One should, however, bear in mind that a misinterpreted religious tradition can be at the basis of a distorted paradigm about work. This distortion is highlighted in the contribution from a Brazilian theologian. She states that the social and economic disparities in Latin America are rooted in misconceptions of work. One social group (the indigenous) needed to prove its worth through work, whereas the other (the European and Christian) had already inherited their human worth by birth or creed. The distortion is based upon a misconception of the relation between work and worth: a person is what he or she is able to

produce; a person's value is in accordance with his or her work. Underpinning this view lays the dichotomy between body and soul, with priority of the soul over the body, leading to the acceptance of extenuating work or even forced labour, since through work the "sinful body" is mortified and the soul elevated. Work was presented as a means to overcome sin, and the fact of being African or indigenous implied sinfulness. If a person works hard enough, God's reward will follow (the prosperity theology of Pentecostal churches). The inferiority of women was based upon their "Eve-ness" (being second in the order of creation, but the first to sin). This deemed women to household duties or to inferior, repetitive work, and resulted in a negative qualification of work as a punishment, as unpleasant and alienating.

Work was not considered to dignify, but rather to de-humanize a person. Work must be dissociated from the notion of punishment. God makes man and woman caretakers of the Garden of Eden and exercising this domain implies the capacity to creatively transform and change. Man and woman are established as workers. This responsibility and duty given by God to humanity is not a punishment, but a participation in God's creative power. Therefore the big challenge is to change a deeply rooted cultural misconception of work.

Work can be defined as any type of productive activity, be it physical, intellectual, artistic or spiritual (e.g. meditation). Even in the Buddhist tradition there is a strong focus on the value of work done by everybody, even by the monks. Buddhism is therefore not just about "dreamy meditation". The words of the dying Buddha were "to strive diligently and conscientiously".

As an essential dimension of everyday life, work is therefore endowed with a profound positive and creative dimension, which in most of the traditions is linked with the Creator. The Christian tradition advances that through work the human being is invited to accomplish God's creation, while the notions of *melakhah* (envoys of God or the angels at God's service) and of *avodah* (divine service and also the participation of man in achieving God's Creation) highlight the positive value of work in the Jewish tradition. Moreover, man and woman, as co-creators, have a responsibility to work, according to the initial divine command in the book of Genesis: to achieve, through his or her work, the Creation (to "subdue the earth"). Similarly, in the Arya Samaj movement, work is a divine duty and a means by which one can be faithful to God or, as expressed in the Jewish and Christian traditions, a means of glorification of the Creator. This theme is expanded in the Catholic contribution (see Part III).

The positive appreciation of work is based upon the idea, explicitly shared by Muslims, Christians and Jews, and also found in the Arya Samaj tradition, that God, or the Creator, is the archetypal worker. It is through work that Divine Love is expressed. God Himself is at work and human work, rather than being

the consequence of the Fall, is a continuation of that divine activity.<sup>8</sup> This can be related to the Christian understanding of Divine Economy, which is the ongoing labouring action of God through which He creates, sustains and saves mankind and the universe: the 30 years of Jesus' "hidden life" as worker at the carpenter's bench is an example. Thus all traditions subscribe to the dignity and nobility of labour,<sup>9</sup> fundamental to human nature. It is God's intention in Creation, and this is the basis of the call to work. In the Islamic tradition, work (as opposed to usury) is the only legitimate basis for wealth and property. Ashram in the Buddhist tradition constitutes a place where everyone works and where dignity of labour is lived and practised: the same idea about dignity of labour in the community is found in John Calvin's doctrine – in fact, hard work was seen as a virtue.

## *2. Work is a fundamental expression of intrinsic human dignity, which has both spiritual and material dimensions.*

In all traditions, Decent Work is related to the dignity of man and woman, to his or her capacity to earn a livelihood and live life abundantly. Work should be fulfilling, dignifying the worker – and this goes beyond simply ensuring a minimum salary necessary for survival. According to the holistic paradigm, the human being is a global entity of material, social, psychological and spiritual needs, and Decent Work should address the expectations of the worker at all these levels. Such work enables a person to realize himself or herself as a "complete human being", to express and develop skills, personality, wisdom and potential, and – according to choice – to raise a family, educate children and take part in social life. In this sense, work cannot be compared with land or capital. Thus Calvin, on the basis of St. Paul's letter to the Thessalonians, condemned those who live off unearned income, and praised all forms of work (including housework as well as industry).

Decent Work is thus a means of self-cultivation and progress within a global context, through which a person may realize his or her vocation in life. Many traditions state that through work human beings honour the gifts and talents bestowed, or divinely granted upon them by the Creator; and recognize that every man and woman, as a steward of his or her talents, is called upon to bring to fruition these latent skills and aptitudes. In various Christian traditions (e.g. Catholic and Reformed Protestant) the human being is called to work, to aspire

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<sup>8</sup> This belief is not held by Muslims, for whom work is not perceived as the continuation of, or the participation in, the divine creative activity, and for whom the human being cannot be qualified as co-creator, because of the absolute transcendence of God.

<sup>9</sup> In the Arya Samaj tradition *Arya* means noble worker.

to become “an image and likeness of God”.<sup>10</sup> This concept is also emphasized in the Confucian tradition, which considers that it is every person’s moral task to “continuously work on his or her self-improvement and let the sprouts of the innate moral potential flourish”. This theme is developed further in the Confucian contribution (see Part III).

Most traditions maintain that our life is built not only through our own efforts, but is received as a gift from God/the Divine/the Transcendent. In the Jewish and Christian traditions, the Shabbat or Sunday respectively means a break from work and constitutes one of the main commandments. The Shabbat implies that work is not the final word in people’s lives, and that what we produce is a combination of human work, effort and divine grace.

Personal dignity may also be drawn from family life, religion, art, leisure, music and literature, while those who cannot work, such as children, the disabled, the elderly and the sick, should not be deprived of their inherent dignity. For those who have the potential to work, unemployment is often dehumanizing, and the growing unemployment figures represent a human tragedy. Thus combating unemployment and creating greater work and income opportunities is considered a priority by all traditions.

Man and woman are subjects of work, that is, all their actions, including their work, must serve to realize their humanity. In this sense, all traditions subscribe to the so-called subjective aspect of work. This concept implies that the person is central to work, and has priority over labour. As the subject of work, he or she should never be subordinated to work, or capital. Human labour, toil or work should therefore never be reduced to its material outcome (the objective dimension of work) and should never be regarded as a commodity or a mere production factor. “We are human beings, before being workers” (Brahma Kumaris). This means that human dignity is inherent to every human being and precedes work – in fact, work should allow our dignity to shine. Work should not be overvalued, by considering it to be the absolute source of human dignity, otherwise we fall into the distorted paradigm whereby a person’s worth or dignity has to be earned through work, and is proportionate to the productivity, level, type, outcome or success of that work. One report cited certain consequences of such an attitude within the Protestant tradition: “Work was his life” used to be engraved on Protestant tombs; and begging used to be banned and people forcibly sent to work (i.e. coercive work).

The primacy of the person over labour, in the sense that human worth precedes, and is independent from, the kind of work one does, holds a strong

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<sup>10</sup> Man has been created in the “image and likeness of God”(Genesis 1:27): through his work he responds to the call of God to achieve this image, under the guidance of God’s *Spirit*.

criticism of the caste system. Several contributions, particularly from the Buddhist tradition and the Brahma Kumaris, but also from the Arya Samaj movement, openly challenge the caste system, where the type of work one does is a sign of privilege or inferiority determined by birth (those of the Brahmin caste are exempted from any manual work, while the most menial tasks must be done by the Dalits, or the “untouchables”). In this system work is imposed arbitrarily by birth and often binds individuals to labour in conditions of slavery: “...this has been largely responsible for the poor work culture and it explains the lack of respect for the dignity of labour”.

A secular human rights activist advocates social equality as the foundation of Decent Work in his written contribution. This is of primary importance in a situation where the two most pervasive forms of inequality arise out of caste and gender, and are becoming increasingly linked and reinforced, with inequality based on education, occupation and income. This process results in the creation of a framework for a segmented labour market that is widespread across rural and urban areas, both in the organized and informal economy. Thus, for instance, the sweepers and scavengers, mostly of the Dalit caste, are excluded from socially beneficial legislation making the concept of social justice operational. Dalits are born into the world of impure and unclean work, which has been made – by law – underpaid and unprotected. The means of social mobility are denied, and thus the features of the caste system are sustained. Social inequality structures labour relationships and, even worse, the recognition of such flexible labour relationships by law will inevitably lead to a breakdown of the notion of universality and equality before law. It is clear that, even within a modern democratic State, the caste system produces and sustains an unequal distributive outcome.

Therefore, it is urgent to change the attitude whereby work is looked down upon. The Buddha strongly criticized the caste system, and advocated the subjective dimension of work, where work is undertaken for man’s spiritual renewal and development; as a conscious and free subject he chooses his work in order to realize his humanity. In the caste system, work subordinates man and man is made for work: “In Buddhist teachings work is for man”. The Sikh gurus developed a sense of dignity of labour out of which emerged a healthy and energetic attitude towards work. Similarly, in Kerala, through the influence of a Christian tradition, dignity of labour is widely acknowledged.

The assumption that dignity is intrinsic to every human being, and that work is fundamental in order to express and value this dignity, constitutes the basis of labour regulations concerning working conditions, working hours, proper remuneration, respectful relationships and social and environmental responsibility, from which freedom of association and collective bargaining are

derived. Every person who is aware of this natural right to live in dignity, with all basic needs and rights fulfilled, will therefore experience humiliation or feel that his or her worth has been diminished when forced to suffer exploitation, exclusion or discrimination, oppression or degrading living and working conditions. In all traditions, unemployment, gender inequality, forced, slave and child labour, and so on, are considered incompatible with the values of human worth and dignity. To deny the right to Decent Work is therefore to deny a person his or her dignity.

**3. *Work has not only a personal dimension (self-realization), but also a social dimension (work as a bridge between the individual and society).***

It is clear that a person's work is naturally interrelated with the work of others. Starting as it does from the perspective of people, the Decent Work Agenda goes beyond the dominant popular assumption of the radically individualized participant in economic and social life. The notion of Decent Work establishes the necessity of "re-embedding" the economic in the social, as stated by Karl Polanyi.

Work is at the root of the link between the individual person and the community, and therefore at the root of community life. When work is done in common, when hope, hardship, ambition and joy are shared, it brings together and firmly unites the wills, minds and hearts of men and women. A person works not only for the self, but also for others: for his or her family, society and country, and for the family of humanity. In this respect, work enhances integration in the community. The Calvinist tradition recognizes that a family or a community can only be harmonious when its members are working with and for each other. Work is a fundamental component of family stability, and is also linked to peace. A community that works is more likely to be a community in peace, and a community in which there is not enough work constitutes a threat to peace.

The various traditions affirm that work has a social dimension, that a society is enriched by the creative contribution of its people. Work is more than merely an individual means of assuring continued existence, livelihood and self-realization. Indeed self-realization is the opposite of being self-centred: people can only truly realize themselves in relation to others, as a member of a community. Work is a creating and sustaining force in human relationships at all levels: family, society, government, State, the international community.

Christian, Buddhist, Jewish, Confucian and Muslim traditions acknowledge that work should not be a factor that isolates and sets people apart from one

another, but one that unites people as friends and colleagues in promoting the common good. Buddhist traditions, in particular, qualify work according to caste as a factor that divides the community. However, as a way of developing skills and talents, specialization within the workforce is acceptable and legitimate, (e.g. lay versus monastic status, chosen on the basis of temperament and ability). It is assumed that in Hinduism work is also regarded in terms of building the community. Thus, the caste system, in spite of being widely criticized, originally served as an organizing and structuring principle of the community on the basis of the Hindu understanding of reincarnation. The labour contract was understood as a religious relationship between members of the different castes.

An individual stands at the centre of his or her human relationships and has responsibilities and duties to all those around him, which may include parents, children, companions, other workers, servants, or colleagues. The Islamic concept of Umma, or community, stresses that all Muslims are brothers and are equal, and affirms that any activity carried out as a group is superior to the same activity conducted alone. Umma also emphasizes the complementarity of the different types of work and roles within the community. If work is “ethically correct”, it contributes to the prosperity of the community (an example of this principle is the obligation of Muslims to give donations in charity). The notion of *takaful* in traditional Islam denotes social responsibility of the entire community, for instance to integrate homeless people.

Even the Confucian tradition, which stresses the aspect of self-improvement, affirms that this is intertwined with the improvement of one’s relationships, and one’s contribution to society and to the larger community. Thus, any kind of work needs to be viewed as being potentially an important contribution to society and to the world as an ecological system.

The different traditions share the opinion that the fruits of work are to enrich the community rather than to serve individual greed. According to the Arya Samaj movement: “capitalism degrades the mindset of stewardship of resources into ownership of it ... private ownership shifts the focus from need to greed. This turns work into a domain of exploitation.” The Catholic Social Teaching acknowledges the legitimacy of private ownership, but this right is “subordinate to the right to common use”. Capital is an instrument for the working community, never an end in itself (priority of labour over capital). The myth of the Tower of Babel (Genesis 11:1–9) is a critical judgement of the unlimited growth of self-profit that becomes the ultimate goal of a community. If private ownership of the means of production is viewed as legitimate, those means cannot be possessed to the detriment of the labour force. The only legitimate form of possession is where the means “serve labour”.

Work is linked not only to building relationships, community and shared goods, but also to service. The revival of the concept of service in work is advocated by various traditions including the Brahma Kumaris, the Arya Samaj movement, Buddhism, Islam and, in the Christian tradition, regarding the *diakonia* notion (*diakonia* means “service” in Greek, and has given rise to the ordination of deacons who are servants in charge of the community). Against the background of a holistic paradigm, work has value and social relevance other than the purely economic. Work is a service offered to others. It goes beyond developing one’s own capacities and is connected with both creating and giving. Service has to do with a quality of kindness towards others without any desire for material reward or advantage for the self. It is an act of altruism, and as such brings rewards in the form of spiritual elevation or generosity of spirit, which cannot be measured by any material instrument. Service enhances the quality of people’s relationships with one other. To add this dimension of service into (paid) work is to put people at the heart of work, and imbue it with the meaning and purpose it often lacks. This position is explicitly supported by a contributor from the Reformed Protestant tradition: “If what we produce is also a gift of God then it cannot be simply considered purely as a private possession, but our work must also be a gift to others.” This points to the fact that activities or vocations such as being a mother or father, a pastor, a spiritual leader, a trade unionist, a human rights activist, or a magistrate, which have no strictly measurable goal, nevertheless constitute work but are carried out as a free service to others. Thus, with the dimension of gratuity and service to others in work, a fair distance is taken from the productive material paradigm.

#### 4. *Beyond the social dimension of work, the religious and spiritual traditions also point to its transcendent dimension.*

Work is not only a nine-to-five secular activity with a monetary value, but should be seen as a means towards a greater end that is progressively realized through the efforts of individual men and women. In the Jewish and Christian traditions, men and women are stewards of God’s creation and are co-creators called to achieve His Creation through their work. The Gospel message of Jesus Christ calls every person to labour for the coming of the Kingdom of God: creative work, therefore, has an aspect of sanctification.

In the Buddhist tradition work in the long term is aimed at forging a global human community through actions performed out of love. This is known as the work of solidarity or compassion encapsulating the whole universe. Bodhisattvas (saints) are depicted as working incessantly towards the goal of

cosmic enlightenment for all beings. The ultimate goal of work is nirvana, the transcendent good towards which all acts of human labour must be directed. Thus, if in Buddhism work has a clearly transcendent end, this conception differs from theistic religions in that the imperative to work is not grounded in a person's role as a steward of or co-creator in God's Creation. Furthermore, in contrast to theistic religions, transcendence in Buddhism is related to inter-human relationships. Rather than being the result of human action, it is considered as a gift. Similarly, nature is viewed as the matrix from which a person springs, linked to other forms of life – rather than being merely the raw material that is hewn and shaped on man's workbench according to his needs.

Here the holistic paradigm of Decent Work arises again. The various traditions are critical of the present global, neo-liberal, economic, material paradigm of consumerism and market economy in which profit, capital, wealth and stock shares are placed above people. It is this one-sided material paradigm that ultimately leads to the exclusion, exploitation and discrimination of large groups of humanity. The market is important, but remains an instrument subject to people's dignity and the quality of their lives (priority of the human being over capital), and to the way, through their social interactions, people generate well-being, stability and peace for themselves and for others within the family or larger society (priority of the common good over capital).

##### *5. The religious, spiritual and humanistic traditions strongly advocate the ethical component of work.*

The ethical component can be defined as the responsibility and commitment of individuals and communities to their work and towards others in the workplace, family, community or larger society. This is closely linked with the personal, subjective dimension of work (the human being at the heart of work) and the social dimension of work (work as a bridge between the individual and society). Thus, the Confucian scholar writes: "Confucianism is a typical example of an ethical tradition trying to better human conditions, less through a rights and laws approach, but more by focusing on human responsibility."

The individual first has a responsibility to maintain personal dignity and self-respect. During the meeting there was a discussion of whether prostitutes or "sex workers" can be regarded as having freely chosen their work and whether they are engaged in "indecent work". Is the ethical dimension of work limited to the purpose of work, that is, to ensure personal livelihood, or can a job be intrinsically indecent if it is morally degrading or betrays the sanctity of the human body?

In work the individual is also responsible for others, and would therefore be expected to go beyond considering work as good simply for the self – to

considering whether it contributes to the common good. Thus a job, such as making landmines, can be intrinsically decent for the individual: it could be a good, well-regulated factory job. However, what is the outcome for society? Is it killing or wounding people, mostly innocent peasants or children, long after a conflict? Such work would surely be considered indecent from the perspective of the community.

In the Jewish contribution, the dimension of sanctification in work indicates the significance of responsibility before the Creator, such that each person considers the other as one of his own kind. A Jewish Rabbi, Hillel the Elder, said: “Do not inflict on the other, what you would not want the other to inflict on you.”<sup>11</sup> This means that all are considered equal – no one can be the slave of another. This principle needs to inspire the relationship between employers and workers.

In the Jewish and Christian traditions work is viewed as a moral obligation. Calvinism, in particular, speaks of the virtue of industriousness as being a moral habit whereby a person “becomes good”. Other traditions point at “letting the sprouts of the innate moral potential flourish” (Confucianism) or “to strive diligently and conscientiously” (Buddha).

Traditions emphasize values such as having a mission in life, and personal responsibility towards the larger community through work. The leadership principle of the Confucian tradition is centred on social commitment and political, ethical concern. It aims at cultivating a moral consciousness and sense of responsibility among members of the elite (intellectuals and scholars) to use their authority and personal charisma to educate people, and make sure that work is dignified and open enough to ensure that a person can develop his or her own potential. The establishment, in every community, of a charity to which everyone is obliged to contribute illustrates the social ethics of the Muslim tradition. It is with regard to the impact on the community that the difference is drawn between legitimate and illegitimate actions. It is the *context* of the action, particularly in respect of the ethical nature of relationships between employers and workers, which determines whether an action is legitimate or not (e.g. the prohibition of usury gained from lending ensures that profit is gained only through investing money and sharing risks).

Most traditions assume that the health and well-being of a society depends on the ethical considerations that are the basis of its social order, and thus also

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<sup>11</sup> This rule is found in almost all traditions. Some examples: Muslim: “Not one of you truly believes until you wish for others what you wish for yourself” (Hadith of the Prophet); Confucianism: “One word which sums up the basis of all good conduct ... loving kindness. Do not do to others what you do not want done to yourself” (Confucius); Hinduism: “This is the sum of duty; do not do to others what would cause pain if done to you”; Buddhism: “Treat not other in ways that you yourself would find hurtful” (Buddha); Christianity: “In everything, do to others as you would have them do to you; for this is the law and the prophets” (Jesus Christ).

of working relationships. For Mahatma Gandhi the progress of a nation or society is to be measured by the plight of “the least of the last” in that nation or society.

All traditions observe that there exist numerous improper, indecent working practices and conditions, and unmet working aspirations. For many people, work is a daily dehumanizing experience. Work can be used in various ways against a person: it can be made into a means of punishment of the individual through forced labour, of oppression or of exploitation. The person then becomes a mere tool or commodity, and is degraded and humiliated through his or her work, both physically and spiritually through damage to his or her dignity and self-image. One participant (Professor Bêteille, an Indian sociologist) argued that the norms of Decent Work are so violated “because we are in a period of transition of standards” (the “not anymore” of old norms and the “not yet” of new ones). In the nineteenth century, the Industrial Revolution had broken down the old regulatory rules of corporatist and agricultural societies, while new norms were not yet established, and this led to a vacuum or “normlessness” in the factories. He applies this to the context in India today, where society has quickly adapted to a modern global economic culture without dropping old social and cultural institutions, such as the caste system.

A Decent Work deficit therefore leads to an ethical deficiency within relationships, which is usually then reflected in a deficit of social justice and political will. The Decent Work Agenda needs to address the issue of enhancing the capability of the worker to exercise the right of association and of collective bargaining through promoting supportive laws. In some countries the Decent Work deficit is in the first instance a deficit in providing legal identity to the workers in the informal economy (even the possession of an identity card), which could otherwise be the basis of exercising the right to association and collective bargaining. Hence they are denied the social and legal benefits derived from this legal identity, and are forced into a world of non-legal existence where they are vulnerable to extra-legal pressure and exploitation. The State needs to evolve a mechanism to provide such legal identity in order to bestow legal existence upon every worker–employer relationship.

When people lack Decent Work, this often results in exclusion from society and denial of their dignity. In this context, the Brazilian report highlights the issue of excluded workers, homeless youngsters dwelling in the streets, and landless peasants. According to the Brahma Kumaris, “dividing up the world for economic reasons, with caste being used as an organizing principle to structure society, is a form of indecent work that can have dire consequences on the well-being of society as a whole.” This is supported by a statement from the Arya Samaj movement, referring to combating child labour, and lifting people out of

crass poverty and de-humanization: “this cannot be done as long as a different order of values is ascribed to different classes and castes of people”.

The various traditions agree that to resolve this “Decent Work deficit” demands a cultural, ethical and spiritual environment guided by a spirit of inclusion, equity and balance within a cooperative working community characterized by caring and sharing. This could lead to the formulation of a new economic paradigm, based on the holistic model. Governments have a responsibility to ensure that work and its fruits are distributed fairly in society, that children receive free education, that workers are assured a minimum wage, and that those working in the informal economy are granted legal identity and status. These rights are enshrined in the Universal Declaration of Human Rights.

Earlier, we observed that within the material paradigm values mostly remain as words, lacking concrete expression. Much has already been achieved in defining the goals of Decent Work: the so-called strategic objectives of the Decent Work Agenda. The real question remains: How can the Decent Work Agenda and its implicit value system be deeply rooted in more holistic ethics of work?

The dialogue between different religious, spiritual and humanistic traditions is the first step towards the drafting of joint ethics of work. Brahma Kumaris, Calvinist, and Catholic contributions support the elaboration of common interfaith work ethics by an interfaith task force, including representatives of the various traditions as well as labour organizations (e.g. ILO) and other organizations (e.g. the World Bank, the Food and Agriculture Organization of the United Nations (FAO), the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Development Programme (UNDP)). These ethics of work would distinguish Decent Work from indecent work by their respect for human factors (e.g. ethical values, inherent dignity in its material and spiritual dimensions), would identify common ground regarding these human factors, and as such would establish a firm model of Decent Work (people at the heart of working policies and spirituality at the heart of each human being). They would allow us to see how such values are transposed and expressed in the field of work and could lead to common value-based standards that help people to value themselves and their work. Through this, people would have a better understanding of the meaning of decency in relation to their job: “Does my job support my material livelihood; does it also enhance my social, relational, ethical and spiritual self-realization in the family and in society; and does it also contribute to the material and spiritual common good?”

Regarding the notion of “decent”, participants at the interfaith meeting had different opinions. Decent Work was defined by some as “a secure income from work under conditions of freedom and dignity”, but others remarked that in the

1998 ILO Declaration of Fundamental Principles and Rights at Work, the right to a secure income is not mentioned, though the Declaration is considered as the minimum floor of “decency” at work. The fight for a “decent salary” supposes that one can obtain legal identity as a worker, together with freedom of association and collective bargaining. People will first need to stand together, so as to maintain a permanent dynamic process for adjusting decent wages to the existing level of development of the community.

The minimum floor of decency set out in the ILO Declaration comprises: freedom of association and the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. The Decent Work Agenda regards human dignity as central, as a category not of *having*, but of *being*: on this basis the Agenda sets out a minimum level of decency in work, below which people’s dignity is not acknowledged. In this context the Agenda follows the holistic paradigm whereby one is entitled to *be someone*, in contrast with the material paradigm, where one is only entitled to *have something*.

Some contributions point to the fact that different societies have developed different norms of work. There are no identical concepts or universal standards of Decent Work. Norms of Decent Work in economically advanced societies are the product of a process that started with the Industrial Revolution in the eighteenth century. A uniform standard of Decent Work is indeed difficult to apply, since working conditions differ from one society to the next. It is important to be aware of the historical context and pattern of employment that has characterized people’s livelihoods: in Jordan, for example, there has been a shift from a nomadic society to a type of patron State. Improvements in work and employment rights in developed countries are often difficult to duplicate elsewhere.

A representative from the Reformed Protestant tradition asks: “Does Decent Work really reflect a universal aspiration? There are other ways to fulfil oneself than through paid work.” This assumption about Decent Work presupposes, at least from this perspective, that work is considered as having more of a focus on the individual than on the community, and that material interests as a means of improving one’s condition are universal. Concepts of service, vocation, mission in life and striving for a spiritual goal were discussed earlier.

The various traditions ask themselves how the universality of rights can be combined with respect for specific situations, cultures and socio-economic contexts. The human rights discourse mentions that people’s own initiatives or existing solidarity networks must be respected within a broader framework of universal rights. This finds its expression in the “subsidiarity principle”, meaning that a community of a higher order (e.g. the State or a supranational

institution) should not interfere in the internal life of a community of a lower order (e.g. family or regional culture, or even another State), depriving the latter of its functions; but should give support only when necessary. This notion is especially developed in the Social Teaching of the Catholic Church (see Part III).

The Confucian tradition points out that “one might consider the possibility to design culturally specific formations of forces that are pushing towards the same goals, yet with different means”. This implies that the ways in which universal principles of decency are implemented depend on the situation within each society. With regard to the implementation of Decent Work on a universal scale, action must be adapted to local, cultural, economic and social habits, mentalities and value-systems. What constitutes adequate income, adequate social protection and security and gender equality depends on different understandings and expectations according to cultural and socio-economic contexts. Concerning the fight against child labour, for instance, countries cannot immediately change their situation. For this reason the ILO has created a “follow-up” mechanism with regard to each of the four points encompassed in the 1998 Declaration.

According to the present dialogue, common ground on matters of Decent Work is not difficult to find among the major world traditions. A substantial convergence exists around a set of commonly held values such as dignity, trust, fairness, respect, equitable treatment, responsibility, honesty and solidarity, and these values underpin the ILO’s objectives aiming at Decent Work for all. This kind of global ethics, distilled from the compatible core values of the different religious, spiritual and humanistic traditions, is of course only a first step. It is a minimum basis, a framework that allows us to interrelate the different traditions and to realize that they are not mutually exclusive.

These global interfaith or cultural ethics will establish communication links between the vastly different cultural, religious, spiritual universes in which humanity is rooted.

While we have emphasized converging points of view within the different traditions that were represented in this process, specific and sometimes contrasting opinions are expressed in detail in written contributions from the individual participants, found in Part III.

## Commitment to the ILO Decent Work Agenda

Be it the ILO’s four strategic objectives, or the Fundamental Principles and Rights at Work of the 1998 Declaration, all traditions, in their respective contributions, back the ILO strategy, from the perspective of human dignity, moral values, and the social and spiritual (transcendent) dimensions. Work is a

means to achieve and express each of these dimensions, while presupposing a minimum material quality of life (regarding food, housing, clothing, health care and education). When a person is starving, the spiritual, ethical and social dimensions cannot be fully realized. Hence the traditions acknowledge the importance of a fair wage or income to feed the family, and the urgent need for legal recognition of workers' identity.

The various traditions also affirm that the ILO Decent Work Agenda reflects an interlinked web of ethical and spiritual values, such as dignity, respect, responsibility, justice, solidarity and care. This argument is illustrated by one of the Muslim contributions, in which the strategic objectives of the Decent Work Agenda are closely interrelated with the Islamic principle of Respect and Honour. Since the individual is the recipient and bearer of God's will on earth, the sense of individual dignity, pride and honour is central. Other objectives have their corollaries in values such as justice, solidarity and equality. For instance, "freedom of association, collective bargaining and social dialogue" finds its parallel with the injunction that all Muslims are brothers and are therefore equal in the umma (community of the faithful), and must therefore talk and strive as a group, rather than as "lonely" individuals. "Social protection" is linked with the prohibition of undue profit, or usury, while "fair income opportunities for all" reflects the values of dignity, solidarity and equality. The Catholic contribution develops at length the extent to which the ILO Decent Work strategy is echoed by the values of the Social Teachings of the Catholic Church. Moreover, the article from the Reformed Protestant tradition affirms without hesitation that "the values of the Decent Work Agenda are preached in their entirety in the Reformed tradition ... the 1998 ILO Declaration is very much in a Reformed intellectual and social tradition". There is a proposal to adopt this Declaration at the World Alliance of Reformed Churches at Accra, Ghana, in 2004. "Like the broader spectrum of human rights, the 1998 Declaration is not simply a political agenda or matter of economic expediency, but is a matter of the human face of the justice of God."

Forced or compulsory labour and slavery are dehumanizing, and turn the workplace into a labour camp. An article from the Arya Samaj movement states that working for less than the minimum wage should be considered as forced labour. Reformed Protestant traditions such as Calvinism are long-standing advocates of human rights and have, from their beginnings, denounced this form of labour as being incompatible with God's will.<sup>12</sup> Islam explicitly condemns compulsory labour, and the Koran considers that freeing a slave is one of the best deeds a person can accomplish.

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<sup>12</sup> Reference can be made here to Presbyterian opponents to slavery such as Horace Greeley and Thomas McCabe.

Child labour categorically denies children their early, formative stage of education, the starting point of the humanization process, hampers their opportunities to take their place as responsible people in society, and prevents them from realizing their true vocational, moral and spiritual potential. Free education is considered the best means to protect children and to prepare them for future employment: insistence on free and compulsory education is typical of the Calvinist tradition. The representative of the Arya Samaj movement describes the situation of child labour and makes a courageous pledge to end “this scandal” (in his country, around 120 million children between the ages of 6 and 14 years are not at school, and are therefore in some sort of child labour). In the Buddhist tradition, the minimum age for full ordination into monastic life is 19 years, indicating a necessary level of judgement or maturity. This implies that the full incorporation of a young person into the world of labour should not be before this age. In their policy approach to Decent Work the various traditions have stressed the importance of education as the primary goal, since it enables children to assimilate the values of decency, dignity, love, justice, service and responsibility. These values can later be incorporated into their work, through which they can realize themselves, dedicate themselves to the community and aim to achieve a larger spiritual goal in life.

The elimination of discrimination is clearly regarded as a basic requirement of justice. Discrimination on the basis of race, colour, gender, caste or belief represents a failure to respect the inherent dignity of every human being. As previously mentioned, Buddhist traditions present the Buddha as rejecting all forms of institutionalized discrimination at the workplace, and the Jewish tradition also insists on the prohibition of discrimination. Equal treatment of natives and foreigners is absolute, and repeated over and over again in the Bible. The three Muslim reports acknowledge that the non-discrimination aspect of the ILO strategy, especially with regard to gender equality, is more challenging to Islam – although in early Muslim society, Islam was quite progressive regarding the position and role of women.

Some traditions, such as Buddhist, Catholic and Calvinist, openly uphold freedom of association and collective bargaining as a vital right to defend the interests of workers and employers. The right to collective bargaining was a constant theme of thinkers within the Reformed Protestant tradition throughout the sixteenth century and later. They highlight the necessity for some form of contract between those in authority and those ruled.

The idea of promotion of social dialogue between workers, employers and others finds resonance in the non-hierarchical nature of the governance of Reformed Churches. Negotiation without aggression, and individual responsibility are central in the Reformed Protestant tradition in particular.

The Buddhist tradition insists that the struggle for social justice must, however, be subordinated to the overall good and cohesion of society, and not turn into a battle in which one group or class overthrows or dominates the other. Nevertheless, in some contexts it is important that workers should first receive individual legal status and consequently be accorded legal capacity, which would enable them to exercise their freedom of association and formulate collective claims with regard to fair labour relationships. In the Jewish tradition, the common responsibility of employers and workers in their mission of achieving God's creation underpins the importance of their agreement concerning the work to be carried out, its modalities and compensation.

In the Jewish tradition, the basic principles and rights at work are clearly established in the rabbinical texts and codes (e.g. the Ten Commandments). On the basis that all Muslims are brothers and are equal within the community and should as such strive together as a group, Islam supports collective bargaining and freedom of association. However, some traditions, such as Confucianism, stress the moral aspect rather than the rights and laws approach.

Most traditions give no order of preference in realizing the four ILO strategic objectives, viewing them as interconnected and therefore needing to be realized simultaneously in a holistic approach. All back the global implementation of the Decent Work strategy, taking into account cultural, economic and social diversities or particularities; some traditions even suggest that the strategy should be promoted as the first step towards an alternative to the globalized capitalistic ethics of work.

Thus, the key message of the various humanistic, philosophical, spiritual and religious traditions is that "people are at the heart of each tradition and at the heart of work".

PART III

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SPECIFIC OPINIONS EXPRESSED  
BY PARTICIPANTS



# Anglican reflections from a South African economist

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Anglican thinking on matters concerning work developed strongly in England during the upheavals of the Industrial Revolution in the nineteenth century and the harsh realities of the Great Depression of the 1930s. It was much influenced by Roman Catholic theology, on the one hand, and the writing, preaching and actions of Methodist, Quaker and other non-conformist thinkers, on the other. William Temple's book *Christianity and the social order* exerted a wide influence as the Second World War came to an end and Britain moved to create the Welfare State.

This thinking was also much influenced by the ecumenical movement, with interaction between such leaders as the Archbishops William Temple in England and Nathan Soderblom in Sweden. In Southern Africa the work of a host of Church leaders, both clerical and lay, including Ambrose Reeves (Bishop of Johannesburg), Trevor Huddleston, Alan Paton, Z.K. Matthews, and, in more recent years, the Archbishops Desmond Tutu and Njongonkulu Ndungane, drew attention to issues of discrimination in the context of work. Numerous other religious leaders, Jewish and Muslim as well as Catholic and Protestant, also spoke out clearly for social justice down the years, although it is important to note that, particularly during the earlier period, much of the most courageous and sustained support for the trade union movement came from the secular leaders of the South African Communist Party. However, there were other political leaders, including Chief Albert Luthuli and Nelson Mandela, who were deeply influenced by the Church schools where they were educated, as were political leaders further north such as Julius Nyerere.

In secular terms much of this thinking was made manifest in the South African Constitution, a remarkable document that asserts a basic set of values – focused on human dignity – which is not only consistent with the religious teachings of the great faiths but also provides a foundation on which to build a common ground for a coalition of interest groups in the pursuit of Decent Work.

It may well be that the experience of people in southern Africa during the long century from the time of the mineral discoveries (gold in 1886 and diamonds in 1867) until the ending of apartheid in 1994 provides a particularly useful prism through which to view the agenda for Decent Work. During this period the majority of the people endured not only legalized racial discrimination in all spheres of life but also a system of compulsory oscillating migration which, at least until the mid-1970s, tightened steadily down the years and which required virtually all black mineworkers and increasing numbers of other black industrial workers to live in single-sex compounds or “labour batteries” without the possibility of their families moving to be close to the place of work. It was also a system which, whilst generating wealth, simultaneously generated poverty, particularly in the rural “labour reserves”. This form of slavery was central to shaping the pattern of South Africa’s industrial revolution and became a fundamental component of the apartheid system, and it was only possible because of the value system that underpinned the country’s racist power structure.

The market mechanism of global capitalism is amoral in the sense that it was perfectly able to accommodate the realities of South Africa’s migrant labour system within its workings. Only the determined, courageous and sustained political struggles of the liberation movement – springing from a different value system – were able finally to bring about the end of the apartheid State. Even now it will take time to abolish the last remnants of the migrant system, which had become so embedded in the economy.

Reflecting on the meaning of Decent Work against the background of South Africa’s history and the current realities, there are perhaps seven points to note briefly:

1. The critical importance of values in shaping any political economy: South Africa’s compulsory migrant labour system was not an inevitable consequence of the industrialization which followed the mineral discoveries. The interaction of the power structure and the values of the society made it possible.
2. The overriding need for work: “I feel as though these hands of mine have been cut off and I am useless. I can do nothing to feed my children.” Thus spoke an unemployed miner in Maseru, Lesotho, in the early 1980s, hoping against hope for a job when he applied at the recruiting depot. The devastating impact on the sense of self-esteem of unemployed persons and the consequences for many in terms of violence and abuse – not least within the family – must be faced squarely. With unemployment inside South Africa in 2000 averaging 35 per cent, and similar statistics emerging in

other countries in Africa and elsewhere, it is essential that the world community, through the ILO, push not only for “greater” employment but also for adequate employment.

3. “Productive work” alone is not sufficient: in terms of a human-centred value system, work and the conditions under which it is done must also be fulfilling.
4. Lack of work, unemployment, for those who desire and need to work, is a cruel deprivation. Creation not simply of more but of sufficient work is vitally important in all parts of the world.
5. Whilst different jobs will always be remunerated differently, it is necessary to develop some sense of proportion regarding the extent of inequality in society. Movement towards greater equality rather than astronomical deepening of inequality should be the norm.
6. Insistence on the rights (entitlement?) of the worker must be combined with an acceptance of responsibility to perform Decent Work on the part of the person concerned. This is a matter of mutual obligation.
7. Work is not enough. Basic income for all is unlikely to be achieved only through job creation. Wider mechanisms to ensure adequate redistribution must be developed.

## Decent Work: A Brazilian reflection

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Brazilian writer Charlers Kiefer, in his novel *Valsa para Bruno Stein*, describes a scene that summarizes the dubious notion of work in our context. A young man, having lived with his grandmother and worked as a seasonal worker in large plantations and cattle ranches since his childhood, decides to migrate to look for better opportunities elsewhere. Thus he ends up at Bruno Stein's brick factory, asking for a position. The owner asks: "Do you want work or a job?" Without knowing the distinction, the young man answers: "Work." Bruno tells him that he is hired and may start the next day. After several months the young man finally asks Bruno what would have happened if he had answered that he wanted a job. Bruno replies: "I would not have hired you. Why? Because you would be more concerned with your pay cheque than with the bricks of the factory".

In Kiefer's novel, the owner of the factory is the first to start work in the morning and the last one to leave the factory at night. As stated by himself, he considers his work ethics as noble, since work shows what a man is worth. The author presents the cultural shift, in the Brazilian context, with the arrival of Protestant immigrants in the nineteenth century, whereby the notion of work (a value in itself) determines a person's access to goods, comfort, education, leisure, and so on. A person is what he or she is able to produce, being valued by his or her work. Kiefer's character differs from the sugar/coffee plantation owners and cattle ranchers because, unlike them, Bruno Stein actually does work in the factory, whereas the *latifundiários* (large landowners) hired other people to supervise slave labour.

One could well argue that the relation between work and worth was already present in the early stages of colonialism. The *encomiendas*<sup>1</sup> were created by the

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<sup>1</sup> The *encomienda* was a Spanish institution created in America during the colonial era. It served to divide the indigenous people into several groups, each under the supervision of an *encomendero*. The people had to pay tax and work for the *encomendero* who was responsible for protecting and Christianizing them.

Crown as a political and economic means to distribute plots of land in the New Continent to Portuguese and Spanish citizens with the responsibility, among others, to Christianize the inhabitants of the land. Many debates in the sixteenth century dealt with the question of the indigenous population's humanity. One of the arguments to prove they were not human was their work ethics (which the Portuguese and Spanish considered non-existent). The way to Christianize and introduce them to "culture" was by forced labour. To comply with slavery, to obey the *encomendero/haciendero* and to work for his wealth would promote the indigenous people into humanity. A similar reasoning was employed in the case of African slaves, brought forcibly to work in the plantations.

A dichotomy between body and soul – with a priority of the soul over the body – is, of course, behind this idea. By extenuating work and forced labour, the sinful body was mortified and the soul elevated. The same rationale also served to justify women's inferiority. The religious argument, based on women's Eve-ness (the second in the order of creation but the first to sin, as defined by Tertulian) and the cultural bias of women's feminine attributes and proximity to nature, deemed women to household duties and childraising work until the last century. The repetitive and never-ending work of cleaning, cooking, washing and ironing was described as "women's work" and deemed less important. Genesis 3 was largely employed in early Christianity to compel women to submit to their husbands, as a punishment for the sin of the first woman. The Pastoral Letters, in the Christian context, added the dimension of silence and obedience as female virtues. According to the Patristic writings, a busy body, occupied with work, has no time for evil thoughts nor offers a temptation for the devil.

The roots of social and economic disparities, nowadays, in Latin America, can be found in the misconceived notion of work, inherited from colonial times (or before that). Religious and state leaders employed the same rhetoric concerning slavery and forced labour: one social group needed to prove its worth by work, whereas the other (by being European and Christian) had already inherited that worth by birth and creed. Theological reflections dating from the seventeenth and eighteenth century defend work as a means to overcome sin (a misinterpretation of Genesis 3), whereby the fact of being of African or indigenous descendance automatically implied sinfulness. God had already rewarded the Europeans in life, through earthly possessions, and would reward the rest in heaven.

It is interesting to observe that Prosperity Theology, widely disseminated through Neo Pentecostal churches (or Late Pentecostal, as some sociologists of religion would say) in Brazil, picks up precisely on the notion of disproportionate reward present in colonial theology (Christendom theology)

but presents it in a modern framework: God helps those who help themselves. Thus, those who are at the bottom of the social chain need to work harder to attain the same privileges of those already at the top. Religion, in this case, works as a mechanism for buying God's favour and preventing ill luck from falling upon its believers, in an intricate pattern of financial contribution to the churches, and of rituals and prayers. If a person works hard enough on his or her side, God's rewards will follow.

Work, for being unpleasant and alienating, needs to have a reward. Not by coincidence, therefore, the strongest elements of Brazilian culture do not deal with work, but with leisure. Brazilians naturally prefer vacation time and *Carnaval* to work. Work was understood and employed as punishment, and leisure as a reward (under the auspices of the Church calendar). Work did not dignify, but rather dehumanized the workers. The alienation of labour, experienced by modern workers, is well described by popular songwriters such as Chico Buarque, Caetano Veloso and Gilberto Gil, who describe the plight of construction workers, infant coalminers, domestic workers and sex workers.

Since there is no living without working, the solution is to change the perception of work, the conditions for work, the outcome of work, and the compensation one receives from work. The challenge presented is how to dignify work and workers. Theologically, this is done through a re-reading of biblical texts and tradition, reclaiming the elements of justice, human dignity and the struggle for life in abundance present throughout them, in the affirmation of the goodness of God's creation, which includes humanity, and the fact that God created man and woman in God's image. In the Christian tradition this belief is ratified through Baptism, where all believers become part of the body of Christ (and no member is considered more or less valuable). This notion, however, was undermined by the praxis (practical implementation of the teachings) of the Church itself, which often understood the body of Christ as an eschatological<sup>2</sup> representation as opposed to a witness of the Kingdom of God here and now.

It was precisely the search for human dignity, with the affirmation of the values propagated in Jesus' preaching (social inclusion, justice, well-being of the body, fair treatment, etc.), that served as a foundation for the participation of Christians in social movements throughout Brazilian history. In her plea for women's right to education, for instance, Nisia Floresta employed biblical female characters. In their fight for land, landless peasants, through Church participation and pastoral work, employed biblical images of the Exodus. The

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<sup>2</sup> Eschatology: the branch of theology that is concerned with the ultimate, or final things, such as the end of the world, the after-life, the Last Judgement, and so on.

same principles of justice moved Christians to participate in labour unions and neighbourhood associations, groups of unemployed people once confronting the social reality of exclusion in the light of God's message of well-being and life in abundance.

Thus, the apathy of Christians in the light of compulsory labour, slavery, child labour, discrimination, unequal payment for equal work, coercion and sexual assault are not acceptable to the standards of the religion itself, which promotes human dignity and equality. The understanding of life in abundance refers to the quality of human relations not only in their workplace, but in the whole social, political, economic and cultural sphere. It proposes not only life (sometimes understood merely as survival, scraping by, making ends meet), but also life in abundance, in a superlative mode: life in its fullness. Human dignity means that people not only receive the minimum necessary for their survival as payment for their work, but also that work itself is fulfilling. It additionally means that people have access to dignifying work.

In order to dignify work and workers it is necessary to dissociate from the understanding of work as punishment (as suggested in widely read but wrongly interpreted versions of Genesis 3), and instead reclaim the Creation account of Genesis 1, where God asks man and woman to be caretakers of the garden. This, in other words, is work. In some cases, this passage has been understood merely as exercising dominion, but what is work if not the capacity to creatively transform and change? This responsibility, given from God to humanity, is not a punishment, but an acknowledgement that we partake in God's creative power and are invited to use it in a fruitful manner.

Decent Work, therefore, is closely related to the dignity of human beings, the capacity to earn one's livelihood and live life abundantly. It is also a plea for those socially excluded from the labour force, such as the unemployed and landless peasants. Work is one of the ways to promote social inclusion, and a means to spread the wealth of society more evenly. More important, however, work restitutes human dignity, assures the sense of worth and recognizes the human capacity for creative transformation and sustainability. It is necessary to recognize that work goes beyond monetary compensation, by implying the acknowledgement of the importance of one's actions for the common good.

# Problems with Decent Work in a developing society: A humanistic perspective from India

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## Social equality as a foundation for Decent Work

In India, the two most pervasive forms of social inequality are based on caste and gender, which reinforce each other. They show a continuity and legitimacy that has entered into the modern era from ancient times, and are thus more deep-rooted than in any other society. The national movement for freedom, which existed before Indian Independence in 1947, gave impetus to the quest for equality that led to replacing the hierarchical political legitimacy of the traditional society with the legal and political equality of the Indian Constitution. In reality, however, at the level of actual social existence, the erosion of caste and gender inequality has been minimal. The process of delegitimizing caste inequality and limited affirmative action has given rise to aspiration and assertion, which is making caste oppression a major axis of social and political mobilization, thereby democratizing both society and State.

As a result, the practice of untouchability has declined and, to a lesser degree, social exclusion and residential segregation. However, this has been neither consensual nor peaceful, as is evident from the increase in atrocities against the Dalits – caste-oppressed groups.

Exclusive occupational opportunities for various social groups in the traditional economy is one of the major structural components of caste society. With the coming of modern industrial economy, new occupations develop and labour shifts from traditional occupations to new ones. A large number of studies show the pattern of shifting of the traditional artisans and untouchable manual labourers to specific occupations of the modern economy. There is evidence of strong correlation between these patterns of shifting and different labour markets operating within the economy. The two most pervasive forms of inequality arise out of caste and gender, and these are becoming increasingly linked and reinforced with inequality based on education, occupation and

income. This process results in the creation of a framework for the segmented labour market, which is widespread across rural and urban areas, both in the organized and informal economies.

Segmentation within the labour market is manifested in terms of the degree of vulnerability, immobility and discrimination. A study of the labour market in Mumbai, the most industrial and urban city of India, showed that its characteristic of segmentation is socially and economically embedded in rural areas. Moreover, of the three types of employment – casual, small establishment and factory – those in casual employment had the lowest income, were least mobile and were overwhelmingly comprised of the caste-oppressed groups.

The non-enforcement of labour laws in the informal economy, as well as being due to the inadequacy of law and enforcement machinery, is also due to the lack of political will of the enforcement officials, arising from the perception and expectation of servility from the socially inferior. This is a major source of difficulty for organizing unions in the informal economy. Here, it would also be proper to admit that although the trade unions in India advocate social equality, they have yet to adequately commit resources, evolve a strategy that recognizes the caste dimension of labour, and build a social alliance to augment the organizing initiative.

Social justice provides both the principle for framing laws and procedures to regulate labour relationships, and the political values within which institutions for enforcement and adjudication are embedded. Today, globalization is not only forcing changes in various national labour laws to adapt to the requirements of flexible labour, but is also having a deeper impact – the erosion of the political values of social justice among legislators, judges, officials and opinion-makers.

Recently, the Supreme Court of India set up a committee, in response to a Public Interest Litigation (PIL), to submit a report on the subject of improving the Solid Waste Management (SWM) services of the municipal corporations of big cities. The sweepers and scavengers working in solid waste cleaning of the municipalities are almost exclusively from the Dalits – the untouchable community. The committee had no representative from neither the community, nor the unions, nor the Safai Karmachari Commission and the Schedule Caste and Schedule Tribe Commission – statutory Commissions of the Government to look into the interests of Dalits and tribals.<sup>1</sup> Moreover, the committee made two specific recommendations having far-reaching implications for the workers employed by the municipal corporations in the country. They recommended

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<sup>1</sup> Dalits are also known as “outcastes” or “untouchables” (Ghandi called them Harijans, or “people of God”) and belong to the fifth caste of the Hindu system. Tribals are indigenous animists who existed before the beginnings of Hinduism and are therefore completely apart from the Hindu system.

that sweepers and scavengers be excluded from the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989, and the Contract Labour (Regulation and Abolition) Act, 1970. Both laws are socially beneficial legislations making the concept of social justice operational.

Employers are arguing for a change in the labour laws to adapt to their concept of core-periphery in the production process. It is an ideologically driven argument that assumes non-equal value to the various kinds of work that exist in a production process. The new mantra of flexible labour relationships is a key element in management strategies. One such measure is a flexible employment contract. Such contracts, however, are not just flexible in terms of the length of contract, but tend to lack any real commitment towards respecting workers' rights. Thus, underlying this flexibility is a hidden agenda where there is a lack of value for even basic labour rights.

Flexibility of labour relationships as a tolerated practice of management within the framework of collective bargaining is different from flexible labour relationships recognized, legitimized and sustained by law. In a society where labour relationships are structured by social inequality, recognition of such flexible labour relationships by law will inevitably lead to dualism and the breakdown of the notion of universality of equality before law.

The liberal conception entails legal and social concepts of equality. All social inequalities in such an order are required to be removed. The expectations and faith of the oppressed communities rest in the legislative process and the representative bodies to correct the historical legacy of social and economic injustice. However, reviews of the efforts made by people to address this inequity in a democratic manner, and the persistent resistance and manoeuvres to undermine such efforts by the political and judicial institutions, reveal the gap between rhetoric and reality. Furthermore, the current use of legislative power to reverse even this small gain puts into question this conception and faith. The caste system, both in the past and even now with the "modern" institutions of a democratic State, produces and sustains an inegalitarian distributive outcome.

Two features of the caste system are: occupational immobility, and institutional sanction for this occupational immobility. In the pre-modern society this sanction was made through institutionalized religion. The proposal for making the work of scavenging, cleaning and waste disposal permanently into a contract labour job, without allowing legal mobility towards regular and protected tenure, sustains these features of the caste system. In the modern world, the legitimacy of law is used to restrict occupational mobility and thus creates a segmented labour market. Dalits are born into the world of impure and unclean work, and that work is now lawfully being made underpaid and

unprotected. The means of social mobility are denied; Dalits are condemned to live in that world.

The deficit in Decent Work is a deficit in an aspect of social justice and, moreover, a denial of social justice as a major political value.

## Legal identity as a capability to exercise labour rights

Decent Work has been defined in terms of the right of association and the right of collective bargaining. These are legal rights in most developing countries but often cannot be exercised. A rights approach is positive but does not adequately address the real issue and the problem of the deficit in Decent Work. The Decent Work Agenda has to address the issue of enhancing the capability of the worker to exercise these rights through supportive laws and institutions. Most laws are based on the assumption of factory employment where the legal identity of a worker is not an issue. In the informal economy it is a major problem.

The experience of South Asia, and probably for most developing countries, is that a worker – almost always in the informal economy and less so in the organized economy – is denied a legal identity that would form the basis for exercising the right to association and collective bargaining. Normally a letter of appointment and identity card make up the legal document.

Consequently, such workers are not socially accepted as citizen workers, and thus all social and legal benefits derived from this legal identity are denied. Moreover, such denial of legal identity forces the worker into a world of illegal existence – as a resident of a city – regarding access to public distribution of food, and so on. This makes the workers vulnerable to unlawful pressure for extorting money and even prosecution under criminal laws. There are numerous laws dealing with destitution, vagrancy, encroachment and anti-social activities, which bring such workers' social existence within the criminal domain. This reinforces social prejudice and legitimizes action by the employer to turn every assertion for legal rights by a worker into an act of criminality, and therefore justifies suppression by the police. The fluidity and flexibility of the informal economy collaborates with the strategy of the employer to deny the worker his or her legal identity as a worker.

Such flexible and unstable employer–employee relationships in the informal economy should not be allowed to undermine the stability of the workers' identity. If the employers fail to provide such a legal right, the State has to evolve a mechanism to provide a legal identity. A tripartite forum can be evolved to provide workers in a specific industry with a legal identity. This would ensure that, though the employer–employee relationship may vary over a period of time, the employer has a clearly established responsibility for the

limited period of time the worker has been employed. As a result, if any benefit is denied to the worker only the claim would be required to be litigated, and not the legal right to such a claim.

The deficit in Decent Work is a deficit in providing legal identity to the workers in the informal economy.

## Legislate labour rights within the framework of a global commodity chain

In a globalizing world, the formal and the informal economies are integrated in a supply chain. The production systems are restructured within a framework of a global commodity chain, involving detailed disaggregation of stages of production across national boundaries under the organizational structure of densely networked firms or enterprises. It is a network of production processes that links the various segmented labour markets, and the formal with the informal economy. This is more so with consumer goods, which are broadly labour-intensive and driven by design and market. The production sites are mobile and sensitive to the changing conditions of various labour markets, as the labour cost constitutes a higher proportion of the total cost.

The social and economic relationships within the supply chain are the reality of globalization and are recognized under commercial law, which is rapidly evolving to deal with the complexity of intra-firm transactions in the chain. However, international law has not evolved to recognize and regulate the labour relationships in this networked production process.

As firms benefit and make profit, it should be logical to impose liability on such firms, in proportion to their power and profitability in the value chain. Some firms, mostly multinational corporations (MNCs), dominate these chains by their control over product development, design, advertising and computerized stores networks to market the products and make the maximum profit. Such firms should have the responsibility and liability in a residuary capacity for the legal rights and benefits of the labour involved in the commodity chain. However, the nation-States, in the process of competing for foreign direct investment (FDI) and export markets, are unable to impose any regulatory framework on the MNCs.

The deficit in Decent Work in the developing countries is related to this under-legislated area of labour relationships. The ILO must initiate the process of developing international labour Conventions in this area.

# Spirituality and public policy for Decent Work: Self-realization in the new millennium

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A lot of debate has taken place on the nature and scope of Decent Work. As the debate in public policy making – particularly at the international and global level – intensifies, together with the attention to the normative aspects of our human evolution, the time has come to address Decent Work from a number of perspectives. One dimension determining the direction of the present debate will certainly be influenced and defined by the present character of public policy making. Given the present state of political and social affairs in the world today, it would not be difficult to make the point that much more is needed to embrace the human and the spiritual dimension of decision making. These are lacking, and instruments are dictated within an ethical and moral void.

Whether we like it or not, the choice of one normative rule and proposition against another is beyond the domain of this paper. Pluralism and diversity must always co-exist as an engine of human transformation, where differences must strengthen our personal and social identities, rather than living in oppressive societies that aim at uniformity or made-up consensus.

The time has come to construct the foundations for another form of public policy making in our societies and in all the main organizations that are part of key decision making processes. In this process of construction, there is no doubt that religion and spirituality can significantly contribute, enliven, enrich and realize the advocated Decent Work Agenda in every nation.

The main emphasis of this paper is on the spiritual dimensions of Decent Work, with a view to exploring the possible implications for public policy.

Surrounding this debate are many interrelated questions that demand a certain discretion when addressing the themes of spirituality, Decent Work and public policy. To start narrowing down the scope of this paper, I will

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<sup>1</sup> The views expressed here are solely of the author and must not be attributed to the World Bank or any of its affiliates. All errors and omissions are those of the author.

emphasize public policy making and link it to the domain of the workplace, nationally and globally. Examples of the issues – many complex and unresolved ones – at stake include such dimensions or dilemmas as the role of ethics and ethical values in decision making, the role and the importance of implementing human rights in policy making, the redefinition of societal relations, the linkages to be made with some fundamental principles, the incorporation of Decent Work Agenda related goals, and the move towards a common ground in decision making.

Let me start first with one important working hypothesis: it is essential to embrace the role of spirituality (as the ultimate human development paradigm) in the formulation and implementation of public policies, both nationally and internationally. This is poorly understood today, and demands moving far beyond the materialistic paradigm we are used to practising these days. A revolution in values. A revolution in thinking. A revolution in understanding our process of human evolution. If there is any conclusion to be drawn from this brief paper, it is that a spiritual paradigm can make a significant contribution to our debate today.

First, a few words on Decent Work:

## Decent Work at the material level (gross level)

Most of the debate on Decent Work, and the literature, statements and press releases accompanying such debate anchor themselves onto a material paradigm. I make no suggestion here that such an approach is inferior or irrelevant. It is effective in identifying the “gross level” dimensions of Decent Work, including the physical quality of the workplace, the presence of pollution, the salary and work pay, and much more. These are extremely valuable dimensions in the debate on Decent Work, as our human existence is material and such dimensions must be brought to the highest possible level of quality. Not to address these material dimensions has had and will continue to have devastating effects on our human welfare. The negative impacts are well known, and include mal-distribution as a consequence of wealth creation, contraction of diseases as a result of pollution and other forms of contamination, health risks, and so on.

Going beyond the workplace, it is clear that one story that could be told today is that the material paradigm has benefited billions of people. This is an empirical statement, but despite the fact that there is tremendous development, pessimism exists owing to the increased levels of inequalities, environmental degradation, and other major problems affecting a significant part of the population. No doubt that one story is a world where a lot of progress has been

made on illiteracy, life expectancy, production of goods and services, technological change, food production, advancements in medicine, and much more. One must not forget the major progress at the workplace. For many, the material balance sheet seems to be rather positive, including many millions of people who indeed have a job!

However, it is the other part of the story that concerns most of us today. A world where material progress has been hugely uneven and where there are millions of people suffering from poverty, hunger, unemployment and malnutrition. A world where large numbers of people live on less than one dollar a day and where the gender dimensions of poverty are increasingly significant. The economic and social system seems to have an “exclusion clause” that is responsible for leaving aside so many people who are now voiceless, marginalized and powerless. In fact, it seems that the debate is not just a matter of deciding whether or not the glass is either half full or half empty, but rather a matter of creating the awareness that for many citizens of this world the glass seems to be only a quarter or so full!

The same duality in thinking and practice is true at the workplace. In some parts of the world, workers have attained incredible levels of material welfare while in other places slavery is still practised, many human rights are violated, children are unnecessarily drawn into the workforce, workplaces are polluted and have excessive health risks, and so on.

Social injustices cannot be recognized in a vacuum. It is essential that we link the debate to issues that are embodied in existing forms of governance, and types of economic and social rules of engagement imposed in our societies (including power structures), which limit the possibilities of any true transformation towards human betterment. These make arriving at a more just and equitable state of human existence practically impossible. These forms of governance – as the foundation of public policy making – are greatly questioned on the grounds of accountability, participation, transparency, and so on. At the global level, there seems to be a huge vacuum and, therefore, progress appears to be either random or non-existent.

World leaders also know the limits of the instruments being used to address the goals and aims on several of the abovementioned fronts. The limits of materialistic solutions are self-evident but the willingness and ability to move into other instruments and practices is less than desirable. This has been confirmed by the Millennium Declaration of the United Nations and the corresponding endorsement of the so-called Millennium Development Goals (MDGs) – a concerted effort to eliminate absolute poverty in the world. In addition to exclusion, weak governance structures, entrenched forms of power seeking, and weak institutions, poverty seems to have become a built-in or an

inevitable result of the existing material development paradigm. Thus, we observe major problems in relation to the creation of Decent Work opportunities, halting of environmental degradation at all levels, improvement of human safety at the workplace, enhancement of the poor's ability to accumulate capital in its several forms (physical, financial, human, natural, institutional and cultural), elimination of the disrespect for human rights and other social norms, and stopping the major dehumanization of economic processes and policies. Today, there is a major sentiment of loss in human security, social coherence and social participation and representation, peace building and conflict resolution, stability and confidence.

Development pessimism has been permeating all that we do, in spite of those who are desperately trying to turn public opinion around. In human and spiritual terms, communities are feeling less and less content with their situation. We are depleting our spiritual capital at a very fast rate.

Today's public policy has considered two ways of resolving these dilemmas. One is to deepen and accelerate the pace of traditional (material) economic and social reforms, and try to improve material development indicators as a result. The other is to consider a totally new set of instruments and corresponding reforms focusing on rights, norms, standards and regulations. I would call this a "neo-human" paradigm geared to enhance the material approaches to development. An example of these second-level reforms has been illustrated by the recent effort to mainstream human rights into economic development, advocate new forms of governance, reform the role of the State, enhance participation and empowerment, and so on. In practice, one sees both approaches in place (material and neo-human), but neither has questioned whether or not a more radical change in paradigm is needed now. In both cases, even when the term "human rights" is used, the material paradigm still constitutes the centrifugal force defining both the means and the end of public policy making.

In a sense, the existing descriptions of the Decent Work Agenda begin to conform to this neo-human paradigm.

However, we know that most citizens feel deeply in their hearts that the dilemmas created by the material paradigm are not only material in nature. Some are clearly moral and ethical, and abound in development programmes. In particular, the most common dilemma is: how can the world house so many people who suffer from hunger and disease when there is so much abundance and wastage of food? Equally morally questionable are the way we are treating the elderly in general, and the way in which the material paradigm has completely disconnected them from their real entitlements over the productive assets of an economy they helped to create in the first place.

## Decent Work at the spiritual level (the subtle level)

It is fundamental for every society to ask whether the paradigm that has contributed to the creation of any given problem will be effective enough in finding the solution to that problem. Most people know that it is not possible (some will argue that it is not morally right) for the old paradigm, which created the problems, to yield appropriate solutions in the non-material realm of our existence.

The potential contributions that a human/spiritual paradigm could make to the debate on Decent Work are immense. To start with, it will make the whole approach to the creation of work more holistic and truly transformational. Public policy makers will need to pay attention to a number of entry points. Here are some examples:

- First, there is a need to focus on the quality dimensions of human development and not just on its quantitative dimensions. Thus, we not only face the challenge of creating new jobs – although essential – but jobs that are designed for integrating every aspect of our lives in the workplace. This notion of quality goes far beyond material quality aspects (e.g., being in a place of work where people are not contaminated). It embraces all aspects of our human existence.
- Second, the significant role played by ethical and moral values is important. These are indeed the values of right and wrong. Somehow all quality factors in Decent Work in particular, and public policy in general, must be filtered through and get their inspiration from these ethical and moral values. As of now, the debate on Decent Work has only embraced some of these ethical values within the confines of respect and implementation of human rights and its derivatives. However, human rights are only one – very important – dimension. The debate on human values must be inserted into a much broader set of boundaries!
- Third, the acknowledgement of international declarations defining the fundamental role that spirituality plays in public policy making. For the most part these have been ignored. Two of them can serve as example. Firstly, the Dumbarton Oaks Declaration (1944), which identified the many functions of the United Nations: one of these was “the seeking of human freedom”, defined in terms of both material and spiritual growth. Secondly, the ILO’s Declaration of Philadelphia (1944), which affirms that “all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity”. Unfortunately, neither of these declarations contains an instrumental and practical approach to the meaning and role of spirituality in attaining the said goals.

- Fourth, the crucial nature of mainstreaming, adopting, practising and living a core set of human values. These days, many public policy statements are accompanied by a series of words aimed to move our attention towards important human values. Examples are: equity, social justice, human security, dialogue, participation, empowerment, protection, opportunities, freedom and fraternity. However, little has been done either to truly define these values or to suggest concrete forms of their realization. We are yet to make explicit the holistic and all-embracing principles that will promote and self-realize these human values.
- Finally, the efforts needed to quickly render the concept of Decent Work meaningful at the policy, institutional and operational levels, while also being politically acceptable and ready for its implementation. One tendency has been to advocate certain ways to subjugate value systems by some sort of deterministic process and expect that society will behave in the desired fashion. An example is the relationship between human rights values and economic values in public policy. For some, human rights values must dictate economic values, while in reality we see economic values having the supremacy. It is worth asking: would it be desirable to dictate over economic values and subjugate them – or should one change the economic value system in a way that superior values may co-exist?

## Further considerations

Let me share three additional important considerations – fallacies perhaps.

### *Hierarchies*

A large majority of people believes in a hierarchy of human existence, which begins with, and is determined by, the level of material human welfare. Accordingly, people must satisfy their material needs first and their non-material ones later. An empty stomach – the argument goes – must be filled before speaking about anything else. Furthermore, economic and social policy must focus on this first and foremost.

The same principle also applies to issues of employment and the workplace, and the natural environment. On work and employment opportunities, the primary focus seems to be on the quantitative/material aspects, such as having a job, while the quality dimensions of work are dealt with later; thus, earning a living first and Decent Work second. On environmental policies and economic growth, most countries have pursued a strategy of “grow now and clean later”. Thus, some policy makers ask: What is the point of having water in the

mountains when poor people do not have access to drinking water? What is the point of having a standing forest somewhere, when the poor do not even have the means to attain minimum levels of housing and access to cooking fuels? Whether this is the way to approach these issues spatially and inter-temporally has been a matter of great debate.

In all these hierarchical approaches there is a set of fallacies:

- First, to focus on the “first-round effects” of development actions. Thus, while a poor country needs to develop (first-round effect), it is often at the expense of the over-exploitation and degradation of the natural resource base. It is assumed that the latter, second-round, longer-term effects will take care of themselves and diminish significantly. The fact is that no country has really proved that it can, or wants to, clean up later on.
- Second, to attribute to poverty and the poor the roots of negative development outcomes, rather than to the biases built into the process of wealth creation and accumulation by the rich. It is wealth and the concentration of assets which needs to be portrayed, and not to make believe that it is the poor people who are responsible for the degradation of the environment.
- Third, to state that additional units of material satisfaction (i.e. an emphasis on issues of quantity) will necessarily end up improving human welfare (i.e. an emphasis on issues of quality). In fact, quantity and quality are two sides of the same coin and not two distinct hierarchical elements to satisfy in some sort of sequence.

These fallacies also embrace the materialistic concepts of “affordability” and “purchasing power”. Most policy stances suggest that we must afford quantity (e.g. having education), since quality is not an initial entitlement (i.e. better education). If societies continue to adopt these hierarchies, we are indeed going down a suicidal path.

### *Values are not just words*

Many of the values and words we use to address the different dimensions of Decent Work (e.g. peace, rights, justice, equality) are not just words in the spiritual paradigm. These are words only in our material paradigm.

In the spiritual paradigm, these words represent a unique “state of being”. Therefore, these words will be truly meaningful only if they are *self-realized*. Peace and love, for example, cannot be bought at the supermarket, or just proclaimed in a loud voice. The real spiritual meaning of justice, equality and rights, will become a reality *if we become them*, as a personal state of being.

Societies must embody justice, as justice is not a material concept although it has always been a material expression.

Consequently, in stating that Decent Work is important in attaining higher levels of human security, one must understand that “human security” is not a material thing (although it has material expressions) but rather a *state of being*. No matter what level of welfare and material means you may have, no one will be made “human secure” in a sustainable way. No matter how much money or sophisticated weapons a country has, human security will not necessarily be realized. Even adopting the ultimate material stand – i.e., a policy of fencing ourselves off vis-à-vis the rest of the world – while it may be temporarily justified, is not the same as attaining human security. Fencing will only work if everyone feels equally human secure inside! By the same token, a strategy to avoid or eliminate conflicts will never be tantamount to peace. Peace begins with inner peace, i.e. in the self-realization of peace.

In this context, the attribute of “decent” – another human value – also needs to be self-realized, individually or collectively.

### *Work as a form of self-realization*

From a spiritual perspective, to attain the goals and aims of Decent Work, societies have to change the whole understanding and meaning of “work” and “employment”. Ultimately, for work to truly become Decent Work we must understand that work is an instrument of human self-realization.

Therefore, work must be conceived as a fundamental source of human spiritual transformation and evolution. In many societies in the past, or among indigenous peoples, when someone was assigned a “job”, this was not done based on a “material” reason (such as having a high marginal productivity, skills, performance) but on a very profound and specific set of conditions. One of these conditions was an agreed level of self-realization, before being “authorized” to do so.

Today, the material paradigm has translated this process into a simplistic one: just acquire a number of credits for your Ph. D., and that is it! Thus, work and Decent Work must be conceived as key instruments of human self-realization. This is the view of the spiritual paradigm. This is the point of departure to attaining the aims and goals of the Decent Work Agenda.

### **Some policy implications**

It is fundamental that we do not lose sight of the need to embrace the spiritual dimensions of public policy making; a disregarded and misunderstood

dimension today. The factors that account for this include: the perception that bringing the spiritual dimension into the public policy domain is to address “touchy-feely stuff”; the idea that one is getting into an unknown space of long-standing discrepancies among religions (dogmas); and the opinion by some that a “spiritual paradigm” is something too far-fetched and undeveloped to be brought to the fore in public policy. It is essential that societies dispel these misconceptions. Looking at Decent Work from the material paradigm is simple in comparison.

What do societies need to do in the future? Many steps are required:

- First, to continue developing the spiritual paradigm as a solid foundation of public policy making. This paradigm enables more subtle levels of our human existence without disregarding its material dimensions. In the end, the material and spiritual dimensions are two sides of the same coin. Thus, a major reconciliation is needed between spirituality and economics.
- Second, the concept and practices of Decent Work must be understood far beyond the gross level linked to the debate on Decent Work. Do not misunderstand me – the gross level is important; but the underlying composition, imprint and identity will be determined by the non-material dimensions of our human existence.
- Third, work must become the key instrument to human transformation and self-realization. Whether anyone is willing to embrace this new paradigm is immaterial, as this subtle level exists anyway, and responds to important dimensions of natural law, providing shape and direction to the gross levels of our human existence.

Moving into the spiritual paradigm in public policy is not a matter of choice or of ruling upon any new directions. It is a matter of understanding our self-destiny as a civilization.

## The Decent Work Agenda and the global commons: The implementation of economic, social and cultural rights

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In terms of the global human condition, the common good and full enjoyment of economic, social and cultural rights have become critical issues. The concept of the global commons emerged a couple of years ago in the context of the debate on sustainable development. I use the term “global commons” here as a main guiding principle that recognizes that each human individual has equal rights and equal entitlements to certain common goods, or public interests and public services. This does not reflect the current patterns of global economic, political, social and ecological relationships. An unprecedented degree of cooperation and agreement will be required within the international community to build and implement a package of transformative policies, strategies and practices that are capable of making the common good accessible.

The ILO’s Decent Work Agenda is being presented as a major challenge and demand to global humanity. The challenge is to further develop a social framework and operational priorities to connect value systems, global social concerns and common purpose among social actors. Part of these efforts is the further elaboration of a framework for cooperation between the ILO and the WCC.

In order to contribute to these efforts, this paper aims at discussing the ILO’s Decent Work Agenda as a major contribution to:

- the search for fundamental principles (the common good at a global scale – the global commons and minimum humanitarian standards);
- strategy building towards a more effective implementation of economic, social and cultural rights.

I would like to start by introducing and focusing on two proposals regarding the prominent role the ILO and the WCC can play in the advancement of social dialogue on the common good for humanity. A third proposal will be formulated at the end of this paper.

## Two interrelated proposals to further develop the framework for international cooperation

The Decent Work Agenda, according to the ILO Director-General's Report, is an inspirational agenda to see the global economy through the eyes of workers: as an opportunity for work and income, for security and human dignity, for freedoms and the opportunity to express people's talents and full potential.<sup>1</sup> If this is understood well, the task ahead is to ensure that the benefits of globalization are shared and that they work for people, not just for profits. This implies a vigorous integrated approach, not just to basic workers' rights, such as the prohibition of forced/bonded labour and child labour, the freedom of association and expression, equal remuneration for work of equal value, and the elimination of discrimination in employment. A major challenge ahead is to situate and integrate the right to work and workers' rights<sup>2</sup> as part of the existing legal and political framework for the implementation of economic, social and cultural rights. By addressing and reaffirming the indivisibility and interdependency of human rights, we might indeed create momentum and opportunity.<sup>3</sup>

My first proposal is that the ILO and the WCC link the Decent Work Agenda clearly and explicitly to the current processes of implementation of the right to health, food, housing, education, and so on. The Decent Work deficit, the human rights deficit and the social security deficit (as formulated by Juan Somavia) should transform the global agenda of governance, seen as the complex art of dealing with multiple agencies, institutions, and systems which are both autonomous and structurally linked through various forms of reciprocal interdependence. In more precise terms I would propose to develop concrete mechanisms to link the Decent Work Agenda to the implementation of the rights to health, food, and housing. Such a concrete mechanism could be the creation of a Special Rapporteur on Decent Work. The Commission on Human Rights and the Economic and Social Council have established extra-conventional procedures and mechanisms such as Special Rapporteurs and Independent

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<sup>1</sup> ILO: *Reducing the decent work deficit: A global challenge*, Report of the Director-General, International Labour Conference, 89th Session, Geneva, 2001.

<sup>2</sup> Articles 6, 7, 8, 10/3 of the International Covenant on Economic, Social and Cultural Rights (CESCR).

<sup>3</sup> In 1976, both the CESCR and the Covenant on Civil and Political Rights (CCPR) came into force. These treaties, as well as the treaty bodies, composed of independent experts, have developed standards, have elaborated on the substance, and have been instrumental in making the supervisory procedures more meaningful. Both in the context of the state reporting procedure and the individual complaints procedure (which thus far only exists under the CCPR), the Committees adopt conclusions. Under the reporting procedure they adopt Concluding Comments/Observations, which follow the examination of a State Report, and substantial General Comments, which address different rights.

Experts. Such procedures and mechanisms are generally referred to as the Special Procedures of the Commission on Human Rights. The mandates given to Special Rapporteurs are to examine, monitor and publicly report on specific human rights themes (thematic mechanisms) or on specific countries or territories (country mechanisms). In line with the CESCR, there is for instance a Special Rapporteur on the Right to Adequate Housing, a Special Rapporteur on Food, a Special Rapporteur on Education, and a Special Rapporteur on Extreme Poverty. In terms of the implementation of Decent Work, a Special Rapporteur would present reports, urgent appeals and recommendations and thus further develop three dimensions of the Decent Work Agenda: (a) the legitimacy and justifiability of the right to work and workers' rights; (b) the encouragement and visibility of the ILO's tripartite actors to implement the ILO's Decent Work Agenda (external relations); and (c) the monitoring of concrete processes.

My second proposal, targeted more to the WCC and its concern about sustainable development, is to link the Decent Work Agenda to global commons that fulfil people's basic rights to a means of livelihood. I refer to a more explicit focus on common goods (water, land, air, forests), the public interest and public services (electricity, transport). This relates of course to the context of economic globalization and privatization. A very relevant distinction can be made here between common physical resources (water, air, forests, fisheries) that are essential to life, and resources that represent collective social efforts (the struggle for the realization of basic public services or the right to association (trade unions), the right to health or education (as a result of struggles with the State)). One of the main issues in this regard is whether certain common goods and public services should not be subject to trade agreements but should rather be subjugated to different kinds of standards, restrictions and sanctions in the global economic system. This focus on the common good and public services also strengthens the need to further develop a rights-based approach to development or international cooperation (United Nations Development Programme).

In this regard I would like to reaffirm and bring into the discussion the principle of *subsidiarity*. Decision making should always be realized at the least centralized level possible. Where economic globalization has paradoxical effects and impacts on the common sense of all social actors, we need to reverse such trends and create new structures to favour the local, and strengthen the principle of subsidiarity. Where decision making can reside at the local level, it should reside there. When additional international activity is required that cannot be realized locally, powers can move to the next level (national, regional).

## Fundamental principles and the right to work as the “floor” of decency

There might be a broad consensus on the level of shared values, principles and norms, when it is affirmed that everyone has a right to work, food, health, housing and education. The question now is: how to move from a more general belief in human rights principles to effective human rights practices and mechanisms at a local, national and international level.

The ILO documents express a deep commitment to universal norms of human dignity and decency, justice and respect for life. I would like to comment in particular on dignity and decency as part of the elaboration of a new set of operating values and principles in international society – seen as the “floor” of the Decent Work Agenda.

### *“Decent Work is about securing human dignity” (Juan Somavia)*

In the Decent Work Agenda, human dignity is presented as a foundation of Decent Work and as part of its goal. The Declaration of Philadelphia affirms the right of everyone to “conditions of freedom and dignity, of economic security and equal opportunity”. Such conditions are presented as the foundation of Decent Work. Furthermore, as Somavia points out, Decent Work connects with people’s “hopes to obtain productive work in conditions of freedom, equity, security and human dignity. It is both a personal goal for individuals and a development goal for countries”. He also underlines that work is the place where contradictions between basic values and real life conditions come to the fore. As part of such contradictions, as Somavia explains, work can require people to give up their rights, to give up autonomy, to such a point that work can seriously damage human dignity. Labour can, indeed, create products and services that are meaningless, useless or even harmful to ourselves and others.

What to think about this notion of human dignity and decency in the Decent Work Agenda? The significance of such concepts is that it moves the discussion on the social framework away from an almost exclusive concern with economic globalization – that cares only about the unequal distribution of goods and power – to people’s sense of basic human integrity and respect. In the Decent Work Agenda, human dignity is presented in this perspective: dignity refers above all to the urgent transformation of humiliating and dehumanizing realities. Such basic living conditions, including the right to work, are indeed reflected in the right to an adequate standard of living, which is part of the Universal Declaration of Human Rights, 1948.

## *Human dignity and humiliation*

Human dignity has been recognized by the international community as the universal basis for human rights protection. Ever since the establishment of the state as the primary authority, the concept of human rights law has evolved as the entitlement of all citizens against maltreatment and poor governance by the failure of state actors. Furthermore, a vast array of “soft law” exists in the forms of United Nations General Assembly resolutions, “codes of conduct” and guidelines for the business sector.

The Decent Work Agenda is a highly relevant contribution to bring human dignity to the centre of the international human rights debate. Dignity and rights are connected in a spiral movement. According to the Preamble to the Universal Declaration on Human Rights, dignity is the source of human rights law and the main function of human rights is to protect human dignity. Indeed, whereas human dignity is the core and the foundation of human rights, it is through the implementation of rights that dignity is protected. It is above all in the processes of the implementation of human rights that this interaction between dignity and rights is being realized.

Yet, what is human dignity? Dignity is inherent to each and every person simply because of his or her being human. As such, dignity is a category of being, not just of having. Indeed, human dignity cannot be limited to something that people “have”; it must first of all be seen as belonging to their “being”. Human dignity does not come from status, nationality, ethnicity or any human accomplishment. Whereas your dignity can be severely damaged, no one can take your dignity away from you – whether you are poor, or belong to an ethnic minority, or are physically or mentally disabled. Along the same line, dignity means respect for all other persons, no matter what their capacities or living conditions are. There are, as Gustavo Gutiérrez has put it, no “no-personas”, no “nobodies”.<sup>4</sup> Therefore, the starting point from where to get access to human rights is dignity. Everyone knows when they are humiliated and their human dignity is violated. Human dignity is part of the human condition of everyone, a fundamental standard for humanity, and a basic norm for human rights law and for humanitarian law.<sup>5</sup> Addressing the violations of human dignity can therefore be seen as the hard core of strategies to protect human rights. This issue has received a high profile during recent United Nations discussions of minimum humanitarian standards, both in the Commission on Human Rights

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<sup>4</sup> Gustavo Gutiérrez: *La fuerza histórica de los pobres* (Salamanca, Sigueme, 1982), p. 248.

<sup>5</sup> See Berma Klein Goldewijk and Bas de Gaay Fortman: *Where needs meet rights: Economic, social and cultural rights in a new perspective*, Risk Book Series, No. 88 (Geneva, WCC Publications, 1999); see in particular Chapter 5, “Human dignity and humiliation”.

and the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities.

Whereas the notion of human dignity is used extensively in some cultures, it is hardly used at all in other cultures. Violations of human dignity are therefore also understood differently. Indeed, what one person may experience as humiliating may be seen by someone else as just an embarrassment or a dishonour, but not as humiliation. Differences in the needs and situations of specific groups of people have been recognized as entitling special consideration in the protection and promotion of rights: their rights require special action against further discrimination or oppression.

Humiliation and dehumanization can be approached as the downside of human dignity.<sup>6</sup> Whereas humiliation has always existed, it has almost never been seen as a central notion in discussions of human rights policies and strategies, where concepts like injustice, inequality, discrimination, non-recognition, marginalization and exclusion have often prevailed.<sup>7</sup>

Humiliation, in the view of the political philosopher Avishai Margalit, is a form of cruelty that destroys people's capacity to believe in themselves, to take initiatives and to change their own situation. Humiliation and dehumanization matter so much not only because of their effects on people's fundamental freedoms, but also because of the effect they have on the capacity of individual persons to be agents of change in their own situation. The notion of human agency is very crucial indeed in this discussion: people respect each other on the basis of their autonomy and their ability to act as human agents, to change, to reshape their lives.<sup>8</sup>

### *Decency and the decent society*

In addressing the elimination of systematic institutional humiliation, a distinction can be made between a civilized society and a decent society. Margalit outlines this normative framework of decency and offers some conceptual tools. A civilized society, he states, is one in which individuals do not humiliate each other; a decent society is one whose institutions do not humiliate its members. A decent society fights conditions that constitute a justification for humiliation.<sup>9</sup> This concept of decency is remarkable in the discussion on Decent Work. However, the distinction between a decent and a

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<sup>6</sup> Steven Lukes: "Humiliation and the politics of identity", in *Social Research*, Vol. 64, No. 1, 1997, pp. 36–52; Frederic Schick: "On humiliation", *ibid.*, pp. 131–47.

<sup>7</sup> Avishai Margalit is an Israeli political philosopher. His most famous book, in which he elaborated the notion of humiliation, is *The decent society* (Cambridge, MA, Harvard University Press, 1996), p. 9.

<sup>8</sup> *ibid.*, p. 70.

<sup>9</sup> *ibid.*, p. 10.

civilized society needs to be further debated, since the distinction between individual behaviour and institutional behaviour is not always easy to make.<sup>10</sup>

## The implementation of economic, social and cultural rights

Human rights offer legal protection of basic human dignity. For many people, however, their human rights remain abstract and far away. Finding the starting point in human dignity is therefore so important. Poverty has very often been approached as a development problem. Poor people, however, are first of all people with rights: their dignity needs to be protected. Economic, social and cultural rights offer precisely this protection by law of human dignity, of people's basic human needs and of their fundamental freedoms. This implies that economic, social and cultural rights have a transformative character. They present a legal framework for processes of social and cultural change. As such, human rights need to be seen simultaneously as legal resources and as political instruments for transformation.

The implementation of economic, social and cultural rights has come to the fore as one of the most relevant issues for global humanity. This group of human rights encompasses basic rights, such as the right to adequate housing, the right to health, the right to food (which comprises the right to safe drinking water) and the right to education. In the context of globalization and shifting power dynamics, no task other than the implementation of economic, social and cultural rights could be more urgent.

Implementation in the current context means to deal with the growing gap between, on the one hand, a global trade system that relates economic integration to political liberalization and, on the other hand, an international human rights system that calls for justice, fundamental freedoms, non-discrimination and regulation of markets. This gap has serious implications for the further implementation of all human rights in their universal dimension, above all *the right to an adequate standard of living*. In recent years, the human rights community has expressed its concerns about such developments, and has been sending urgent appeals to the World Bank, and the WTO.<sup>11</sup> Indeed, from the side of the human rights community, the primacy of human rights obligations over economic policies has been restated on several occasions.

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<sup>10</sup> See also Bas de Gaay Fortman and Berma Klein Goldewijk: *God and the goods. Global economy in a civilizational perspective* (Geneva, WCC Publications, 1998).

<sup>11</sup> United Nations: *Globalization and its impact on the full enjoyment of all human rights* (UN Doc. E/CN.4/SUB.2/RES/2001/5); *Intellectual property and human rights* (UN Doc. E/CN.4/SUB); *Liberalization of trade in services and human rights* (UN Doc. E/CN.4/SUB.2/RES/2001/4).

### *The issues of implementation: Approaches, instruments, subjects and strategies*

The implementation of economic, social and cultural rights has different dimensions: firstly, the emergence of rights-based approaches to development and their impact on international cooperation; and, secondly, the creation and enhancement of new instruments for the implementation of economic, social and cultural rights. Such an instrument can be found in the civil society reports on state compliance with the CDESCR. The third dimension of implementation relates to the subjects and processes that shape and develop rights-based approaches, and use the new instruments for transformation of society. Fourthly, there is the need to further develop concerted strategies. Approaches and instruments, subjects and strategies are being taken up here as part of a multi-actor approach, which involves civil society and the State, international financial institutions and – in a different way – the business sector.

These challenges bring us to the core of the problems arising in the implementation of economic, social and cultural rights, which can be outlined, in my view, in the following four points.

#### *The contents of rights and the institutional protection mechanisms*

Firstly, there is the need to create the institutional protection mechanisms, at the same time as the (minimum) contents of economic, social and cultural rights are advanced and interpreted. There is a persistent lack of clarity regarding the meaning and interpretation, and the enjoyment and implications of these rights. Furthermore, economic, social and cultural rights are not only systematically threatened and violated, but they are also widely unknown and largely ignored. The implementation of economic, social and cultural rights has to be seen as a long-term struggle for developing both the contents and the institutionally recognized protection mechanisms. As part of concrete history, institutional protection mechanisms will have to arise together with – and not in advance of – a clear understanding of the contents and meanings of the different economic, social and cultural rights. In this struggle, the people who have had their rights violated need to be recognized as the primary movers of the process of implementation. As in the field of civil and political rights, the institutional framework and the legal and social protection mechanisms emerge out of the struggles for human rights by those affected.

#### *Poverty and the “supply-side” of rights*

Secondly, economic, social and cultural rights advance human rights to something most poor people have never had, such as adequate housing and food,

good health conditions and access to education. This implies that the implementation of these rights needs to be accompanied by complex social transformation processes with significant redistributive implications. The point I want to raise here regards the much-debated “supply-side” of rights.<sup>12</sup> There is often the assumption that a right to work, food or housing could be realized by merely establishing an obligation on the national and local government to provide more work, food and housing. In fact, the right to work, food or adequate housing places decisive obligations on governments. Under the CDESCR, as well as under articles 25 and 26 of the Universal Declaration on Human Rights, States are responsible for ensuring the provision of accessible basic social services, as they are referred to in both instruments. Yet, seen from a critical perspective, the underlying assumption seems to be that if there were an adequate supply of food or houses, the rights would be enjoyed. Another – related – assumption appears to be that getting access to a right can simply be realized by increasing the supply.<sup>13</sup> This is a misconception, namely that basic rights are primarily realized by the provision of goods and services, or by offering financial assistance. By just focusing on the supply side of rights, people’s basic inequality just remains. In the end, people have not increased their access to human rights, but have become more dependent on their government.

So, how to come to grips with the supply side of rights? Indeed, under the CDESCR, States are legally bound to take appropriate steps to ensure the respect for economic, social and cultural rights. This means that the delivery of basic social services by the State needs to be connected to regulatory activities of States in the fields of global economy and governance. This connection is fundamental to the realization of basic rights. The current liberalization and privatization of all kinds of social services seriously affect the equitable and non-discriminatory access to basic services. Basic social services are increasingly out of reach of the poor. Therefore, the implementation of economic, social and cultural rights cannot be simplified to people claiming their rights, and cannot merely be equated with the delivery of basic social services by the State. Implementing these rights relates – above all – to people’s everyday struggle for equity and equality in getting access to universal human rights, and to the State taking appropriate measures to regulate and remedy situations that lead to human rights violations or clash with its legally binding human rights obligations.

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<sup>12</sup> Bruce Porter (Canada) contributed decisively to these approaches. See for instance Bruce Porter: “Socio-economic rights advocacy – Using international law: Notes from Canada”, in *ESR Review (Economic and Social Rights in South Africa)*, Vol. 2, No. 1, July 1999.

<sup>13</sup> Berna Klein Goldewijk and Bas de Gaay Fortman: *Where needs meet rights. Economic, social and cultural rights in a new perspective*, Risk Book Series, No. 88 (Geneva, WCC Publications, 1999).

### *Rights, social goals and policies*

Thirdly, economic, social and cultural rights are often invoked as a social goal, or are seen as a social aspiration, rather than understood as institutionalizing a practice. Indeed, the traditional conception of economic, social and cultural rights, which was explicitly rejected by the drafters of the South African Constitution, characterized economic, social and cultural rights as being of the nature of social goals or aspirations, agreed upon by States but not enforceable by citizens. What are the implications of this view in terms of a global market economy? Under economic globalization, people often have to rely on privatized markets to find adequate health conditions or adequate housing. Realizing the right to food, health or adequate housing in such a setting has in the first place to do with the government's obligation to protect and fulfil these rights by regulating the market or intervening in the market, to protect poor and vulnerable groups.<sup>14</sup>

### *Development and democracy*

In current implementation debates, it is not always sufficiently taken into account that economic, social and cultural rights are part of the fundamental values of democracy. This relates to a set of social and political practices rooted in the participation and free self-determination of citizens and peoples.<sup>15</sup> Now more than ever before, human security has entered the agenda of democracy and good governance, extending the classical concept of state security. Human security is no longer restricted to the sovereignty of States, but now includes people's security and environmental security. Effective enjoyment of the right to an environment that is not harmful to health and well-being, of the right to food and clean water – and thus to human security – is a concrete manifestation of democracy and the sustainability of development.<sup>16</sup> Indeed, a lack of economic and social development cannot, under any circumstance, be presented as a justification of violations of civil and political rights, or of economic, social and cultural rights. In her Plan of Action to Strengthen the Implementation of the International Covenant on Economic, Social and Cultural Rights, the United Nations High Commissioner for Human Rights, Mary Robinson, expressed her explicit concern in this regard. She highlighted that the present global context, in which economic, social and cultural rights are being denied to most of the

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<sup>14</sup> See also Celso Later and Paulo Sergio Pinheiro: "Globalização econômica, política neoliberal e os direitos econômicos, sociais e culturais", in *Lo encontro brasileiro de direitos humanos* (São Paulo, Centro de Estudos, 2001), pp. 47–55.

<sup>15</sup> This has been explicitly recognized by the Quito Declaration, On the Enforcement and Realization of Economic, Social, and Cultural Rights in Latin America and the Caribbean, 24 July 1998.

<sup>16</sup> IUCN (World Conservation Union): Draft Covenant on Environment and Development (deposited at the United Nations, 1995); Our creative diversity, Report World Commission on Culture and Development, 1995; Our global neighbourhood, Report Commission on Global Governance, 1995; Caring for the future, Report Independent Commission on Population and Quality of Life, 1996.

world's population, puts at risk the fundamentals and the assumptions on which the international human rights system is based.

## Focus: The establishment of a Permanent Forum on Economic, Social and Cultural Rights

In the field of economic, social and cultural rights, there is the need to create the institutional protection mechanisms at the same time as the particular contents of economic, social and cultural rights are advanced and interpreted. There is still a persistent lack of clarity regarding the meaning and interpretation, the enjoyment and implications of these rights. Economic, social and cultural rights are not only systematically threatened and violated, but they are also widely unknown and largely ignored. The implementation of these rights has therefore to be seen as a long-term struggle for both developing the contents and the institutionally recognized protection mechanisms.

The recently developed Dignity and Human Rights Caucus would need the support of the ILO and the WCC to actively promote the creation of such an integrated approach. To be more concrete: the ILO maintains a multifaceted relationship with civil society and also integrates sectors of civil society into its structure. According to the Declaration of Philadelphia, I(d) such an integration presents a “continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare”. This is a very relevant gain from the ILO processes: representatives of workers and employers enjoy equal status with those of governments. Such structured space for civil society within the United Nations structure and system does not exist thus far in the field of economic, social and cultural rights. The Dignity and Human Rights Caucus contributes actively to the creation of such a space for civil society. The Caucus emerged at the Dakar meeting (October 2001) of the International Council, preparing for the Second World Social Forum. The Caucus is an initiative of international and complementary human rights networks. Its main purpose is to join forces, to ensure that the area of human rights is coherently dealt with, and to work for the creation of viable proposals and alternatives.

The Dignity and Human Rights Caucus intends to actively contribute to the creation and enhancement of instruments and mechanisms for the implementation of economic, social and cultural rights. The formal United Nations instruments for implementation are the so-called State Compliance Reports and the Treaty Bodies. Informal instruments, with widespread impacts, are the Civil Society Reports on State Compliance with the International Covenant on Economic, Social

and Cultural Rights. The Caucus now proposes to go one step further and to establish a Permanent Forum on Economic, Social and Cultural Rights.

The proposal for such a Permanent Forum on Economic, Social and Cultural Rights is a response to the structural non-implementation of these rights, which undermines dignity and decency, truth and justice. Firstly, this Permanent Forum is inspired by the recently established Permanent Forum on Indigenous Issues. On 28 July 2000, the United Nations Economic and Social Council decided to establish, by consensus resolution, this “Permanent Forum on Indigenous Issues” as a subsidiary organ of the Council.<sup>17</sup> This Permanent Forum formally integrates indigenous peoples and their representatives into the structure of the United Nations. This is unique, and indeed the first time that representatives of States and non-state actors have been accorded parity in a permanent representative body within the United Nations.

Secondly, the proposed Permanent Forum on Economic, Social and Cultural Rights is inspired by the initiative of the United Nations Sub-Commission on the Promotion and Protection of Human Rights to create a so-called “Social Forum”, intended to provide a new space for civil society within the United Nations human rights system. This is a space for exchange among a broad cross-section of actors (including the IMF, the World Bank, the WTO, trade unions, business representatives and social movements) on economic, social and cultural rights, especially in the context of globalization.

The mandate of the proposed Permanent Forum might be formulated as follows: to globally establish the truth concerning the most serious violations of economic, social and cultural rights, and simultaneously create more effective conditions for people to gain access to their rights. The ILO and the WCC could be very supportive in further discussing this mandate and endorsing the initiative.

Many questions need to be taken up, further explored and debated during the World Social Forum: Will such a Permanent Forum be realized on a national basis, or indeed – as suggested here – at an international scale, under the United Nations (or another subsidiary organ, such as the Permanent Forum on Indigenous People)? Who will be the members of such a Permanent Forum, and who would define its overall composition? What will be the legal basis of such a Permanent Forum? How can one envisage the relation of this Permanent Forum to the United Nations Committee on Economic, Social and Cultural Rights?

Concluding, the sense of common purpose and the need for more effective implementation processes of economic, social and cultural rights that affect people’s futures require more coordinated efforts at local, national and global levels. No task could be more urgent.

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<sup>17</sup> ECOSOC Resolution 2000/22.

# Decent Work: A Confucian perspective

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The following Confucian reflection on Decent Work and the possibilities for its realization shall predominantly tap into the resources of this tradition as an ethico-religious ideal, a system of hopes. I will particularly consider the New Confucian School, whose recent eminent thinkers include Mou Zongsan, Xiong Shili and Tu Wei-ming; and which has gained some prominence in recent years. The effort of such thinkers is to reconcile Confucianism with the modern condition as a prerequisite for its revitalization, both in China and beyond, as a system of thought which could and ought to provide some guidance for the future. The discussion will take three successive steps: first, the concept of Decent Work is discussed in the light of the Confucian telos (i.e. purpose/goal) of self-cultivation. The second one depicts the Confucian model of leadership in order to give an insight into how the Confucian tradition conceptualizes the implementation of its own spiritual and ethical programme. In a third, brief, section, I will sketch out some basic preconditions for developing a culturally specific notion of Decent Work in contemporary East Asia.

## Decent Work and self-cultivation

In its essence, Confucianism can be described as faith in the betterment of the human condition through self-effort. A notion central to the Confucian programme – which has particular relevance for the question of how to conceptualize Decent Work and how to create the conditions for its implementation – is the idea of self-cultivation. In Confucian thinking, particularly in the predominant Mencian tradition,<sup>1</sup> every human being is

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<sup>1</sup> Following the philosopher Mencius, who lived about one and a half centuries after Confucius (d. 479 BC). The Mencian line of thinking became dominant during the second wave of Confucianism, which started during the Song Dynasty (960–1273).

endowed with potential, with the sprouts of his or her own self-improvement, and it is every human being's moral task to continuously work on letting these sprouts flourish. However, unlike significant parts of the Western tradition, Confucians do not understand the self as an isolated individual, but rather as a centre of a complex network of relationships, reaching from the inner circle of one's family to the community, society, and the world at large. Thus, the Confucian telos of *learning for the sake of oneself* constitutes a programme of ethical and spiritual unfolding, which is inseparably intertwined with the improvement of one's personal relationships and one's contribution to society and to the overall human community. Consequently, these innate sprouts of self-cultivation are moral forces connecting the individual with his or her surroundings: benevolence, propriety, a sense of right and wrong, and wisdom.

In its agenda of personal development, Confucianism emphasizes the "situatedness" of a person in his or her social, political and historical environment. Being fully aware of the fact that every person's condition varies by factors such as social status, family conditions and the specific challenges of his or her own lifestyle and time, Confucianism does not formulate a uniform programme for self-improvement. Rather, it assumes that every human being has to find an adequate Way (*Dao*) to cultivate himself or herself, which is well suited to one's personal environment, one's position in society, and the overall conditions of place and time. In other words, the Way (*Dao*), which in the Confucian perspective constitutes a transcendental transformative force, is not a single-track line, but has to be discovered and unfolded in unique ways in every single life. Still the main impetus, the moral task of self-transformation remains the same for every human being: it is the refinement of one's emotions and thoughts, and the improvement of one's actions and interactions within human society and the world beyond. The ideal is to become an authentic person, with the true self being attuned to the harmonic forces of the universe.

Thus the Confucian ideal of work is closely tied to the concepts of self-improvement and responsibility. Work is thus not only a chore, a necessary evil to secure the conditions of material survival; it is an activity that is inseparable from all the other channels that contribute to one's network of relationships. Only a type of work that can serve as an enabling framework for an individual's growth can be called "decent" in the Confucian understanding. In this tradition's perspective, a postulate for Decent Work necessarily entails that a human being's creative potential and willingness to contribute to his or her environment can unfold freely, so that, ideally, work can become both the basis and the expression of personal fulfilment. Taylorism, or other work schemes in which human labour is almost reduced to a mechanical function, would still be

unacceptable when evaluated from a Confucian matrix, even if the surrounding conditions such as social security and compensation were fair. Such schemes lack the possibility of unfolding the truly humane.

## How to improve the human condition: The concept of leadership

In many ways Confucianism carries the features of political ethic, with Confucius himself having tried to hold administrative positions in a difficult age, but largely failing because his own normative standards were too high. Many passages in the Confucian classics address the question of good leadership in society, and even though they focus specifically on government, the key contents can be applied to any kind of employer–employee relation. Being rooted in the quest for self-cultivation, the Confucian ideal of leadership is centred around social commitment and political concern. A true leader is supposed to refine his or her character and – parallel to this process of continuous personal deepening – to be continuously highly self-critical about his or her broadening and performance in social roles and duties. Leadership decisions are seen as moral decisions, to be taken in the best interest of subordinates, and the reasons for people to follow them should centre around trust in the leader’s propriety and the appreciation of his or her high moral standards. According to the Confucian tradition, it is one of the main objectives of a true leader to educate and transform the people, not by coercion, but by convincing them with moral uprightness and personal charisma. Confucius explicitly stated that implementing laws would make people follow orders for reasons such as the fear of punishment, which could not possibly form the basis for a harmonious society.

Thus Confucianism is a typical example of an ethical tradition trying to better human conditions (such as in work), less through a rights- and laws-oriented approach, but more so by focusing on human responsibilities. Among other concrete steps towards the establishment of decent working conditions, a Confucian approach would aim at cultivating a moral consciousness and sense of responsibility among members of the elite, which in turn would make them use their privileged position for educating and transforming the people. In addition, according to Confucianism, it is the direct responsibility of intellectuals and scholars to try to influence leaders falling short of their position’s ideal.

## Summary of the Confucian reflection on Decent Work

In Confucian thinking human society is regarded as a colourful constellation, in which every human being plays an integral and equally important part. It is

the moral task of every human being to contribute to the betterment of this individual by developing his or her innate moral potential to the highest degree possible. So any kind of work, be it in leading or teaching functions, be it in manufacturing or farming, can potentially be an important contribution to the societal whole and the world as an ecological system. “Decent” in a Confucian postulate thus carries two meanings that are both regarding the same issues from two different angles: on the one hand, it entails the character and type of work to be dignified and open enough in order to ensure that a human being can grow fully within its parameters. Work has to allow, or to enable, a person to contribute to his or her surroundings. While to a certain degree the implementation of the first demand lies mainly within the reach and responsibility of leaders, of the elites, a second Confucian postulate concerning Decent Work places equal importance on the action of each working person right across the hierarchical strata: every individual is supposed to use his or her work as a framework, and as an opportunity to develop personally and to contribute to the larger whole. Expressed in a more recent, Western terminology, the rights of Decent Work must be complemented by the sense of responsibility on the side of the working person.

## Confucianism, modern East Asia, and Decent Work

In recent years the notion has become commonly accepted that types of working behaviour vary profoundly between cultures, because people do not act according to systemic logics alone, even at their workplaces. Research has shown that culturally specific behaviour leads to very different patterns of human interaction – ranging from negotiation styles to decision making processes – even between regions in one and the same global corporation. Even though in many societies Confucianism is no longer a prevalent ethical system, the “habits of the heart” (Robert Bellah), the common mentalities of the people, are still shaped by the historical influence of this tradition.

As for leadership styles, Lucien Pye writes:

In most Asian cultures leaders are expected to be nurturing, benevolent, kind, sympathetic figures, who inspire commitment and dedication. The Western concept of a leader as the commanding executive, firm in decision making ... is less appreciated in Asia. The relationship of power to responsibilities of offices rests upon quite different concepts of power and authority.<sup>2</sup>

In many East Asian societies, these distinctive mentalities are now considered to be expressions of a distinct form of modernity with its particular

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<sup>2</sup> Lucien W. Pye; Mary W. Pye: *Asian power and politics* (Cambridge, Mass., Harvard University Press, 1985), p. 28.

business culture, which is increasingly regarded as a viable and equally successful alternative to the Western range of capitalisms in general and work ethics in particular. In both Asian and Western scholarly circles, people increasingly argue that any kind of model and approach claiming to be universally valid will fail from its blindness of cultural particularities. However, when thinking about the implications of this new cultural sensitivity, it certainly would be a big mistake to give up any notion of universal goals and worldwide programmes for their implementation. For example, towards the implementation of Decent Work, organized labour should be encouraged on a global scale; however, it should be self-evident that such institutions will necessarily have to be adapted to local mentalities and value-systems. In addition, one might consider the possibility to design culturally specific raising of forces that are pushing towards realization of the same goals, yet with very different means. To find the right balance between universalism and particularism will require a lot of openness, flexibility and initiative.

# Decent Work: Perspective of the Arya Samaj, a Hindu Reformist movement

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## Work as action with a mission

“Action with ethical efficiency is Yoga” – this is one definition of Yoga, which is catching on fast in Western societies. In order to ensure the application of ethical, moral and spiritual values to all work done by human beings, the ancient sages devised a unique social institution called Varna Ashram. The highly inspiring universal message of the Vedas was translated into four Varnas and four Ashramas.

Put simply, Varna implies the choice of a certain mission in one’s life – where all thoughts and actions are dedicated to that mission. The four Varnas are as follows:

- |                                                                                                                  |                 |
|------------------------------------------------------------------------------------------------------------------|-----------------|
| 1. To spread knowledge and dispel ignorance                                                                      | knowledge power |
| 2. To promote justice and to fight against injustice                                                             | political power |
| 3. To produce wealth and to remove inadequacy                                                                    | wealth power    |
| 4. Those who do not fully qualify to carry out one of the above should become attached to a missionary and serve | labour power    |

Thus, the four Varnas represent the functional social classes.

Every child, girl or boy, should be imbued with a mission during his or her formative years. Education should therefore turn out missionaries as opposed to turning out mercenaries. The approach to a Decent Work culture should be such that a sense of mission in life would make a person less selfish and more social. Life itself should become a pilgrimage on this planet, and action performed with a mission should become a prayer to the Divine.

Ashrama literally means “brimful with labour” and is a specific stage in a person’s life. Each individual life, divided into four Ashramas, should reinforce

and build into the biological process the transcendental values from the self to the universal being. The four Ashramas are as follows:

1. The first 25 years should be devoted to inculcating education with a mission
2. The next 25 years – married life – should be dedicated to the fulfilment of the avowed mission
3. The third stage is committed to voluntary social work
4. The final stage (75 years and beyond) – to live as a world citizen, to share one's love and wisdom with one and all, without practising discrimination and without taking any remuneration.

From the Vedic perspective, this life of detached action constitutes the highest goal in human life, ultimately leading to friendship, harmony and bliss in relation to nature, with the animal world and with all human beings.

The Vedas, however, warn all successive generations that these sublime spiritual values need constant renewal and reformation; otherwise they quickly degenerate into casteism, racism, gender inequity, exploitation and other forms of human depravity. The ILO therefore has a spiritual mandate to enshrine these values in our work culture and usher in an era of a Decent Work culture.

## Adding dignity to labour

Our attitude to work is admittedly one of the weakest spots in our society and culture today. It is a sign of the degradation that has overtaken us that we devalue those who work, and ascribe exaggerated importance to those who are parasites on our society. However, it has not always been like this. From a spiritual perspective, dignity of labour has never been in doubt. It is worth emphasizing that virtually all religious reformers upheld dignity of labour and tried to inculcate in people a spirit of service. The basic spiritual insight is that, despite the diversity of vocations, work has no hierarchy of values in the sight of God. All workers are of equal worth, as long as their attitude to work is sound and honest.

Work is fundamental to human nature; this appears to have been God's basic intention in creation as a whole. Among all animals, human beings are manifestly meant for work. That being the case, it is only natural that our attitude to work has a profound impact both on ourselves and on our context. It is important, therefore, to have a spiritually sound understanding of work. As long as work is seen and evaluated only in economic terms, dignity of labour will continue to suffer. From an economic angle, man is socially a producer of goods, and individually an earner of livelihood through work. From a moral and spiritual angle, work is also a domain of human creativity, fulfilment and greatness.

Through work, a human being produces goods that he or she may share with others, such as those who are in need (a lazy person cannot practise charity!). The idea of work only as a means for earning one's own livelihood is inadequate from a religious perspective. Work is a bridge between the individual and society.

In the industrial context work is redefined as labour. We need to understand the distinction between the two. A worker in the pre-industrial age, as in the case of a village artisan, was in total control of his situation. He experienced what he created in its totality. He experienced its beauty, form and meaning. Not so an industrial worker, such as a person on an assembly line – he is little better than a robot that is assigned a specific function, for example welding or fixing a part. He is made totally subservient to the production process. His value is limited strictly to the function he discharges, for which he is always paid far less than his work is really worth. As Marx pointed out, this surplus value accumulates in the hands of a few, creating a situation that is inimical to the labourer. Eventually a situation develops in which work (especially manual work) is dissociated from the elite. The corollary to this is that the need to work becomes a sign of social underprivilege or inferiority. Within this there are further stratifications, and those who do the supposedly “menial” jobs begin to be looked down upon.

In the Indian context, this problem has been aggravated by the caste system in which the Brahmins were exempted from any manual work. Those who did all the work were socially devalued. This has cost us dear, and has been largely responsible for the poor work culture that continues to cripple us. Indians are potentially excellent skilled workers, as is evident both from our expatriate communities and our software professionals. But, by and large, our attitude to work is so retrograde that our society and nation do not benefit from the vast human resources we have. This is a self-inflicted wound, which we need to mind.

The case of Punjab is instructive here. The Sikh gurus had a very liberated attitude to work. They rejected the doctrine that the world is an illusion and that therefore it did not matter how we managed the material world. Instead, they emphasized that this world is an important reality that needs to be taken seriously. Out of this emerged a healthy and energetic attitude to work that explains to a large extent the present progress in the State of Punjab. Dignity of labour is at the root of the Punjab miracle.

Consider the teachings of the Gita: we are urged to work without minding the fruits thereof. What this points to is that in working we are accountable to something beyond ourselves. It is not what we may derive from work, but what we express through it that matters. At the level of reward, inequality is unavoidable. In the case of work as a divine duty, the equal worth of all workers

is indisputable and transparent. However, the problem is that in such a situation, the individual's motive to work could suffer, given human nature. The total divorce between work and reward does not seem to be feasible in practice. What can be, and needs to be done is to try to maintain a balance between the spiritual and economic approaches to work. The economic perspective needs to be continually redeemed by the spiritual.

In order to do this in any society or culture, it is necessary to nurture the spirit of service in people. Left to themselves, human beings would revel in being served, rather than in serving. Reversing this trend can only be a moral and spiritual revolution. The case of Jesus Christ washing the feet of his disciples in order to teach them this basic principle is relevant here. This emphasis in the Christian culture has had a profound impact the world over – it is the secret of the historic dynamism of that Faith.

In our ancient culture the nobility of work was never in doubt. *Arya*, for instance, meant a noble worker and *dasyu* a thief, a parasite. An ashram was a place where everyone worked, a place where dignity of labour was lived and practised, as in the case of the ashram life that Gandhiji promoted, where work was part of the rule of life.

In contrast, we have the irony of the modern Western culture. Without a positive work culture, the material progress that the West has attained would not have been possible. Yet, as part of that progress, especially through labour-saving technology, the social margin for leisure has increased greatly in Western societies. People can manage with, say, four to six hours of work to earn their livelihood. This increase in leisure has created its own problems. The excess energy available does not have any productive outlet. This is the root cause of increasing sexual aberrations and rising levels of violence in the West.

More importantly, the human being is being redefined as one who works and maintains machines and gadgets! The human is being subordinated to the mechanical and technological.

Merely talking about the dignity of labour will not help. Concrete steps towards consolidating this ideal as a social reality need to be initiated. As long as social norms and values continue to be defined arbitrarily by non-workers, we shall not make any headway towards practising the dignity of labour. The education of the worker is a key factor in this, as well as raising the level of awareness in society on workers' rights and enunciating a spiritual foundation for nurturing respect for work. We need to reject the current spurious social outlook in which those who work are looked down upon and those who live as parasites enjoy all glory and honour. We shall add much dignity to labour when we take dignity away from those who disdain to do any work. We need to have the courage to say that those who eat without working are thieves, *dasyus*.

## The issues of child labour and forced labour

Swami Dayanand, the greatest exponent of Vedic values and the founder of the global movement, Arya Samaj; and Mahatma Gandhi, who not only epitomized these Vedic values but also made them weapons of the non-violent struggle against colonialism and all forms of exploitation, conjured up a moral, spiritual vision of human development.

This Vedic vision may be summed up as a severe critique of the dominant development paradigm of the present day, based on neo-colonialism, consumerism and the theocracy of the market in which profit over people stands glorified. Gandhi put it beautifully when he upheld *production by the masses* as opposed to *mass production*. He advocated *industrious culture* as opposed to *industrial culture*. Inspired as he was by both John Ruskin and Leo Tolstoy, Gandhi advocated a radical philosophy of “Unto this Last”, which meant that the least among the last, the poorest of the poor, the most defenceless and the most voiceless, should be the starting-point of all moral–material development activities, and all subsequent judgements on development should have the improved (or otherwise) condition of the poorest as their yardstick.

Gandhi, in the spiritual tradition of the Vedas, was an incorrigible sceptic and therefore had utter distrust for a trickle-down or percolation theory of development. Unfortunately, the simple Gandhian ethical precepts were discarded in favour of top-down theories by successive governments in Gandhi’s own country, with disastrous results. India today has the dubious distinction of having the largest number of people in forced labour, bonded labour and child labour.

The most reliable pointer to the character and culture of a society is the way it treats its children; not just the children of the rich, but children in general. The right to childhood is recognized globally as a sacred and inalienable right. In the literature of the world, the child is celebrated as a symbol of the spontaneity, beauty and innocence that comprise the wellspring of human life. Childhood is the morning of our humanity. A blighted beginning is a nightmare. We ourselves all want to begin well, yet we fail to respect this eagerness in others. This stares us in the face like a cosmic question mark.

The unabated neglect or exploitation of millions of children in the age group 6–14 years is a blot on the fair image of this great country. It mocks our spiritual heritage, tarnishes our cultural profile and imperils our economic dynamism. A country that allows its children to languish in the prison of underdevelopment pawns its future and consigns itself to all-round poverty. It is high time that this chronic malady is handled with a fierce sense of urgency.

This situation perpetuates poverty and forestalls progress. To Gandhiji, the progress of a nation is to be measured by the plight of the least of the last in that society. Such a vision presupposes a spiritual outlook. With the ascendancy of materialism, however, society becomes incrementally callous towards the plight of the poor, and hypersensitive to the whims of the rich and the elite. It is a tragic and lamentable fact that successive governments have abdicated their responsibility towards the children of the poor in this country. This cursed state of affairs must now end once and for all.

It is necessary to create a cultural and spiritual environment in which childhood is not seen solely in terms of income generation. This is possible only by uplifting those who live below the level of crass poverty and dehumanization. Unless life is valued and cherished, children will not be. Girl children, for instance, are despised for the economic disaster they are feared to bring about. It is this attitude that needs to be challenged at the outset, but it cannot be done as long as we ascribe a different order of values to different classes and castes of people.

Furthermore, the scandal of child labour cannot be tackled unless a reasonable national minimum wage policy is evolved and implemented vigorously. To this effect, Indian laws and landmark judgements by the Supreme Court of India reinforce the view that working for less than the minimum wage should be considered as an economic compulsion and, therefore, forced labour. It is therefore incumbent on the ILO to connect Decent Work with a decent living wage and anything less than that should be resisted as a gross form of exploitation, indeed as a contemporary form of slavery.

## Concluding remarks

The concept of Decent Work must stand on the following considerations:

- *The idea of God as the worker.* In a spiritual vision, God is seen as the assigner of work. God is indeed the archetypal worker. In God, work becomes the medium through which Divine Love is expressed.
- *The perception of work.* Work needs to be seen as:
  - (a) a medium of faithfulness to God;
  - (b) a means for personality development and fulfilment rather than acquisition;
  - (c) a bridge between human beings.

Conditions conducive to the attainment of these goals need to be created.

- *The concept of community.* Work exists at the meeting point between human beings. Its fruits are to enrich the community as a whole. A solipsistic (individualistic) approach to work fails to satisfy the deepest of human longings.

- *The primacy of human worth.* The type of work that a person does should not determine the worth of a human being, as in the caste system. Human worth must be deemed antecedent to work. Work of any kind needs to be seen as a medium for human growth as well as social service.
- *Stewardship of resources.* Acquisitiveness undermines meaningful work. The problem that Marx identified – the question of surplus value – is central to this issue. The fruits of human labour need to be seen as resources for the community as a whole. Capitalism degrades the mindset of stewardship into ownership, with serious consequences for the theology, sociology and psychology of work. Ownership shifts the focus from need to greed, and thus turns work into a domain of exploitation

At the bottom line, Decent Work is work that enables a person to earn a decent livelihood. However, human beings are not only living bodies but also total personalities, with a gamut of social, psychological and metaphysical needs. Work is basic to human nature and destiny; it touches upon the multiple frontiers of human existence. The idea of Decent Work should, hence, address the needs and expectations of the worker at all these levels. The key to this is the re-appropriation of a spiritual and holistic perspective of work and its significance for the individual worker, as well as for the human family in the emerging global scenario.

# Dignity, self-realization and the spirit of service: Principles and practices of Decent Work

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The Brahma Kumaris World Spiritual University supports the ILO's emphasis on Decent Work and its objectives regarding the promotion of fundamental principles and rights at work, greater employment and income opportunities, social protection and dialogue. All of these objectives are based on an interlinked web of values such as respect, responsibility, justice, solidarity, care and understanding, which are of fundamental importance for the kind of world we would all like to live in. Work inevitably has ethical values attached to it since work is a human activity and the human being is a whole composed of various dimensions that include, and are ultimately based on, the ethical and spiritual. The human dimension to work is both individual and collective, and so work that is decent must be so with regard not only to the individual worker but also the family and community. While an ethical foundation to Decent Work may seem intangible, the benefits are certainly practical, and putting people at the heart of the work agenda has more than just an immediate positive personal influence; it also enables the integration of economic and social policies so that they can be two even pillars supporting a gateway to a better world rather than being treated as contradictory or sequential goals.

## The value of work

Work is an expression of personal dignity and self-realization. The right to the dignity of work is one of the most fundamental expressions of human worth. It is the right to perform constructive, purposeful action, and work is thus a defining characteristic of human identity. To deny this right to others is to deny their dignity and also to deprive society of the benefit of their potential. Properly remunerated work allows the individual to provide for the basic needs of the self and family. Unremunerated work, such as within the family or carried out by volunteers, is often an expression of the highest of personal

qualities and a commitment to a purpose beyond the self. Work also plays an important role in the development and fulfilment of the individual through the expression and realization of skills, wisdom and potential.

However, work is not dignifying if it involves exploitation or discrimination, or if a person's individuality, endeavours and commitment are not given due recognition. While the individual has his or her own separate identity and existence, each of us is also an actor on a stage of life that includes many other players; as such, we are interconnected and related. We have relationships and exchanges with other individuals both in their own right and collectively as a family, community, government, state or world society, and work is a creating and sustaining force in these relationships. The overall health and well-being of society as a whole is thus largely affected by the extent to which such working relationships, and rights and responsibilities that come with them, are based on ethical considerations. Further, a society is enriched by the creative contribution and productive participation of people of both sexes having a variety of disciplines, talents and expertise. For the individual, being part of a society which is the better for his or her efforts enhances personal satisfaction and self-esteem.

## A deficit in decency – a surfeit in misconceptions

Despite all our tremendous achievements, society's face is blighted by improper working practices and unmet work aspirations. Among the many divisions within this globalized world there is a work divide: while some complain of the burden of too much work, the tension, stresses and pressure of overwork, with resulting disruptions to personal, family and social life, there are millions who would gladly have even a little of such work and the remuneration that goes with it.

There is a deficit in Decent Work and this means that there is a deficit in social justice and political will, and in providing legal recognition or identity to workers in the informal economy. The roots of social and economic disparities can be found in misconceived notions of work, and the misrepresentation of work and worth. In a world of material poverty but abundant human resources, the fact that people lack Decent Work means that they have been in some way excluded. Forced and bonded labour, slavery, women's inferiority and child labour are totally incompatible with human worth and should be consigned to the history books as a lesson in what not to do and what is unacceptable. One would expect sacred texts to convey the image of workers as "caretakers of the garden" or "trustees of the world"; however, scriptures or religious ideas have sometimes been misinterpreted to justify abusive and dehumanizing work

practices, even saying that there is goodness, benefit or value in such work and that the people doing it are more holy, or that this is the role appropriate to them (e.g. discrimination against women based on “religious reasons”).

Uncaring and depersonalizing attitudes to workers who are treated as little more than the means by which others may become rich make work an undignified and inhuman experience for many. There is much to be said for a fair, free and open economy, but materialistic forces must not be allowed to make a market economy into a market society and to value human beings strictly in economic terms. It has been said that to treat a person kindly without any economic purpose is to find the answer to all economic purposes.

For sure, dividing up the world for economic reasons, with caste being used as an organizing principle to structure society, is a particularly evident form of indecent work that can have dire consequences for the well-being of society as a whole. As Mahatma Gandhi said on “The economics of justice”:

True economics never militates against the highest ethical standard, just as all true ethics, to be worth its name, must at the same time be also good economics. An economics that inculcates Mammon worship, and enables the strong to amass wealth at the expense of the weak, is a false and dismal science. It spells death. True economics, on the other hand, stands for social justice; it promotes the good of all equally, including the weakest, and is indispensable for decent life.

## Work as caring and sharing

Securing Decent Work for all demands a spirit of inclusion, equity and balance, the recognition of the identity of all, and a reaching out to the marginalized and abused to bring everyone within the heart of a cooperative working community characterized by caring and sharing. Working conditions, including hours, must be humane, and all work should be properly remunerated or recognized; working practices must be ethical and promote respectful relationships and social and environmental responsibility. The work itself should be varied and worthwhile and allow workers control over the use of their time and mental capacities, and the freedom to associate with each other.

Governments can contribute to the building of such a society by taking steps to provide a social and business environment conducive to good investment and the free and fair movement of capital, goods and the workforce. The possession of wealth brings with it responsibilities which an individual, or enterprise, owes not just to shareholders, investors and employees but also to the society within which profits are accumulated. Work and its benefits must be fairly distributed amongst society as a whole. For their part, individuals must also be prepared to help themselves by taking the initiative in actively looking

for work and enhancing their capacities. In providing work for those seeking it, those without work must be seen as potential partners in development rather than the passive and helpless recipients of welfare or charity. Their situation typically owes more to poor governance, institutionalized discrimination and structural inequalities than limitation of abilities.

True dialogue among and between governments, businesses, workers and others would help lead to a recognition of the perspectives, and justifiable aspirations and needs of all actors within civil society. Workplaces and public meeting places need to become generative spaces in which hierarchies are broken down and all voices are given a chance to be heard. This will help underline the fact that every link in the work chain is an important one and should be recognized as such in order to strengthen and build capacity.

All of the above would lead us to another way to think of globalization: as the creation of a unified human family, an unbroken link of compassion and concern. In this kind of global world, human misery in one part of the human family must be absolutely unacceptable to the rest, and every effort should be made to restore well-being, peace and prosperity to each part so as to ensure an integrated whole. We must be willing to listen to new voices – not only the voices of the educated and the so-called experts, but the people from the community: ordinary women and men in their towns, townships and villages.

## The revival of service

Many people carry out meaningful and constructive tasks that largely go unrecognized and unrewarded, despite their obvious contribution to the common good of society. In various faith traditions, work has been described as service, prayer, sacrifice and purification. In this regard, what is required is a revival of the notion of service in which it is understood that work may have value and social relevance other than just in economic or monetary terms. Such work is then a service offered to another, the community, society or humanity as a whole, and allows people self-sufficiency, fulfilment and dignity by allowing them to express their innate capacity for creating and giving.

Jonathan Haidt of the University of Virginia, in his paper on “Elevation and the positive psychology of morality”, reports on a study he did with his students on the emotion of “elevation”. He showed them a video clip of Mother Teresa and found that “they were more likely to report wanting to help others, to become better people themselves, and to affiliate with others ... to cultivate skills and relationships that will help them in the long run”. Service is not about charity and donations based on guilt. Service is showing the quality of kindness

towards others without any desire for a material reward or result for the self. It is better understood as an act that is borne of an awareness of altruism and the recognition that such an act will bring rewards in the form of spiritual elevation, or generosity of spirit, which cannot be measured by any material instruments. A dimension of altruistic service such as this needs to be integrated into paid work to bring about “a balanced reappraisal of human nature and potential”. It will also clearly demonstrate ways in which people are good, kind, respectful and compassionate towards one another, not only in communities of their own kind but across different communities.

Service is a universal religion. Service is to give of oneself and to give time to tasks of a higher purpose in the spirit of volunteerism. But to be of service to the millions who are being marginalized for want of employment and other basic needs, and who are becoming devoid of self-respect and dignity, requires humility and elevation.

Service, therefore, is about people’s relationships with each other, God, time, nature and the world around them. A significant role of work will always be to generate a financial reward, but this needs to be seen as only a means to the end of a better quality of life for the individual and his or her family, not an end in itself. To add the dimension of service into work will put people at the heart of work, and fill it with a meaning and purpose that it often seems to lack. Indeed, ultimately work only has a human face and is dignified to the extent that the worth and dignity of the worker is recognized, including by the worker in question.

## Dignity is intrinsic

The Universal Declaration of Human Rights is a keystone in all our endeavours to uphold human dignity. It sets standards that we must live by in order to sustain, or re-ignite, the spirit of human dignity by articulating in its various articles the rights that such dignity confers on every human being. The Declaration does not specify this, but if it is to be safeguarded it is worth examining the nature and origin of human dignity and worth.

The faculties available to every human being include the mind, heart and spirit, in addition to physical abilities, skills and talents. We are thus all born with tremendous potential, but without self-worth this potential can never really be realized to the full. People who feel useful themselves and to people around them are more likely to find a way not only of expressing their inner qualities but also acknowledging such qualities in others.

A self-realized person is one who understands his or her own inherent dignity and that of others. Such a person will know that dignity is intrinsic to

his or her being and is not something that is given by the world but comes from a source that transcends all that is physical. Religions do not give dignity – they simply remind people of what is true of everyone. Declarations, conventions and other legal documents highlight the importance and create the conditions to uphold the dignity of individuals, but cannot confer this. The ways in which society works today often seem to conspire against the individual really knowing himself or herself as one who is naturally endowed with worth and dignity. Instead they often suggest that it has to be earned, or that society accords this dignity only to those who are wealthy or occupy a position of influence or authority. Work is thus an expression of our worth, not the basis of it. In reality, every individual has the right to know that dignity is inherent in what it means to be a human being; and all individuals have the responsibility of seeing that this spiritual right is affirmed and given expression.

People often base their sense of identity on their interactions with others. It is therefore no surprise that many people base their identity on factors such as their occupation, etiquette, dress, nationality, colour, sex, age, social status, ideologies and wealth. As these factors are to some extent transitory such a sense of identity requires continual maintenance, nurturing and protection. Much energy is then devoted to establishing and defending this identity. When people identify with their external conditions or roles they inevitably feel inferior or superior to others and so lack an authentic self-respect. Every person who is aware of what it means to be a human being will feel a natural right to live in dignity with all basic needs and human rights fulfilled. On the other hand, when an individual is forced to suffer oppression or degraded living conditions, the feeling is one of humiliation and severely damaged dignity. However, because human dignity is a state of being, it can never be fully taken away from an individual so long as he or she continues to hold on to it internally. The realization and conscious awareness that dignity is intrinsic can thus give strength and hope and be a powerful tool to help overcome such indignities as unemployment, poverty and the loss of liberty or opportunities.

Work is a significant part of who we are, but we are human beings before being workers. To be true to ourselves requires that our actions, including work, be an expression of and consistent with the fundamental truth that each of us is spiritual in nature. It is because of this common spiritual identity that we all share universal rights and can claim to be members of one human family. The spirit of brotherhood that derives from this and is referred to in Article 1 of the Declaration of Philadelphia requires that our relationships – whether personal, working or otherwise – be based on ethical values.

## Putting people at the heart of Decent Work

Deficit in Decent Work is a deficiency within the global human spirit – a poverty of values that amounts to a lack of respect for the intrinsic dignity of people as individuals and as a collective. Resolving the issue therefore involves a moral choice as much as the formulation of new economic and social policies and programmes.

The real question is how the value system implicit in the right to Decent Work can be applied and implemented. Much has already been achieved in this regard in setting a conceptual framework and defining goals. The right to work itself is enshrined in the Universal Declaration of Human Rights, and there is widespread agreement on some of the characteristics and practices of what kind of work is acceptable and what is not.

It is recommended that the next step forward be to set up a task force that includes representatives of religious and spiritual traditions, as well as labour organizations and other concerned individuals. The priorities of the task force would be:

- to look closely at what value considerations underlie Decent Work as opposed to any other kind of work, clarifying what is Decent Work and what is indecent work and the correlation between the two, their corresponding values and anti-values. It is believed that in summary it is the presence of regard for human factors that distinguishes Decent Work from other work;
- to identify common ground regarding such human factors, specifically the ethical values and the nature of the human spirit that is at the heart of the individual. Agreement in this regard will lay a firm foundation for a model of Decent Work that not just recognizes that people must be at the centre of working practices and programmes, and their beneficiaries, but one that also recognizes that spirituality is at the heart of what it truly means to be human. It will thus be the basis for a shared sense of identity and mutual recognition;
- to look at the various ways in which such values need to be expressed in the field of work and the connection between values, policies and rights;
- to set common values-based standards to help individuals define and assess themselves and their work; and to express themselves, much more by reference to their inherent dignity and their values than to wealth, income or other external physical conditions and circumstances. To do so will bring back to work its forgotten soul and offer meaningful and well-founded principles and standards by which the decency of work may be assessed;
- to revive the spirit of service and integrate it into paid work.

## Values-based and spiritual indicators

To be sure, finalizing comprehensive, commonly agreed and assessable values-based and spiritual indicators will be a time-consuming task, but such reference points would, it is submitted, provide a reliable compass by which to chart meaningful and long-term efforts that truly have people as their beneficiaries. In fact, there is already a fairly substantial convergence of thinking in this regard, and the signs of the emergence of a global ethic, on the basis of a set of commonly held values, are obvious. Societies, governments and markets that function properly all do so because of a moral basis of qualities such as trust, fairness, respect, equitable treatment of all people, responsibility, solidarity and honesty. Such values underpin all objectives towards realizing the goal of Decent Work and a better world.

## Decent Work: A Buddhist perspective

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This article provides a response to five questions concerning Decent Work. The response to the first question will be significantly longer than the other four, since it also provides a general introduction to the Buddhist perspective on work.

1. *Whether and how far does the emphasis on Decent Work find resonance in your religious tradition especially with respect to:*
  - (a) *The ethical value attached to work, taking into account the rights and duties of individuals, community and the State?*
  - (b) *How work builds relationships and so society (at the workplace, in the family and in the community)?*

After a teaching ministry of 45 years the Buddha died at the age of 80, some time around the end of the fourth century BC. He passed away peacefully after a short illness, and his final words are of particular relevance to our present theme. According to the earliest scriptures, the Buddha's final words were "*appamādena sampadetha*" meaning "strive diligently" or "work conscientiously". These words are perhaps surprising given the widespread image of Buddhism as a quietistic or other-worldly faith whose followers spend most of their lives in dreamy meditation. This stereotype, like many others, is misleading, and in fact Buddhism sees work – defined as any productive manual or intellectual activity – as a central dimension of human life and the primary means of personal cultivation and human progress.

What did the Buddha mean by his call to work diligently? Was he simply exhorting his ordained followers to pursue their monastic duties with greater vigour? This seems unlikely, for when he died the Buddha was attended by laymen from the local village as well as the monks who habitually travelled with him, so his call to conscientious work should most likely be understood as applying to society as a whole rather than simply to a monastic elite. At the

same time, the Buddha would surely have had in mind first and foremost the religious dimension of work. He was neither a politician nor an economist, but an itinerant philosopher and religious teacher. He exercised no secular profession, yet his life, as can be seen from the scriptures, was one of industry and activity designed to elevate unceasingly the moral and spiritual level of the society within which he lived.

The society in which his influence was felt was primarily that of Buddhist believers, known in the early sources as “the community (sangha) of the four directions” comprising the four social groups of monks, nuns, laymen and laywomen. The society that extended beyond this Buddhist community was that of the caste system, a rigid system of social stratification that antedated the Buddha by almost a thousand years. In the caste system, one’s occupation is determined by the caste to which one belongs. This means that work, rather than expressing the dignity of the human subject, is imposed upon him or her by an accident of birth in an arbitrary and inflexible manner, often obliging individuals to labour in conditions approximating to slavery. The caste system, and similar repressive hierarchical social structures, are dehumanizing in that they subordinate the individual to the work he or she does, rather than vice versa. The Buddha was a lifelong critic of the caste system, and his call for diligent work must be understood as prioritizing what has been called the “subjective dimension” of work, or that in which a conscious and free subject chooses work that serves to realize his humanity, as opposed to the “objective” one which is measured in terms simply of the material goods produced. We might say that in the caste system man is “for work”, since the individual is subordinate to his profession. In terms of Buddhist teachings, however, work is “for man” and is undertaken for his spiritual renewal and development.

In repressive social structures such as the caste system, work serves as a barrier that fragments and divides the human community, limits opportunity and isolates individuals from one another. By contrast, in Buddhism work is seen as that which unites people as friends and colleagues in endeavours that promote the common good. The Buddha recognized that individuals are bound to one another through a network of reciprocal relationships. In the *Sigālovāda Sutta* he illustrates this with the metaphor of the six directions (north, south, east, west, zenith and nadir), which are said to represent friends and companions (the north), teachers (the south), parents (the east), wife and children (the west), religious teachers (the zenith), and servants, workers and helpers (the nadir). The individual stands at the centre and has duties to all of these groups.

The rejection of the caste system is not incompatible with recognition of the need for specialization among the human workforce. The broad division of

society envisaged in Buddhism between the lay and monastic status is a general example of such a division of labour. Within the early lay community of the Buddha's followers many professions are mentioned: those of doctor, merchant, accountant, financier, artisan, soldier, administrator, and so forth. Within the monastic community itself a division evolved between those specializing in the study and transmission of the scriptures and teachings (*ganthadhura*) and those who devoted their time to meditation and spiritual exercises (*vipassanādhura*). Unlike the caste system, however, these specializations were chosen on the basis of temperament, ability, and suitability for the profession in question, and as a way of developing the different talents and abilities of individuals.

In contemporary society a whole range of new specialisms is required, for example in science, computing and engineering. In its perspective on Decent Work, however, Buddhism reminds us, along with the other religions, that work is not only a nine-to-five secular activity with a purely cash value but must also be seen in the context of what might be called a theology of labour. In terms of this, work is a means towards a larger end that progressively becomes incarnate in the world through the efforts of individual men and women.

From a Buddhist perspective, this long-term end involves the forging of a global human community through actions performed from love (*karunā*) on the basis of understanding (*prajñā*). Although there is no dogma on the nature of work in early Buddhist scripture, we find a few centuries later in Mahāyāna Buddhism the beginnings of a possible metaphysics of work in which Buddhas, and more often bodhisattvas (or Buddhist saints), are depicted as working incessantly, lifetime after lifetime, towards the goal of cosmic enlightenment for all beings. Their starting-point is a vow to the effect that they will not cease or falter in their work until all beings have attained nirvana, the Buddhist *summum bonum*. This is the ultimate goal of work, the transcendent common good towards which every mundane act of human labour is directed.

To this extent Buddhism shares with the theistic religions the concept of work as having an ultimate spiritual end. It differs from certain of them, however, in not grounding the imperative to work in mankind's office as steward of the natural order and his dominion over the lower orders of creation. In Buddhism, nature is seen not so much as the raw material on man's workbench that can be hewed and shaped according to his needs, but as the matrix from which he himself springs and through which he is organically linked to other forms of life. In some East Asian schools these linkages embrace both inanimate nature as well as the world of living beings that inhabit, according to traditional Buddhist cosmology, the animal, human and divine realms. In the final analysis, however, for all schools of Buddhism, work

has personal, social and transcendent dimensions and is always seen as potentially an act of universal collaboration or solidarity.

2. *Your views on the basic set of values enshrined in the 1998 ILO Declaration of Fundamental Principles and Rights at Work which (according to the Decent Work Agenda) constitutes the social floor of the global economy. The core elements of the Declaration are the following:*

- (a) *freedom of association and the effective recognition of the right to collective bargaining;*
- (b) *the elimination of all forms of forced or compulsory labour;*
- (c) *the effective abolition of child labour;*
- (d) *the elimination of discrimination in respect of employment and occupation.*

Freedom of association and the right to collective bargaining are vital if workers are to defend the interests of those employed in the various professions. Such organizations can play a vital role in the struggle for social justice. It must be remembered, however, that the aims of this struggle are subordinate to the overall good of society at large rather than being a battle in which one social group or class seeks to overthrow or dominate another.

Forced or compulsory labour is dehumanizing and turns the workplace into a labour camp. Many are currently experiencing such conditions, particularly in occupied or non-democratic countries. This situation cannot be acceptable under any circumstances.

The abolition of child labour is an important goal. Work completes a process of humanization that is begun in the earlier stage of education. Children need schooling to enable them to make informed choices about the world of work and careers. Child labour short-circuits this necessary phase and blights many lives by denying young people the training necessary for them to realize their true vocational potential. The Buddha set the minimum age for full ordination into the monastic life at 19. This suggests that in his view committing oneself to any profession requires a degree of judgement and maturity that children and younger people do not possess. To force children prematurely into labour is to cripple their potential for subsequent professional development.

The elimination of discrimination is a basic requirement of justice. Discrimination on the basis of race, colour or sex represents a failure to respect the dignity of the individual person and is a breach of basic human rights. As noted above, the Buddha rejected the institutionalized discrimination of the caste system, and discrimination in the workplace would be unacceptable to Buddhists for the same reasons.

3. *The assessment, in terms of your tradition, of the four strategic objectives set by the ILO towards realizing the goal of Decent Work, namely:*
- (a) *promoting the Declaration on the Fundamental Principles and Rights at work;*
  - (b) *creating greater employment and income opportunities for women and men;*
  - (c) *extending social protection and safety at work;*
  - (d) *promoting social dialogue on work between governments, employers, workers and other social actors of civil society.*

A Buddhist assessment of the four strategic objectives set by the ILO might proceed by noting that there seems to be nothing in the Declaration on the Fundamental Principles and Rights at Work that Buddhism would wish to oppose and much that it would wish to support. It follows that the promotion of the Declaration itself (objective a) and its promotion in terms of dialogue between governments, employers and workers (objective d) are desirable objectives in raising awareness of the importance of Decent Work. The two objectives of creating greater employment and income opportunities (objective b) and extending social protection and safety at work (objective c) are commendable in terms of providing employment opportunities and safeguards to the workforce.

It might be noted that these objectives are secular ones and contain no reference to what might be termed the “transcendent” dimension of work. It is this dimension that a religious perspective would wish to emphasize. For example, in Buddhism the work done by a monk is regarded as the highest and best form of work since it embodies spiritual ideals to a greater degree than any other profession. The four strategic objectives, however, seem irrelevant to this occupation. Perhaps the four should be supplemented to include as a goal that work should be meaningful and fulfilling rather than just a “job”. Many people in the West have secure well-paid jobs and work in excellent conditions, but nevertheless remain unsatisfied and unfulfilled. Their dreams revolve not around finding Decent Work but rather “giving it up” and adopting an alternative lifestyle.

4. *What are the values, in your religious traditions, that underpin and interrelate the above objectives? How would you describe the nature of the relationship between the above objectives? Could they be ranked in any order of precedence? Could we aim to realize them simultaneously?*

The values in Buddhism that underpin and interrelate the above objectives are those outlined in the discussion above, particularly in response to question 1. These

values are grounded in the twin foundations of (a) the dignity of the human person, and (b) the understanding of work as a way of progressively bringing into being those material and spiritual values which incarnate the common good. In terms of the nature of the relationship between the four objectives, it can be noted that two of them are promotional (a and d) and two practical (b and c). Whether they can be ranked in order of precedence depends upon the mission of the ILO and its priorities and resources. To a large extent the objectives seem interlinked and it may be best to try to realize them simultaneously rather than independently.

5. *How do we move to a common ground for a coalition of interest groups in pursuit of Decent Work? What are the activities and programmes that you would suggest towards building such a coalition?*

In terms of the common ground for a coalition of interest groups, there are various examples in Buddhist countries that might be instructive, and which in some ways question the assumption that interest groups are defined solely by the categories of employers, employees and governments, and that Decent Work means paid employment. One example is the Sarvodaya Shramadana movement in Sri Lanka, which from its founding over 40 years ago has grown to become the world's largest people development unit. Today over 11,600 villages are actively involved in Sarvodaya projects, and about one-third of Sri Lanka's villages have their own independent Sarvodaya societies.

The movement is based on collaborative efforts at village and local level directed at building roads, irrigation canals and schools, and providing other basic amenities. Concerned individuals and interest groups are encouraged to share in mutually supportive networks as a step towards the building of no-poverty, no-affluence, societies. The tripartite model of labour relations assumed by the ILO postulates government, employers and trade unions as the main players. This structure has been appropriate in industrialized societies, but is now becoming outdated with the rise of service industries and the decline of organized labour. By contrast, in the Sarvodaya scheme there are no employers, no employees, no trade unions, and no government. The underlying spiritual aim of the movement, in the words of the founder, A.T. Ariyaratne, in his acceptance speech for the Gandhi Peace Prize, is "a global transformation of human consciousness" which is needed to "bring humanity closer to peace and justice". In his view, the structural violence that oppresses poor people around the world must be tackled non-violently, and this requires a transformation of human relationships so that they are informed by benevolence and love (*metta*). In his words, "*metta*, or loving kindness towards all sentient beings, is the core spiritual consciousness which can transform global human relationships so that they are based on non-violence in thought, word and deed". Perhaps this

## Philosophical and spiritual perspectives on Decent Work

sounds utopian, and only time will tell if the project will continue to flourish. However, it illustrates a distinctive Buddhist perspective on how coalitions might be built, and provides a glimpse of an alternative to the power struggles between conventional interest groups, which are too often rooted in political and ideological dogma that hinders rather than helps the promotion of Decent Work. The Sarvodaya strategy at least makes religious values central, whereas in the current ILO model they are subordinate to secular goals.

# Work in the Jewish Tradition

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## The Jewish Tradition

Our Tradition revolves around two key elements: the written tradition and the oral tradition. The first comprises the Pentateuch, the five books attributed to Moses, which, it is claimed, were written under divine inspiration from God Himself, and are generally regarded as the Jewish Bible. The Pentateuch is also called the Torah, which means “teaching”. The oral tradition grew out of the written one over a period of centuries, and consists of rabbinical commentaries and Jewish case law up to the present day. Obviously historical realities have to be taken into account, given that our Tradition covers a period of several millennia and conditions have changed rapidly in recent decades after a long period of slow evolution. In Western countries, that change has been radical, and the rest of the world has also been affected by the rate of acceleration of change.

## The Jewish Tradition and the concept of work

The concept of work is expressed in Hebrew by two different terms. The first, *melakhah*, has the same root as the word for the envoy of a King, *mal'akh*, and is also used of angels in the service of God. The second term is *avodah*, which means “divine service” and expresses both the relationship between individuals and God and the role that human beings can play in perfecting the world. *Avodah* can mean both the work of a labourer and service in the Temple, and more recently it is used to refer to the ritual of the synagogue. This seeming ambiguity reveals the underlying similarity between the labourer’s toil and service rendered to God. It affirms that every human being, in his or her actions in the world, that is, through work, participates in the glorification of God the Creator. It is for this reason, among others, that the Torah begins with an account of the Creation of the universe. In the text of Genesis 2:3, it is

said that God created the world in six days and took rest on the seventh. There is an implication that He did not bring His task to full perfection, in order that it could become *complete*. Commentators on the Bible maintain that God thus allows everyone an opportunity to contribute positively to the task of developing and perfecting the world. Action in the world becomes an act of partnership with God.

On the other hand, *avodah* can also evoke the term *eved*, “slave”. Something basically positive can become a nightmare. Work can become something that imprisons an individual, either through external coercion or because he forgets himself through becoming immersed in the pursuit of a worldly goal. Relations between employers and workers very often reflect a particular concept of human society; however, if all people are regarded as basically equal, no one will become another’s slave. Where coercion exists, it reveals a fundamentally inegalitarian concept of society and people. The danger of such enslavement exists, and nothing can banish it except a radical change in our basic ideas about the individual. If we believe in the only created couple and in Adam from whom male and female originated, then we must accept the fundamental equality of all people, since we are their descendants. This is why the Jewish Tradition asserts not only the obligations of the employer (and of the worker), but also the worker’s rights.

The fundamental principles and rights at work have been clearly set out in our scriptures, as illustrated in the examples below.

Work is also perceived as a means of acquiring independence. The rabbis go so far as to say that “he who takes pleasure in his work is more worthy than one who is content to fear God” (Babylonian Talmud Berakhot 8a). Rabbi Judah, a great sage, always went to his school carrying a very large item in order to set an example to his students. He said that “work confers honour on that person who performs it” (Babylonian Talmud Nedarim 49b). Sloth was accordingly viewed with disapproval, and the rabbis maintained that it could lead to moral degeneracy (Michnah Ketubot 5:5). This prompted them to say that “anyone with nothing to do should find a courtyard to sweep” (Avot deRabbi Natan 11:44). “That is why for a man not to teach his son a trade or profession is equivalent to teaching him to steal” (Tossafot Kidushin 1:11). Work may even be preferable to study because “he who is working is not obliged to stand in the presence of a sage” (Babylonian Talmud Kiddouchin 33a), even though the sage in Jewish tradition occupies a privileged position. However, seeking wisdom for its own sake is not a desirable goal, since “any study of wisdom without accomplishment or without work is futile and leads to error” (Ethics of the Fathers 2:2).

At what age does one start to work? There has never been a definitive rule. According to one text, 18 years is the age for marriage (Ethics of the

Fathers 5:21). This presupposes a degree of material autonomy that can be attained only through work. The same text tells us that 20 years is the age for action in the world, which implies that at that age one has the ability to stand on one's own two feet and forge one's own future, both professionally and financially. This, however, ignores the fact that in early times people started working at an earlier age and were often seasoned workers by the time they reached the age of 18 years. These texts do suggest at least that there was a certain division of labour according to age.

Work thus occupies a central place in our tradition, which is why the respective obligations of employers and workers have been much discussed over the centuries.

Let us now look at the different aspects of Jewish Law concerning work and relations between worker and employer.

## Wages

Even in the earliest texts, it is written that the day labourer's wages must be paid on the evening of the working day: "You shall pay him each day's wages before sundown on the day itself, since he is poor and looks forward to them. Otherwise he will cry to the Lord against you, and you will be held guilty" (Deuteronomy 24:15; Leviticus 19:13). This obligation is absolute, since "he who withholds his worker's wages is open to accusations of trying to deprive him of life itself" (Babylonian Talmud Babba Metzia 112a). Pay may be monthly, if this is agreed in advance by the worker and employer or stipulated in the employment contract, provided that this is the normal form of remuneration in a particular place of work. If the contract is for a period of less than one month, the worker's wages must be paid at the end of the contract (Babylonian Talmud Baba Metzia 65a).

The worker must receive his pay in money, not in kind, unless he needs basic subsistence items such as food, which in that case must be given in an amount at least equivalent to the sum owed to him (cf. Maharan de Rottenburg in *Mordekhai* BK1).

A worker is also entitled to consume produce from the fields where he has worked: "When you go through your neighbour's vineyard, you may eat as many of his grapes as you wish, but do not put them in your basket...and when you go through your neighbour's grainfield, you may pluck some of the ears with your hand, but do not put a sickle to your neighbour's grain" (Deuteronomy 23:25–26). If it is agreed that the employer must provide his worker with food, this must be adequate or, alternatively, he must provide the worker with adequate compensation to buy food.

So can the worker just help himself to produce that he is helping to grow? Such “perks” are allowed, but must not exceed the worker’s needs. The worker may not harvest produce for the purpose of selling it. He may take only what he needs to be able to continue working under comfortable conditions. Taking any more than this is regarded as theft.

How much should the worker be paid? Wages should match those normally paid locally for the same work. If wages vary in a given location, the new worker is hired at the minimum rate (see Alfassi on Babylonian Talmud Babba Metzia 76a).

## Contracts and obligations

For a worker to be hired, a contract must be discussed and agreed by both parties. Obviously this condition has varied in its application over the centuries. In biblical and rabbinical times, the very fact that a worker had begun work was deemed to imply acceptance of the terms of the contract (Babylonian Talmud Babba Metzia 76a), as was the worker’s acceptance of a tool for the work in question (Rabbeinu Tam Tosafot. A Babba Metzia 48a).

The contract was required to specify the type and duration of work. An employer could not assign a worker to different work – even it was less demanding – without the worker’s prior agreement, or if it meant lower wages. Nor could a worker be “loaned” to another employer (Tossafot Babba Metzia 7:6). The employer thus has a certain commitment towards the worker and vice versa. The worker is also prevented from finding another worker to replace him unless the employer agrees, since the employment contract is concluded with a particular individual.

The employee retains his freedom of movement and decision making. It is considered wrong to lock him into an excessively restrictive contractual relationship, since each individual is free and must remain so. No one may become “a servant of another servant”, according to our Tradition. What does this mean? In the Jewish Tradition, we are all servants of God who is the Lord of all of us (Babylonian Talmud Babba Metzia 10a), so an employer cannot regard his workers as mere menials to be exploited at will. Taking this approach further, the worker is ideally regarded as a partner of his employer, rather than one who is entirely dependent on him. It follows that the worker can at any time leave the contractual arrangement binding him to his employer. If the employer suffers harm as a direct result, appropriate compensation must be deducted from the worker’s wages, even though the worker cannot be forced to continue to do the work for which he was originally hired (Babylonian Talmud Babba Metzia 10a and Hazon Ish BK 23:6).

The rabbis are well aware that at times workers may be tempted to neglect their work. They would often say that workers work hard during the first hours of the day and less so as the day wears on, so that their output varies according to the time of day (cf. *Genesis Rabbah* 70:20). A worker must endeavour to adhere to the terms of the agreement with his employer and to work as conscientiously as he can. That is also why he is obliged to eat adequately in order to remain fit (*Tossafot Babba Metzia* 8:2), and should spare no effort (*Yad Sekhirut* 13:7). Both he and his employer have an obligation to consider his physical and mental well-being.

An employer may not terminate a contract with a worker on the grounds that he can find workers prepared to accept lower wages, or that the worker causes discord, or because he no longer requires the worker's services or the work is finished before time (*Babylonian Talmud Babba Metzia* 76b-77a). In such cases, he may assign the worker to other duties, provided that they are not more difficult or arduous than the original work. The worker must respect the terms of the employment contract until it expires, unless there is serious disagreement regarding the nature of the new duties.

If a contract of employment is terminated as a result of action by a third party, the employer is required either to pay the worker half the remaining wages still owed to him while he finds other employment, or to provide him with alternative but equivalent work until the end of the employment contract, unless the damage is due to forces of nature (*Babylonian Talmud Babba Metzia* 77a).

The worker may terminate the employment contract only if the harm this will cause to the employer is not irreparable and if the employer can find a replacement worker. If the employer finds another worker but has to pay him a higher wage, the difference is deducted from the wages owed to the original worker. Failing this, the worker's wages are paid for the days actually worked (*Babylonian Talmud Babba Metzia* 76b-77a). However, the worker is liable for any damage resulting from the breach of contract, by analogy with the case of someone who damages or loses an item entrusted to him – the loss has to be paid for by the person to whom the object has been entrusted. In this case, work is deemed to be equivalent to an item entrusted to the worker, who is accountable to his employer for what has been entrusted to him and for any loss or damage that he may cause. It must of course be proved that the breach of contract is the result of a deliberate unilateral decision. In cases where a worker and his ex-employer disagree, the judges called on to rule on the matter are expected to lend a more sympathetic ear to the worker than to the employer, since the worker is more dependent on the employer than vice versa, unless this would lead to a wider dispute (*Babylonian Talmud Babba Metzia* 83a).

## Injury and compensation

An employer is forbidden to conclude a contract of employment with anyone whom he knows to be incapable of complying with its terms. He may not, for example, hire a worker who is not fit enough to complete the task for which he is hired; if he does, and the worker suffers injury or other physical impairment as a result, it is the employer who must bear the resulting costs (Tossafot Babba Metzia 7:10).

If during the course of work a worker is injured though no fault of the employer, the employer cannot be considered liable and should not be made liable for the consequence of the accident. This may nowadays seem hard and unjust towards the worker, but the worker is regarded as an individual fully capable of taking decisions, who has freely undertaken to work for an employer and remains in control of his own destiny. If the employer is responsible for determining the means by which a task is to be done, he is partially liable for any injury or harm that may result, in proportion to his degree of responsibility in choosing the means (cf. Sefer Teshuvot haRashba 20).

The Jewish Tradition is known for its strict observance of the Sabbath, i.e. the seventh day of the week, when both masters and workers are expected to put work aside in order to “restore” body and soul. During the Sabbatical Year (every seventh year) people were expected to stop working. The Jubilee Year (every 49 years) provided for the return of property to those who had been forced to mortgage it, as well as for the liberation of slaves – one might today call this the abrogation of abusive employment contracts. Prophets denounced those who refused to honour the obligations imposed by the Sabbatical and Jubilee years (Leviticus 25).

## Conclusion

It should be noted that labour laws consistent with the Jewish Tradition have never been fully applied. Are these laws obsolete today? They are, certainly, if we take them literally. On the other hand, they serve to remind us that employers do not have “proprietary” rights over the workers in their employ, that they do not “own” the worker, who remains a free agent, capable of shaping his or her own destiny, and master of his or her own time, own body and own soul. The memory of the release from captivity in Egypt is the ever-present backdrop against which the Jewish concept of work and of the relationship between employer and worker has evolved. Thus work cannot be regarded as a relationship of dependence but, rather, as an association of two free individuals, allowing each party a degree of freedom while affirming their reciprocal rights

and obligations. Work thus creates a partnership between individuals, which reflects the partnership between every individual and the Creator.

Since work is regarded as participation in the task of perfecting God's Creation, it must be available to all and enriching for all, and not just in the material sense. Work has a social dimension; it can mould an individual and society as a whole. It is a means of human development and sanctifies the Creator. In our Tradition, this responsibility before the Creator is supposed to lead each of us to an understanding that other people are fellow human beings. It is a difficult message to get across, presupposing as it does a belief in a Creator. Perhaps we should just go back to the words of Hillel the Ancient, who said that all of Judaism could be reduced to one simple truth: "Do not do unto others that which you would not suffer from them."

## The Decent Work Agenda and the Reformed Protestant or Presbyterian tradition

*William A. McComish, Dean of Geneva Cathedral, General Treasurer, World Alliance of Reformed Churches*

The Decent Work Agenda finds total resonance in the Reformed Protestant religious tradition; indeed, many of the concepts relating to Decent Work come from this form of Christianity. This is largely because Reformed Protestantism began in the urban environments of early modern Europe such as sixteenth century Geneva.

Geneva, like many other cities which accepted the Reformed faith, was proto-industrial. There were a number of industries, including printing. It was a city that had become commercially important at the end of the Middle Ages when people were being rapidly freed from the agrarian serfdom typical of the feudal period. This was partly a long-term effect of the Black Death (bubonic plague). The old economic system broke down and industry was stimulated by shortage of labour. A new middle class grew up, literate and seeking power in both Church and State, depending on commerce, industry and banking, and storing wealth in money rather than in land. The birth of the Reformed Churches is inseparable from republicanism in Geneva; the same people wanted and obtained responsibility in both Church (as elders) and State (as members of the Great Council). Committed Protestants could read their own Bibles and listen intelligently to Calvin's sermons. It has been the same upwardly mobile class that has often become attracted to Protestantism then and now in Europe and elsewhere.

Thus Reformed Protestantism was born with the mercantile revolution and had an easier relationship with the money economy than had older Churches (Rome) or religions (Islam) that inherited a mindset from the Middle Ages or the desert. It was radically different from the mentality of a peasant mystic such as Luther whose Protestantism is from a totally different environment. The typical Calvinist was a man of affairs and had no in-built suspicion of capitalism in trade and finance. The natural economy had given way to a money economy. Capital, credit and banking formed part of the Calvinists' daily life.

In sixteenth century Europe, the bright young man was Protestant and, because of the socio-religious conditions of the time, his faith was intimately involved with his profession. Since the environment was urban and commercial, if not industrial, connections were obvious. A Decent Work agenda was part and parcel of reality. Even in Calvin's Geneva we can clearly trace a theology of workers' rights, but this should not be separated from the whole subject of the development of human rights, which has always been a Reformed preoccupation.

The Calvinists had a typically pre-Industrial Revolution attitude to economic abuses, including workers' rights. Restless competition and excessive greed were frowned upon because they upset the natural order of economic society. The ethical value of work is clearly seen in Calvin's exegesis of texts such as Proverbs 4:10, "the hand of the diligent maketh rich" asserting the dignity of labour and, by implication, the rights of the workers to take pleasure in and profit from their work. Hard work was seen as a virtue and a city such as Geneva was regarded as a centre of moral regeneration, where Christian character was to be developed through social institutions based on individual responsibility.

Work would always have been seen as a way of building relationships within the family and the community, but it was not seen as the most important aim – it was the glory of God that was to be proclaimed by a sixteenth century Reformed community, and the division of labour and the dignity of each component would have been assumed. This can be seen in the Calvinist doctrine of a fourfold ministry of the Church consisting of pastors (to preach), doctors (to teach), elders (to govern) and deacons (to look after the young, the poor, the old and the sick). In Calvin's own commentary on Thessalonians 3:10, "If any would not work, neither should he eat", he clearly condemns people who live off unearned income and praises all forms of work – housework and other forms of industry are seen as being as important as those activities that are remunerated. If the family or the community was harmonious, it was because the members were working with, and for each other.

Collective bargaining and freedom of association are the economic aspects of basic political rights. That a group has a right to bargain collectively is a constant theme of Reformed thinkers throughout the sixteenth century and after. Languet, in his *Defence of liberty*, argues that it is necessary for there to be a form of contract between those in authority and those ruled, and Buchanan, in his great *De jure regni*, insists that rulers of all sorts must be controlled by law. The most important political thinker of the age, the Reformed French Protestant Jean Bodin, has a concept of sovereign power that overrides particular interests – of any kind. The most important document on human rights of the eighteenth

century was *Du contrat social*, in which Jean-Jacques Rousseau, who was baptized in Calvin's cathedral in Geneva, develops contractual theories of government that have an inevitable application to industrial relations. Workers' rights, in the same way as all human rights, receive an undergirding from Reformed political theory as well as from theology.

Forced or compulsory labour is automatically denounced by Reformed theology and praxis since it conflicts with basic Reformed ideas such as human rights and individual responsibility. This goes back a long way in Reformed consciousness. One famous codification is in the *De jure belli ac pacis* (1625) published by Hugo Grotius, a Dutch Reformed Protestant. In this book he writes about the law of war. Inevitably this involves the treatment of prisoners and their physical exploitation. To some Calvinists, deprivation of the right to work would have been seen as a punishment! The exploitation of prisoners is forbidden by the (inevitably) Geneva Conventions which are of Reformed inspiration and which depend largely on the work of the American President Woodrow Wilson and the Genevan Henri Dunant, founder of the Red Cross, both men being associated with Geneva Cathedral. Legislation about situations of conflict has no reality if it is separated from that of peacetime.

Child labour was never acceptable to the Reformed. This becomes clear from the fact that in Geneva, the Department of Public Instruction was founded in the same week as the city decided to become Protestant. Boys, and later girls, were to be educated free of charge by the collectivity. Orphans were to be educated for nothing. This shows that children were regarded as being important for society and for the Church. Children were admitted to Holy Communion in Calvin's day. They were not to be exploited, but were to be trained for a life of work and to take their place as responsible people in the Church and State.

Discrimination in employment has been constantly denounced by Reformed opponents. To be effective, this kind of opposition depends on other factors such as freedom of the press, and it was the poet John Milton (another Reformed Protestant and friend of Galileo) who wrote the famous *Areopagitica* on this subject. One of the great American opponents of slavery was the Presbyterian Horace Greeley, a newspaper editor. Slavery was opposed as being incompatible with God's will, as are all other forms of discrimination. The denunciation of the slave trade by the Belfast Presbyterian Thomas McCabe might be mentioned here. Modern forms of discrimination such as Apartheid in South Africa have not been neglected either. This was denounced and opposed by the World Alliance of Reformed Churches at the 1970 General Council in Nairobi, and for many years afterwards. These are only a few instances of a vast series of works designed to improve society by removing

discriminatory practices. Decisions by Church bodies are important, but the bulk of social witness has been carried on the shoulders of Reformed men and women driven by their personal sense of social responsibility to right injustices as an inherent part of their Christian witness.

Since the Declaration on the Fundamental Principles and Rights at Work is very much in a Reformed intellectual and social tradition, I see no problem in having it adopted by the Cooperation and Witness Department of the World Alliance of Reformed Churches, which could present it to the next General Council in Accra, Ghana, in 2004. The delegates at that Council could then take it back to the Churches of the Presbyterian, Congregational and Reformed traditions.

The best way for the Reformed Churches to create greater employment opportunities and fair income for women and men is to continue to work for these matters through preaching and action. The urgency of the situation should be brought constantly to the attention of the people of God. The Reformed can find strength in their many years of witnessing to God in situations of injustice. Martin Niemoller, who preached in Geneva cathedral at the close of the Second World War, was asked by a colleague – “Brother, why are you in prison?”, and Niemoller, who was in prison for his anti-Nazi preaching, answered “Brother, why are you not in prison?” The Reformed should be prepared to support the goal of Decent Work even if it is a costly decision financially, but it is no longer enough to go on talking about problems that are clear to all. Action is required. There are many modern Reformed documents which can be produced to uphold Reformed action, such as the report on the World Conference on Human Rights, Vienna, 1993, by the American Presbyterian James L. Cairns, who stated clearly that the attitude of the Reformed to all forms of human rights should always be holistic, compassionate, rational and, above all, theological. For the Reformed, human rights are not simply a political agenda or a matter of economic expediency; they are a matter of the human face of the justice of God. Another important text is that edited by the Taiwanese theologian C. S. Song: *Covenanting for peace and justice* (1988), which could easily be updated and reissued for study and suggested action by the Reformed Churches, in collaboration with other religious bodies. The World Alliance of Reformed Churches meeting at Debrecen in 1997 had “Break the chains of injustice” as its theme, and there are a number of relevant texts and decisions.

Extending social protection and safety at work are such important matters that they cannot be left to institutional Churches or world bodies. The most efficacious way of promoting social change would be to have leaflets sent to all local congregations concerning social protection and safety at work. These leaflets would have to be from a Reformed theological perspective, as has already been suggested.

Reformed theology and praxis can help to promote social dialogue between employers, workers and others. This is made easier because of the non-hierarchical nature of the governance of Reformed Churches, which is not a patriarchal force and so can negotiate without aggression. All Reformed people are called upon to act out their individual responsibility. The Reformed also avoid many pitfalls such as that of the nineteenth century evangelicals, who sometimes preached a doctrine that made resistance to social misery an attack on the providence of God. They also refrain from preaching a “prosperity gospel”, which teaches that wealth is a sign of God’s favour and that becoming richer is a sign of conversion to Christianity. The postmodern and existentialist theology that is increasingly typical of Reformed Churches is a help in that it values a multifaceted approach, where truth is seen as being within certain limits rather than at a fixed point. It is worth mentioning the Asian Reformed feminist theology that is typical of Professor Chung Hyun Kung or Lee Sun Ai. These women have revolutionized Christian theology by working from the bottom rather than the top, and building truth from people’s experiences.

The values of the Decent Work Agenda are preached in their entirety in the Reformed tradition. The Reformed Churches are very much aware of the cultural diversity of their members, so it is clear that “global” Western (or “global” anything else) solutions will not do. All aspects must be tackled at once or people will pick those which suit only their own interests. But the Reformed witness must, as Cairns said, be holistic and theological. All aims should be sought simultaneously and it is unnecessary to put them in order of precedence as far as Reformed thought is concerned – but action must be adapted to local cultural, economic and social mores.

Common ground on matters of the Decent Work Agenda should not be too difficult to find among major elements of the world’s religions, and it would be important that common witness be visible. Because of their loose structure, the Reformed Churches find it easier than some other religious organizations to cooperate without feeling a loss of sovereignty. Religious organizations the world over are at many different stages of intellectual development, and cultural variations are more often based on difficult-to-define elements such as political theory than on pure theology. As monotheists, the Reformed believe that God sees the needs and hears the prayers of all people, and that working for the improvement of human society is a way of working for God’s glory. The Reformed instinctively ask the same great question as the sociologist Bronislaw Malinowski as to what role is played by religion in society. The perceived roles of different faith traditions are not always easy to relate, but the Reformed attitude has the merit of being simple. To face up to the enormous needs of humanity, all faith groups are required to work together and show

forth a common witness. The Reformed are prepared to work with others for the good of all.

The creation of an interfaith work ethic is an opportunity for different faith traditions to work together in our time.

# Decent Work from a Protestant perspective

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Below are a few statements by Juan Somavia, from the reports of the Director-General to the ILO on the International Labour Conference, 1999 and 2001:

Decent Work means productive work in which rights are protected, which generates an adequate income, with adequate social protection. It also means sufficient work, in the sense that all should have full access to income-earning opportunities.

Decent Work is a goal. It reflects a universal aspiration of women and men everywhere and connects with their hopes to obtain productive work in conditions of freedom, equity, security and human dignity. Despite transformations in the world of work, the essence of what people want from work remains constant across cultures and levels of development. Decent Work is a personal goal for individuals and families and a development goal for countries.

People aspire to a future which delivers opportunities for Decent Work in a sustainable environment. It is about recognition and dignity, about security and voice, about gender equality and solidarity. But there is a global Decent Work deficit, reflecting the diverse inequalities of our societies, and this is a source of profound concern.

I come from a tradition that has always valued work and has perhaps even overvalued work. However, in its vision of what labour should be, this tradition is never far from the concept of Decent Work. In this presentation I will first point out some of the main aspects of the Protestant Tradition, then make links with Juan Somavia's analysis and convictions.

## The Protestant Tradition on work

*Work has always been strongly valued: the goals being personal, social and spiritual*

- Personal: Work is considered as an important feature of the Protestant anthropology. To prevent somebody from working means to prevent him or

her from being a human person. This was directed against the ancient ideals of the Greeks and Romans (where only slaves and women were supposed to work), but also against an old traditional image of Christ as being poor and a beggar. The Protestant Tradition promotes human dignity whereby the worker is in a position to have a family life, to educate his or her children and to take part in social life on an equal footing with other people. For this reason, work has never been considered as being comparable to land or capital. Work is a fundamental right and not a factor of production, or as analysed by Adam Smith in *The wealth of nations*: land and capital are not factors of production and their revenue should be less than the revenue of work, because the landowner and the capitalist do not work at all.

- Social: Work places us with one another in a situation of reciprocity or of dependence, which is not viewed in a negative way: dignity is not independence. We need the work of the others for everything in our lives, and it is the fault of the market to make us so blind as not to recognize this dependence. For this reason the Protestant Tradition has always strengthened the concept of utility, not in the narrow sense of utilitarianism, but in the sense that every type of work should be of help to others. Work is the best way to fight against poverty and against charity, which was suspected of maintaining the poor in their state of poverty. With the development of work, productivity would increase thus enabling more people to live in a decent way.
- Spiritual: Work is derived from, and takes its source from the work of, the divine activity. This means that God himself works and that human work is the continuation or the mediation of God's activity, rather than the consequence of the Fall. What does God do when He works? He makes life possible for all. However, this reference to God also marks the limit of work: work is not the ultimate word from God. God takes a rest.

What are the consequences of this brief analysis? First, there is the obligation to give work to the unemployed, which was the case in Geneva in the sixteenth century, together with the banning of begging. This obligation is for the rich: their money is only a loan, to be used to create employment for other people. Second, there is the necessity of free and obligatory instruction, at least to read, to write and to count, and certainly to have in each culture and society the concrete means to exercise one's economic and political freedom. Third, there is the legitimacy to change one's work for a better job and to emancipate others from slavery (as against 1 Corinthians 7:20: "Each one should remain in the situation which he was in when God called him").

## *Vocation*

The concept of vocation offers a kind of synthesis of the Protestant theology of work (I do not mean it exactly in the Max Weber sense, but in terms of what may be found in the writings of John Calvin and those of William Perkins, for example). Everyone has a vocation or calling from God, and together we are in a position of fundamental equality in front of God (there are no longer specific states of perfection such as priesthood or religious life, as in medieval theology). But how can we discover the will of God or His calling? The Protestant theology gives four criteria:

- our desire (what we wish; this is the most important criterion, but must be kept secret in our prayers);
- our capacity or ability, which is recognized by a qualification or a degree, etc.;
- the utility (in a broad sense);
- the acknowledgement by others that we are in the right place.

## *Work has its limits*

To rest on the Shabbat, or Sunday, is a commandment, while to work is not normally considered as such (although Richard Steele, a Puritan, argued that the commandment to rest on the Shabbat implies the commandment to work during the other six days). Work is a good thing but it is not the source of salvation, just as ethics and morals are not the source of salvation. The sense of our life should not be built from within ourselves but must be received as purely a gift from God.

Shabbat also means that what we produce is in fact a gift from God and that we lose what we have as soon as we see it as our own possession. This is why work should be stopped on holidays, when part of its fruit should be given as a gift to others.

The criterion is not whether work is or is not productive but whether it is useful for others. This means that one must acknowledge other kinds of work other than productive activities. Therefore, being a father or mother, being a magistrate or civil servant or being a pastor in the Church were considered as vocations although they had no productive goal.

## *The Protestant Tradition has also had its drawbacks*

- Utility has often been seen only in terms of productivity.
- Coercive work: in Geneva there used to be an inspection every week in the Hospice Général, in order to make able-bodied people go out and work.
- Work has been overvalued: the motto “work was his life” is often found on tombstones.

## Decent Work from a Protestant point of view

Referring back to certain points in Juan Somavia's analysis:

### *Decent Work reflects a universal aspiration of women and men everywhere*

We must be careful here; is this aspiration really universal? There are certainly other ways to fulfil oneself than through work. This statement assumes, for example, that the individual must be taken into consideration before the community – is it true everywhere? It also assumes that the interest, as a means of improving one's condition, is universal – which may not be the case; and it assumes a correspondence between the personal goals of individuals, of families and of States.

### *Decent Work means productive work*

We must be careful not to make economics the only criterion of acknowledgement. Many activities that are not productive may also be acknowledged as work, such as family life, religion, art and literature. How do we acknowledge the dignity of those who cannot work because they are too young, too old or too ill, for example? We must be careful not to overvalue work. We must certainly reconsider the link between acknowledgement and dignity: What should be acknowledged? What is the source of dignity?

### *Protection of rights*

The focus on rights is based on the principle that we share the same rights everywhere. This is very important, and has to do with the values of equality and reciprocity – for example, gender equality. However, we must be careful whilst promoting equality to respect people's specific situations and their various cultures. For example, social protection and security must take into account gender issues. This may also be true between cultures and States, which do not have exactly the same vision of what is good, or not. What are these rights? The criteria for what is just or not must be universal, whilst allowing for a variety of visions.

### *Adequate income*

What is adequate income, and is it adequate everywhere? Adam Smith, for example, asks the question whether the lowest classes should have shoes or not.

## Philosophical and spiritual perspectives on Decent Work

He answers positively for both sexes in Britain; in Scotland only for men; and in France that there was no necessity at that time because it was not a matter of dignity. It is in this sense that he introduces the concept of Decent Work: “by necessities I understand, not only the commodities which are indispensably necessary for the support of life, but whatever the custom of the country renders it indecent for creditable people, even of the lowest order, to be without.” Elsewhere he specifies that an adequate income must at least cover the costs of education, of family life and the risk of losing one’s job.

### *Adequate social protection*

This is fine, but one must be careful not to maintain people in a way that makes them dependent. The call for universal solidarity run directly from the State to the individual is not a good one. One must be careful not to destroy the solidarity networks that already exist, e.g. the family unit, neighbourhood groups. The Subsidiary Principle has to be respected.

### *Decent Work and sustainability*

There is tension or a conflict within the concept of sustainability between social justice (priority to the poor), economic growth and respect of the environment. We must better recognize this tension and ask how we manage with it, and not suppose that everything goes in the same way.

# Decent Work: A Catholic perspective

*Dominique Peccoud, Special Adviser for Socio-Religious Affairs, International Labour Office*<sup>1</sup>

The Social Teaching of the Catholic Church is a reflection on the complex realities of human existence in society, in the light of the Faith as taught in the Church's tradition. Its main aim is to interpret these realities, determining their conformity with the Gospel teaching on the human being and his or her vocation, a vocation that is earthly yet transcendent. Its aim is to guide Christian behaviour, and it therefore belongs to the field of theology and particularly moral theology.<sup>2</sup>

## Resonance of the Decent Work Agenda with the Catholic Tradition: The important ethical value attached to work

In the Catholic understanding, work has immense ethical value, since through work a person earns his daily bread. In the Book of Genesis, the Church finds its conviction that work is a fundamental dimension of human existence on earth. The human being is made in the image and likeness of God and is placed in the universe in order to subdue the earth.<sup>3</sup> Even if there is no explicit reference to work, it indicates that from the beginning the human being is called upon to perform an activity in the world. It also indicates the deepest essence of the human being – as an image of God, partly through the

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<sup>1</sup> The views expressed here are solely of the author and may not be attributed to the International Labour Organization. Furthermore, they do not reflect or pretend to be an official position of the Catholic Church. The author is very grateful to Georges Ruyssen for his help; however, the author claims responsibility for any errors and omissions.

<sup>2</sup> This article is largely based on excerpts from the major Encyclicals concerning the Social Teaching of the Church. I have avoided quotation marks, so as not to hinder the reading. The two major doctrinal texts used are the Encyclicals *Laborem Exercens* and *Centesimus Annus*. The publication by the Pontifical Council for Justice and Peace, *The Social Agenda, a collection of magisterial texts* (Vatican City, Libreria Editrice Vaticana, 2000), was of great help.

<sup>3</sup> Respectively Genesis 1:27: "In the image of God ... male and female", and Genesis 1:28–29: "Be fruitful and multiply, and fill the earth and subdue it".

mandate received from the Creator to subdue and to dominate the earth. In carrying out this mandate, every human being reflects the very action of the Creator of the universe. Work is a duty and a divine command to complete God's creation. Thus, work distinguishes the human being from other creatures and it implies that work bears the particular mark of humanity. This mark constitutes the very nature of work. Work is first of all seen as an activity that is creative and transitive (i.e. for the good of others, and therefore for the good of the self).

Through work a person also honours the Creator's gifts and talents received from Him. Work is thus a stewardship of talents, since in the design of God, every human being is called upon to develop and fulfil himself. Through education, but also through work, man is responsible for bringing to fruition latent talents and aptitudes granted to him. Thus man grows in humanity, enhances his personal worth and comes closer to being "in the image and likeness of God". In the words of Pope John Paul II in his Encyclical letter *Laborem exercens*:

Man has to subdue the earth and dominate it, because as the 'image of God' he is a person, that is to say, a subjective being capable of acting in a planned and rational way, capable of deciding about himself, and with a tendency to self-realization. *As a person, man is therefore the subject of work.* As a person he works, he performs various actions belonging to the work process; independently of their objective content, these actions must all serve to realize his humanity, to fulfil the calling to be a person that is his by reason of his very humanity.

Thus, as a person, the human being is therefore *the subject of work* – on the one hand he is the master of his work, while at the same time his work shapes his personal profile. In this sense, the person, as subject of work, has an absolute priority over work itself. Work is in this sense a means of sanctification, since through work a person cooperates with God (i.e. in synergy with God) to direct himself towards the destiny intended for him by his Creator. Work has a strong connotation of redemption in relation to Jesus Christ's "work" of salvation and redemption. Thus a person shows himself to be a disciple of Christ by carrying the cross, daily, in the work he is called to accomplish. We can summarize in the words of *Laborem exercens* that "Man must work, both because the Creator has commanded it and because of his own humanity".

A person's work is naturally interrelated with the work of others. Indeed, when work is done in common, it brings together and firmly unites the wills, minds and hearts of people. Moreover, a person must also work for others, especially his own family, but also for the society he belongs to, his country and for the global human family of which he is a member.

The above constitutes the moral obligation of work.

## Views on the values enshrined in the ILO Declaration of Fundamental Principles and Rights at Work (1998)

The Church through her Social Teaching calls attention to the dignity and rights of those who work and does not hesitate to condemn situations in which that dignity and those rights are violated. It is clear that every man, woman and child has inalienable dignity,<sup>4</sup> irrespective of sex and racial, ethnic, cultural or national origin, or religious belief. The Teaching stresses the importance of just reforms, which can restore dignity to work in terms of freedom of action. A human being should not experience the lowering of his dignity.

However, work can become a means of oppression where human beings become a mere tool or an item of merchandise to be used for the growth of enterprise. If the organization of economic life is such that workers' dignity is compromised or their freedom of action is removed, then the Church does not hesitate to judge such an economic order to be unjust, even if it produces a vast amount of goods. The economic system must be one that fosters a society of free work, of enterprise and participation. Furthermore, a just wage should be the concrete means of verifying the justice of the whole socio-economic system and of checking that it is functioning justly.<sup>5</sup>

### *Freedom of association and collective bargaining*

In order to promote the participation of the greatest number in the life of a society, the creation of voluntary associations and institutions must be encouraged. This socialization is an expression of the likeness of humanity with The Divine, referring to the Three Persons and their relationships; thus human beings are associated with one another for the sake of attaining objectives that exceed individual capacities. It develops people's qualities,

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<sup>4</sup> According to the Teaching of the Catholic Church, a person's dignity should be considered with regard to the origin and destiny of the human being, created by God in His image and likeness. With reference to the Trinity, God is considered in terms of a fundamental relationship between three Divine Persons: the Father, the Son and the Holy Spirit, the last emerging from the relationship between the Father and the Son whilst at the same time being at the foundation of, and enhancing, that relationship. Jesus is fully human and reveals himself to be Christ, the anointed Son of the Father with respect to the above concept of God. Moreover, every human being is called upon to enter this fundamental relationship in sharing by adoption the place Jesus Christ the Son holds by nature. For this reason, any violation of personal dignity is an offence against God Himself.

<sup>5</sup> The issue of a just wage is central in the Church's Social Teaching. A just wage is not only the expression of respect and consideration for the worker's dignity and his efforts in performing the work, but is also the legitimate fruit of work. To refuse, to withhold or to defraud anyone of the wage due to him is a great crime. Remuneration for work is thus linked to the issue of dignity, since the wage should guarantee a person the opportunity to provide a dignified livelihood for himself and his family on the material, social, cultural and spiritual levels. Even if a contract is signed by a worker and his employer, the State must ensure just wage levels for the maintenance of the worker and his family. This requires a continuous effort to improve workers' training and employability so that their work will be more skilled and productive, as well as careful controls and adequate measures to block shameful forms of exploitation.

enhances their sense of initiative and responsibility and helps guarantee their rights.<sup>6</sup> The Church clearly supports the existence of labour or trade unions, which reflect the specific character of each profession. Anyone is free to join a syndicate or not, and only within these limits can this kind of syndicate be called free. Moreover, the Church believes that workers will then not only *have* more, but, above all, will *be* more and realize their humanity more fully. Serving the development of an authentic culture of work, unions are an indispensable element of social life. If they are a mouthpiece for the struggle for social justice, this struggle has to be seen as a normal endeavour for the just good and not a struggle *against* others. Even if the struggle takes the form of opposition towards others,<sup>7</sup> its aims are nevertheless to achieve social justice. The unions remain a constructive factor of social order and solidarity, but should never be turned into a kind of group or class “egoism”.

### *The elimination of all forms of forced or compulsory labour*

The Social Teaching of the Church strongly opposes forced or compulsory labour since this opposes freedom, and freedom is a characteristic of the true nature of every human being. Because freedom is rooted in the dignity given to him by God, the human being is inseparable from freedom, and no external force or constraint can ever take it away. Forced labour constitutes degradation of the human being as the free subject of work, reducing him to a mere tool or an item of merchandise. The Church thus calls upon all public and private institutions to minister to the dignity and purpose of man, and therefore puts up a stubborn fight against any kind of slavery, whether economic, social or political. Moreover, unless all the resources and potential at humanity’s disposal are guided by a moral understanding and by an orientation towards the true good of humankind, they can easily turn against people and oppress them. Human beings then become the slaves of objects, of economic systems, of production, or even of their own products.

### *The abolition of child labour*

The opposition of the Church’s Social Teaching to every form of child labour

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<sup>6</sup> The Church does not hesitate to state that the denial or the limitation of human rights, such as the freedom to organize and to form unions, impoverishes the human person as much as, if not more than, the deprivation of material goods. Indeed, the Church considers that the most fundamental right, on which the improvement of work and living conditions is based, is freedom of association or union.

<sup>7</sup> In this sense the Church’s Teaching recognizes as legitimate the right to strike or work stoppage. Being an extreme means, it must not be abused, especially for “political” reasons. Abuse of the strike weapon is contrary to the requirements of the common good of society.

is linked to human dignity,<sup>8</sup> since such labour lowers or degrades the dignity of the child. The Church stresses the importance of the education of children. It is through education that a child is assisted in his growth and in living a full life, towards his or her vocation to be “an image of God”. Child labour takes away the child’s education and therefore denies him the chances and facilities to develop as a free person, thus damaging his dignity.

The Church acknowledges that work and industriousness influence the process of education in the family. Through work every person develops to become a complete human being, and this is precisely the main purpose of education<sup>9</sup> Although the Church accepts that every member of a family should contribute to its maintenance, according to his or her own capacity, it is nevertheless considered very wrong to abuse the years of childhood. It is therefore important that parents receive an adequate and fair wage, sufficient to meet ordinary family needs, eliminating the necessity to require their children to work.

### *The elimination of discrimination in respect of employment and occupation*

The emphasis placed by the Church on human rights derives from the conviction that all human beings are equal by reason of their natural dignity (created in God’s likeness, all human beings have the same nature and origin). Hence no type of discrimination, whether social or cultural, whether based on sex, race,<sup>10</sup> colour, social condition, language or religion can in any way be justified and must be eradicated as contrary to God’s intent. Access to employment must be open to all without unjust discrimination: men and women, healthy and disabled,<sup>11</sup> natives and immigrants.

In her Social Teaching, the Church insists on gender equality and is aware that much remains to be done to prevent discrimination against women. Both man and woman are human beings to an equal degree: both are created in God’s

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<sup>8</sup> The Church does not hesitate to qualify as “intrinsically evil” whatever is offensive to human dignity, such as subhuman living conditions, slavery, prostitution and trafficking in women and children, and degrading working conditions which treat labourers as mere instruments of profit and not as free responsible people.

<sup>9</sup> It would be very interesting to develop the importance of the family in the Church’s Social Teaching. The family constitutes one of the most important terms of reference for shaping the social and ethical order of human work. The family is simultaneously a community made possible by work, as well as (through the home) the first school of work for every person.

<sup>10</sup> Concerning racism, the Church is very clear: racism and racist acts must be condemned. The application of legislative, disciplinary and administrative measures is appropriate. Cf. Pontifical Council for Justice and Peace: *The Church and racism: Towards a more fraternal society* (1989).

<sup>11</sup> It is remarkable that the Social Teaching of the Church also takes into account the issue of the disabled person and work. To admit to the life of the community, and thus admit to work, only those who are fully functional would constitute a serious form of discrimination. Disabled people may therefore be offered work according to their capabilities in so-called “protected” enterprises and surroundings, for this is demanded by their dignity as persons and as *subjects of work*.

image and likeness,<sup>12</sup> both are entrusted with the dominion over the earth. The Church believes that a greater presence of women in society is most valuable. It will help to reveal and overcome the contradictions present in many societies organized solely according to the criteria of efficiency and productivity, and it will force them to be redesigned in a way that favours the processes of humanization and the civilization of love. Moreover, there is a need to achieve real equality in every area: equal pay for equal work, protection for working mothers, fairness in career advancement, equality of spouses with regard to family rights. Equal dignity and responsibility of men and women also fully justify women's access to public functions, but according to the Church, the true advancement of women also requires clear recognition of their maternal and family role, along with all other public roles and professions. Therefore, the value of the work of women in the home should be fully recognized and respected. The Church especially acknowledges the specific role of women as mothers and of men as fathers in the education of children.

Regarding migrant workers, the Church is fully aware of the strong discrimination held against them. When workers come from another country and contribute to the economic advancement of a nation by means of their labour, all discrimination as regards wages and working conditions must be carefully avoided. Public authorities are called upon to treat migrant workers as human beings, not as mere tools of production.

Discrimination between different types of work and professions is eliminated once it is clear that all people are working with equal rights and equal responsibilities.

## Assessment of the four strategic objectives of the ILO towards realizing the goal of Decent Work

### *Promotion of the Declaration on Fundamental Principles and Rights at Work*

The Social Teaching of the Church acknowledges that the attainment of workers' rights cannot be merely a result of economic systems chiefly guided by the criterion of maximum profit. It is respect for the objective rights and the dignity of the worker that must constitute the first and fundamental criterion for shaping the whole economy. To this effect, the Church stresses the importance of the role and the influence played by organizations such as the ILO, which is

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<sup>12</sup> Genesis 1:27 "God created man in his own image, in the image of God he created him; male and female he created them".

frequently referred to in its Social Teaching. When planning and organizing labour, the guiding principle must be the constant reappraisal of people's work, both in terms of its *objective* outcome, and with respect to the dignity of the person as *the subject of work*. Progress must be made through the human being and for the human being, and the test for this progress is an increasingly universal respect for the rights inherent to work in conformity with the dignity of the human being, the subject of work. This resonates perfectly with the first strategic objective of the ILO's Decent Work Agenda: the promotion and realization of fundamental principles and rights, and better standards at work. To this effect, there is a literal reference to these objectives in the Encyclical letter of Pope John Paul II, *Centesimus Annus*:

In this context, an abundance of work opportunities, a solid system of social security and professional training, the freedom to join trade unions and the effective action of trade unions, the assistance provided in cases of unemployment, the opportunities for democratic participation in the life of society – all these are meant to deliver work from the mere condition of 'a commodity', and to guarantee its dignity.<sup>13</sup>

The best illustration certainly remains the call by the Pope for a global coalition for Decent Work, in response to the presentation made by Juan Somavia, Director-General of the ILO, on the Decent Work strategy at the Jubilee of the World of Work, in Rome on 1 May 2000.

### *Creation of greater employment and income opportunities for women and men*

Everyone has the right of economic initiative and everyone should make legitimate use of their talents to contribute to the abundance that will benefit all. Thus, in the Social Teaching of the Church, work is a fundamental right for all human beings, despite the huge numbers of unemployed or under-employed people – which, according to the Church, demonstrates that there is something wrong with the organization of work and employment.

The Church's Teaching considers unemployment as an evil<sup>14</sup> which, when it reaches a certain level, becomes a social disaster. It is therefore the responsibility of indirect employers such as the State – but also of international organizations – to ensure employment for all and to protect workers from unemployment, on the one hand through economic policies aiming at balanced growth and full employment or by stimulating activities during economic downturns, and, on the other hand, through unemployment benefit

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<sup>13</sup> *Centesimus Annus*, No. 19.

<sup>14</sup> Genesis 1:28–29: The human being must work due to a divine command to subdue the earth.

and retraining programmes ensuring a smooth transfer of workers from crisis sectors to those in expansion. There is indeed a moral duty, springing from the principle of the common use of goods and of the right to life and subsistence, to provide grants for the subsistence of unemployed workers and their families.

The wage should guarantee people the opportunity to provide a dignified livelihood for themselves and their family on the material, social, cultural and spiritual level, and every job should therefore constitute a just and fair income opportunity for workers and their families.<sup>15</sup> Society and State must ensure wage levels or income opportunities adequate for the maintenance of workers and their families, which include a certain amount for savings.

### *Extension of social protection and safety at work*

The basic fundament of social protection and safety at work is that every man and woman has the right to life, to physical and spiritual integrity, and to the means to provide the essentials for a reasonable quality of life: food, clothing, rest, shelter, medical care and the necessary social services, including the right to security in cases of sickness, inability to work, widowhood, old age and unemployment. These rights flow from the dignity of the human being as part of creation.<sup>16</sup> Besides wages, it is clear that the Church highlights the importance of various social benefits ensuring the life and health of workers and their families. While respecting the rightful autonomy of each sector (principle of subsidiarity<sup>17</sup>) the Church calls upon the State to remedy the conditions of the poor or the weak, because the State has the duty of watching over the common good and of ensuring that every aspect of social life contributes to achieving that good. However, the State is not called upon by the Church to resolve every social problem. Though supplementary state interventions can be justified, the State should avoid removing from smaller communities those functions that are properly theirs, and increasing state intervention to the detriment of both economic and civil freedom.

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<sup>15</sup> The Church's Social Teaching develops the notion of the "family wage", i.e. a single salary given to the head of the family for his or her work sufficient to maintain the family without the spouse having to take up gainful employment outside the home. Another source of income may be family allowances or grants to mothers devoting themselves exclusively to their family (consistent with the Church's insistence on the social re-evaluation of the mother's role). Such grants should correspond to the actual needs of the family.

<sup>16</sup> Note the importance of Christian charity and the Church's preferential option for the poor, as background to her Social Teaching regarding social protection and security. Both point at the social responsibility of the Christian to engage in the well-being of others, and particularly for the protection of the poor, the old, the disabled, the vulnerable or the weak in society.

<sup>17</sup> The principle of subsidiarity means that a community of a higher order should not interfere in the internal life of a community of a lower order, depriving the latter of its functions, but rather should support it in case of need and help to coordinate its activity with the activities of the rest of society, always with a view to the common good.

## *Promotion of social dialogue*

The need for dialogue stems from the social nature of mankind. People cannot develop themselves fully without others. The progress of the human person and the advancement of society hinge on one another. The Social Teaching of the Church makes it clear that solidarity and social dialogue must be permanent features of the world we live in, and therefore also of the world of work. Solidarity and social dialogue starting within the family ultimately extend to nations, but also comprise social actors of civil society, such as NGOs, consumers and investors' organizations.

Within the ILO the culture of dialogue is extended to tripartism between workers, employers and governments. The Church emphasizes that, in socio-economic conflicts, efforts must be made to come to a peaceful settlement, and recourse must firstly be made to sincere dialogue between parties, especially before launching a strike – which should always remain as the ultimate means of settlement. Ways should always be sought to resume negotiation and reconciliation through discussion. The Social Teaching of the Church refuses to oppose as two independent forces workers (labour) and employers (capital).<sup>18</sup> The unity of human society cannot be founded where there are permanent divisions between classes. Indeed, Jesus prays to the Father: “that all may be one...” (John 17:21–22), which implies a certain parallel between the unity of God’s children in truth and charity and the union of the Divine Persons of the Trinity, regarding overcoming opposition. Thus, even the relationship between the Father and Son was a dynamic one where tensions alternately arose and were then resolved.

## Summary: Values in the Catholic Tradition that underpin and interrelate the strategic objectives of the ILO

To sum up, the underlying values defining the Catholic Church’s position towards the ILO’s strategic objectives are:

- the dignity of the human being – as the *subject of work* – created in the image and likeness of God;

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<sup>18</sup> Any conflict, opposition or submission between labour and capital as two impersonal forces – that in history was raised to the level of an ideological conflict between liberalism and Marxism, or a form of class struggle – is forcefully rejected by the Church as an error of economism and materialism. The Church responds to it by the principle of priority of labour over capital, because of the primacy of man over things and the primacy of the human being, the subject of work, over capital.

## Philosophical and spiritual perspectives on Decent Work

- the personal dimension of work: the educational, creative and meritorious value of work (*bonum arduum*), which enhances the dignity of men and women, enabling them to achieve their calling. Opposed to this are all forms of work or exploitation that lower the dignity of men, women and children;
- the family dimension of work: work as the foundation of the family and the basis of education within the family;
- the societal dimension of work: through work, the heritage and common good of the whole Human Family increases;
- the cosmic dimension of work: the divine command to work to subdue the earth and thus to share in God's creative activity and to bring about the Kingdom of God;
- work as participation in the mystery of Redemption, i.e. in the light of the Incarnation, Cross and Resurrection of Jesus Christ;
- the precedence of the subjective dimension of work over the objective dimension;
- the priority of labour over capital, and the primacy of human beings over things. Thus, elimination of opposition or separation between labour and capital. Ownership of the means of production must serve labour (i.e. the workers) and cannot be remunerated to the detriment of labour;
- work as a duty, and therefore a source of rights on the part of the worker (social protection, unemployment insurance, safety at the workplace, fair wages, etc.). Thus the importance of continual reappraisal of the human being's work in terms of its objective and subjective dimensions;
- the importance of solidarity between workers (through unions and the right of association) and dialogue between workers and employers, stemming from the social nature of the human being and from the unity of the Human Family;
- consideration for women (non-discrimination) and mothers (re-evaluation of their educational role), immigrant workers (non-discrimination), the disabled (the right to work according to their capabilities) – all as human beings in the image of God.

The four strategic objectives of the ILO are equally important and interrelated, and there should not be any order of precedence in their realization. Together they aim to realize the dignity of the human being, in his or her likeness to God.

The Catholic Church has always been convinced that if she feels a particular responsibility to offer her contribution to the issue of work through her Social Teaching, she also fosters a reasonable hope that the people of other religious, spiritual, moral and secular traditions also contribute to providing the social

debate with the necessary ethical foundations. Over the years, the Church has constantly repeated that the person and the society need not only material goods but spiritual and religious values as well. The affirmation that the major social problems can be solved only through cooperation between all forces has become a permanent element of the Church's Social Teaching. In *Centesimus Annus*, Pope John Paul II addresses, at the end of his Encyclical, an appeal to the Christian Churches and to all the world religions, inviting them "to offer unanimous witness of our common convictions regarding the dignity of man, created by God. Indeed, openness to dialogue and cooperation is required of all people of good will, and in particular of individuals and groups with specific responsibilities in the areas of politics, economics and social life, at both the national and international levels".<sup>19</sup>

It seems to the Catholic Church that common grounds on matters of Decent Work as proposed by the ILO should not be difficult to find among the world religions. One can advance that there are many areas of convergence on the major understandings of a work ethic.<sup>20</sup> The Catholic Church would therefore be able to back the creation of an interfaith work ethic elaborated by a task force including representatives of religious and spiritual traditions, as well as labour organizations (e.g. the ILO) and other organizations (e.g. the World Bank, FAO, UNCTAD, UNDP). People are at the heart of work, and are at the heart of the Social Teaching of the Church, as well as of the ILO Decent Work Agenda.

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<sup>19</sup> *Centesimus Annus*, No. 60.

<sup>20</sup> Considering the social, ethical, spiritual and even transcendental dimensions of work, the major religious and spiritual traditions can largely subscribe to the Decent Work Agenda of the ILO, be it the four strategic objectives or the Fundamental Principles and Rights at Work of the 1998 Declaration, from the point of view of the dignity of the human being.

# Decent Work and fundamental principles and rights at work, with particular reference to Islam

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## Introduction

*We have bestowed honour and dignity upon the children of Adam,  
Surely we created man of the best stature,  
and then we reduced him to the lowest of the low,  
save those who believe and do good works, and theirs is a reward unfailing.*

(The Holy Koran)

*Man is born free, but everywhere is in chains.*

(Jean-Jacques Rousseau: *The social contract*)

This paradoxical human condition – of having inherent honour and dignity and being free in principle, but being unfree and unequal in practice – is what particular and universal proclamations of principles and rights seek to resolve. Freedom and equality are ideals towards which we strive, in an effort to progress in resolving the paradox – if not contradiction – between normative prescription and current reality.

In the line of such universal proclamations, in 1998 the ILO adopted a Declaration on Fundamental Principles and Rights at Work, bringing together the four principles of freedom of association and collective bargaining, no forced labour, no child labour and no discrimination as basic principles/rights that should be promoted, respected and realized by member States. The ILO

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<sup>1</sup> This paper is based on the following sources: Joseph Schacht: “Islamic religious law”, and A.K.S. Lambton: “Islamic political thought”, in Joseph Schacht and C.E. Bosworth (eds): *The legacy of Islam* (Oxford, Oxford University Press, 1979); Albert Hourani: *A history of the Arab peoples* (New York, NY, Warner, 1991); Mahnaz Afkhami (ed.): *Faith and freedom: Women’s human rights in the Muslim world* (Syracuse, NY, Syracuse University Press, 1995); selected Surahs (verses) of the Holy Koran; *The farewell Hajj address of the Holy Prophet*; the Cairo Declaration on Human Rights in Islam, 1990. A number of persons kindly read an earlier draft, and provided comments and suggestions. These include: Kamran Fannizadeh, A.V. Jose, Shahid Mehmood Khan, Enrique Marin, Francis Maupain, Val Moghadam, Muneto Ozaki, Janine Rodgers, Georges Ruysens, Manuela Tomei, Ahmar Toure, and Edward Yemin. Many of these comments have not been reflected in this short paper, and will be valuable for further work by the author. It goes without saying that having read an earlier draft and providing comments does not imply any endorsement of the views expressed in this paper, which reflects the views of the author, and not necessarily those of the ILO nor of any Islamic school of thought.

advocates that achieving universal respect for these principles/rights is central to achieving the goal of what it terms “Decent Work”. The Report of the Director-General of the ILO to the 89th Session of the International Labour Conference in 2001, *Reducing the decent work deficit: A global challenge*, recognizes a shared expectation of citizens throughout the world, namely: “Every country, at whatever level of development, set its own goals to reduce the decent work deficit (integrated into this policy framework is the *principles/rights gap*) with due regard to its specific circumstances and possibilities, and that the international community support that effort.”

This universal project implies a better understanding of the specific circumstances and possibilities, which are often determined by cultures imbued in faith and religious beliefs, going well beyond the limited formal, juridical and relational framework of modern labour policy and labour relations. It is important to move towards such an understanding if we wish to challenge the argument that is often addressed against the universality of social rights by different currents within global society, namely that the universal project is less than relevant to their national or regional, cultural or religious, particular conditions. Such a conviction presumably underlies the convening of our group by the Director-General of the ILO, intended to shed light on how the principles and rights underpinning any Decent Work project are consistent with the ideas and precepts of diverse philosophical, spiritual and religious traditions.

The argument therefore postulated in this paper is that in terms of seeking various roots and sources in faith for principles and rights at work, and human rights more generally, attempts at analogy between and interpretation of proclamations of multilateral institutions, on the one hand, and of faith and religion, on the other, may be not only fruitful but necessary, if we are to advocate the pursuance of such rights in different socio-cultural frameworks in all parts of the world. This is an attempt to start addressing specific social frameworks determined by Islamic ideas and precepts. In what follows, the paper considers some of the structural underpinnings of principles and rights as established in Islamic law, and then makes some tentative analogies between the Fundamental Principles and Rights at Work and different proclamations made and adopted by Muslims.

## Sources of principles/rights in Islam

The teachings of Islam consist primarily of:

- the Koran;
- the Sunna: the practice – habitual deeds and words – of the Holy Prophet and his companions;
- the Hadith: the traditions recording this practice.

In practice, the recording of the Hadith and their interpretation play a key role in the development of rights and law in Islam. The first compilation was effected during the lifetime of the Prophet Muhammad (“Peace be upon him”), termed the *Saadiqah*. The Hadith were further consolidated during the second and third centuries of the Muslim era (eighth and ninth centuries AD), by different religious schools. They were in the first instance accounts of something said or done by the Holy Prophet. In the second instance, they are a record of a chain of witnesses going back to a companion of the Prophet who had heard the words or seen the deed.

The legal subject matter of Islamic law (shariah) tends to be systematized through analogy and by association. The shariah is a living, evolving code, and is supposed to be the product of a process of thought or understanding (*fiqh*), giving rise to *ijma* (consensus) and thereby to *usul-e-fiqh* (jurisprudence). Islamic jurisprudence did not grow out of existing law – except to the extent that scholars undertook religious scrutiny of various components of the laws of Arabia, as well as numerous doctrines taken over from the conquered territories. Rather it was jurisprudence that created law. In this sense, it tends to be a jurists’ law, created by private pious specialists. Confronted by a new situation, the learned seniors of the community (the ulema, those who are knowledgeable) turned to analogy (*qiyas*) for interpretation. The role of analogy is thus key to developing rights and law in Islam, and seeks to find some element in the current situation that is similar, in a relevant way, to an element in a situation on which a ruling already exists.

Different religious schools approached this process with different focus and degrees of rigour and imagination. For instance, Al-Shafih (767–820), well known for his version of the Hadith, gave equal importance to the Koran and the Sunna in the Hadith, in his interpretations. In the earlier Hadith, it is maintained that in the community as a whole, there is an understanding concerning the meaning of the Koran, the Sunna and analogy (*qiyas*). It was only later that schools began to maintain that the only valid *ijma* (consensus) was that of the ulema, those competent to exercise *ijtihad* (disciplined exercise of reason–interpretation), in a particular period.

## Analogies between Islamic precepts, and fundamental principles and rights at work

Since the role of making analogies is so important in Islam, it would be useful to attempt analogies between Islamic precepts and principles and rights relating to work, with regard to the evolving economic and social conditions. The purpose of such analogies would be to provide for an exchange of information and views, and to provide ideas for advocating reforms and change where these seem necessary.

For illustrative purposes, I present below a number of possible analogies between the fundamental principles and rights at work and selected texts of Islam, to stimulate further thinking on these sorts of issues. Reference is made to the Koran and to sayings of the Holy Prophet Muhammad and early leaders of Islam. Of particular value here are citations from the *Farewell hajj sermon* of the Prophet, delivered to some 100,000 people in the valley of Arafat at Mecca in February, AD 632. It is generally regarded as a manifesto of human rights, and a moral and social code of conduct. Extensive reference is also made to the Declaration on Human Rights in Islam, adopted by all the Member States of the Organization of the Islamic Conference on 5 August 1990, in Cairo (hence known as the Cairo Declaration). The reason for highlighting this Declaration is that it constitutes a recent response by Islamic States to demonstrate that human rights are central to their way of life, and much of the text is based upon the Koran, the Sunna and the Hadith. When the texts from Islamic sources are placed under each category, it is clear that some of them are valid for more than one of the fundamental principles and rights at work.

### *Freedom of association and effective recognition of the right to collective bargaining*

This is the most modern concept, and has least direct reference in Islamic texts. However, there seems to be some fruitful scope for analogy.

#### **The Koran:**

(Surah 49:13): The noblest of you, in the sight of Allah, is the best in conduct.

(Surah 49:9): And if two parties of believers fall to fighting, then make peace between them. And if one party of them doth wrong to the other, fight ye that which doth wrong till it return unto the ordinance of Allah; then, if it return, make peace between them justly, and act equitably. Lo, Allah loveth the equitable.

#### **Cairo Declaration:**

*Article 1(b)*: All human beings are God's subjects, and the most loved by Him are those who are most useful to the rest of His subjects, and no one has superiority over another except on the basis of piety and good deeds.

In any analogy moving from the concepts of conduct, piety and good deeds to the right to associate and to bargain collectively, the action of individuals providing a guiding, representing, leadership role through good deeds will need to be addressed. This would include the act of advocating the right of others to associate for carrying out good deeds. For advocacy purposes, this would require demonstrating that struggling for associative rights is a good deed,

beneficial for society, and thereby being a representative and leader of other individuals in this association is a good deed.

*Article 1(b)* is an article that could be used also as the foundation of the other principles, namely abolition of forced labour, preventing discrimination at work, and ensuring that children go to school and not to work.

*Article 13:* This is the only article in the Cairo Declaration that addresses work as such. The last sentence states: “Should workers and employers disagree on any matter, the State shall intervene to settle the dispute and have the grievances redressed, the rights confirmed and justice enforced without bias.”

An argument would need to be made to show that such intervention is best preceded by voluntary efforts at overcoming the disagreement between workers and employers, and their representatives (see below), and that agreement is the preferred process of avoiding disputes and grievances.

*Article 8:* Every human being has the right to enjoy his legal capacity in terms of both obligation and commitment; should this capacity be lost or impaired, he shall be represented by his guardian.

It can be argued that the enjoyment of legal capacity is impaired or not possible in cases where the employee is in a contractual position of serious disadvantage. In such situations, the analogy of a representative to a guardian might be made. Therefore, in current circumstances where the employee is often in a contractual position of significant disadvantage, recourse to a representative or representative organization may be an arguably sound path to pursue, since such a situation may be considered analogous to impaired legal capacity.

Furthermore, for employees to enjoy their legal capacity in many contexts of the employer’s socio-economic power and of employee weakness, it is necessary to allow employees to associate to achieve a more equal standing.

On the issue of the rights of the two parties to the labour contract, the respect of contracts, the respect of ownership of the result of one’s labour, and the general principle of justice, there are strong precedents in the Koran and the Sunna. It may be argued that these principles are best served by modern tools and processes such as freedom of association, collective bargaining and the labour relations processes relating to these.

### *The elimination of all forms of forced and compulsory labour*

#### **The Koran**

It is useful to note that slaves were among the first to join Islam at the time of the Prophet, and that the freed slave Bilal was the first Muezzin (the one who

calls the faithful to prayer) of the first Mosque of Islam built in Medina. For the first Muslims, a good deed – ordained in the Koran (90:13) as part of the Ascent of mankind (which itself is defined as a set of good deeds) – was to buy and free slaves held by the non-Muslims. This was considered a revolutionary act by the ruling clan of Mecca at the time.

In his *Farewell hajj sermon*, the Holy Prophet said the following as regards slaves: “And your slaves: see that you feed them with such food as you eat yourself, and clothe them with clothes as you yourself wear”.

This is a far-reaching injunction, and may be interpreted as designed to rapidly and irrevocably overcome the material differences that help to create and perpetuate exploitation of man by man. If one transposes this statement to a relationship of employment between free workers and employers, it is even more revolutionary in terms of the rights it provides in terms of treatment (and is therefore equally useful to consider under “freedom of association ... and collective bargaining”, above, and under “discrimination”, below).

The second statement that mentions slaves in the *Farewell hajj sermon* is the following: “If a mangled black slave is appointed Amir (leader), listen to him and obey him – provided he executes the Ordinance of the book of Allah among you”.

This is even more far-reaching in terms of implications for leadership based upon piety and good deeds, rather than any other hereditary basis for political power, such as property, status, family, and so on. Since slaves were often from other tribes, nations, religions and languages, it has major implications for the issue of “discrimination”, below.

### **Cairo Declaration**

*Article 11(a)*: Human beings are born free, and no one has the right to enslave, humiliate, oppress or exploit them, and there can be no subjugation but to God the Most-High.

This is a clear statement against forced or compulsory labour. It may also be interpreted as the right not to be oppressed, exploited or harassed, which could also be taken to legitimize the right to associate and to bargain collectively, and the abolition of child labour.

### *The effective abolition of child labour*

### **Cairo Declaration**

*Article 7(a)*: ...every child has rights due from the parents, society and the state to be accorded proper nursing, education, and material, hygienic and moral care.

From this, it can be argued that proper education and moral care implies a minimum number of years of nurturing and care before entering work.

See also Articles 1(b) and 11(a), above.

### *The elimination of discrimination in employment and occupation*

#### **The Koran**

(Surah 5:48): For each We have appointed a divine law and a traced out way. Had Allah willed, he could have made you one community. But that He may try you by that which He hath given you (He hath made you as ye are). So vie one with another in good works. Unto Allah ye shall return, and He will then inform you of that wherein ye differ.

(Surah 30:22): And of His signs is the creation of the heavens and the earth, and the difference of your languages and colours. Lo, here are indeed portents for men of knowledge.

(Surah 42:15): (the preceding Surah refers to divisions that developed among the People of the Book):

Unto this then, summon (O Muhammad) and...say: "Unto us our works and unto you your works; no argument between us and you. Allah will bring us together, and unto Him is the journeying."

In his *Farewell hajj sermon*, the Holy Prophet said: "Verily you have certain rights over your women, and your women have certain rights over you."

He started this sermon by citing from the Koran: "O people, We created you from one male and one female and made you into tribes and nations, so that you are known to one another. Verily in the sight of Allah, the most honoured amongst you is the one who is the most God-fearing." The Prophet then goes on to say: "There is no superiority for an Arab over a non-Arab, nor for a white over a black nor for the black over the white except in piety. All mankind is the progeny of Adam." This has self-evident and conclusive bases for equality of treatment.

It is also useful, with respect to discrimination, to note the following citation from Hazrat Ali, the fourth Caliph (and the son-in-law of the Prophet), when he wrote to the Governor of Egypt, instructing him to rule with mercy and tolerance: "Let the dearest of your treasures be the treasury of righteous action. Infuse your heart with mercy, love, and kindness for your subjects, for they are of two kinds: either they are your brothers in religion or your equals in creation." This may be seen as a salutary injunction against any discrimination based on race, colour, sex, religion, political opinion, national extraction or social origin, made at a time of conquering fervour when such discrimination

might well have been overlooked by the victorious leaders. While not aimed specifically at situations relating to occupation and employment, it is easily transferable to such an analogy.

### **Cairo Declaration**

*Article 1:* All human beings form one family whose members are united by submission to God and descent from Adam. All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the grounds of race, colour, language, sex, religious belief, political affiliation, social status or other considerations.

*Article 6:* Woman is equal to man in human dignity, and has rights to enjoy as well as duties to perform; she has her own civil entity and financial independence, and the right to retain her name and lineage.

*Article 13:* The employee ... shall be entitled – without any discrimination between males and females – to fair wages for his (sic) work without delay, as well as to holidays, allowances and promotions which he (sic) deserves.

*Article 19:* All individuals are equal before the law, without distinction between the ruler and ruled.

With reference not only to discrimination but other fundamental principles and rights at work, the status of minorities and non-Muslims remains a special issue in many Muslim countries. This might require a review of the classical Islamic doctrine regarding non-Muslim minorities as so-called protected people (*dhimmi*). In fact, the situation in Islamic texts and in the Holy Prophet's injunctions and practice is quite different. There are Koranic passages which affirm that Allah chose to create the world with different nations and tribes (e.g. Suras 5:48, 30:22, cited above), and may be cited in support of pluralism. It should also be pointed out that the word *dhimma* does not occur in the Koran but in the Hadith. Rather than implying second-class citizenship, it may refer to special covenants of protection between Muslims, Christians and Jews signed by the Holy Prophet and others in the early part of the Muslim era. Furthermore, it might refer only to the form of a covenant, not the content, which could be redefined today in the light of current realities.

### **Concluding remarks**

This paper has sought to outline the potential of analogy between the ILO's fundamental principles and rights at work and some texts in the Islamic tradition that came easily to hand. This potential seems quite vast, if done in any systematic way. Indeed, some women's movements in Muslim countries

have taken a similar approach, of reviewing interpretations of the sharia in different national contexts, ranging from Morocco to Indonesia and Malaysia. They have selected those national instances of Muslim law being interpreted in ways most useful for advocating their cause, for drawing lessons and for advocacy purposes in other countries.<sup>2</sup>

It would therefore be useful to encourage exchanges between scholars and those involved in labour policy, on a selected basis in particular countries as well as at the regional level, to seek new means of seeking *ijma* (consensus) on specific issues related to the realization of the fundamental principles and rights at work. This requires a big leap not so much in conception but in terms of socio-political implications for the religious groups of ulema that tend to enjoy the monopoly of interpretation of rules and laws since the writings of the earlier leaders of Islam.

It may be argued that Islamic societies are highly attuned to the law, and are historically and structurally receptive to the motto of democracy: “Government and rule of law (and not of persons).” Since the law is above everyone and yet community based, only the community can change it. The question that arises is who and what constitutes the community (the *umma*)? Who can engage in discussions and interpretation of rights and the law in Islamic societies and politics? Is this limited to a restricted group of religious scholars, or does it include other Muslims wishing to engage in a discussion on the law? Is it limited to men, or are women included? Is it limited to citizens, or can an opening be made to entertain the views and interests of non-citizens? Finally, is it limited to Muslims, or can some form of opening be made to non-Muslim minorities, in circumstances of growing pluralism in society?

These are clearly difficult issues, fraught with socio-political implications. They need to be addressed in the tradition of open debate that has characterized Islamic thought. In this project, complementarities between Islamic principles and those adopted by the larger community of nations will emerge. Some of these have been identified above. One powerful concept that bears emphasis is that “the noblest of you, in the sight of Allah, is the best in conduct” (49:13), that the most loved of God are those who are “most useful to the rest of His subjects, and no one has superiority over another except on the basis of piety and good deeds” (Article 1(b) of the Cairo Declaration). This may be interpreted not simply for the purpose of placing those who act in this way above the others in God’s eyes, but as emphasizing the moral and social legitimacy and importance of actions (including the development and

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<sup>2</sup> See Farida Shaheed: “Networking for change: The role of women’s groups in initiating dialogue on women’s issues”, in Afkhami, *op.cit.*

enforcement of principles, rights and obligations) which are “useful” and “good” in the context of the economic and social situations of individual countries in the present day. And in deciding what is “useful” and “good” in the current context, it is pertinent to look also at standards developed by the community of nations, including the ILO’s Fundamental Principles and Rights at Work.

# Decent Work: In search of a common ethical framework

*Farah Daghistani, Executive Director, Jordanian Hashemite Fund for Human Development*

## Expansion of human rights issues

The discourse around human rights has expanded to incorporate both economic and cultural rights, indicating that the rights to work and to preserve one's cultural identity are becoming as accepted as older and more widely known notions of civil and political liberty. With these "second generation" and "third generation" rights comes an attempt to develop universal standards of what is deemed internationally acceptable in the workplace and elsewhere, in which the rights of the individual and of communities are protected.

Nonetheless, growing poverty, unemployment, and the general strains and upheavals experienced today by societies around the world are making it increasingly difficult for people to attain decent standards of living. There have been considerable international efforts to set legal and other frameworks that promote the equitable and just distribution of assets, resources and entitlements. Despite such efforts at fostering social participation for all, those standards deemed to be applicable to all people around the world are still not enjoyed by all people.

## Universal rights vs. local ethics: In search of common ground

In order to meet the challenges faced by societies everywhere, there is a growing realization that the solutions cannot come from economic growth alone. While economic growth is undoubtedly a key engine in the process of attaining equitable and sustainable social development, it must be accompanied by a broader agenda that places human dignity above quantitative indices of advancement. In the current chapter of globalization, where economies merge and markets liberalize, the threats to the well-being of vulnerable groups

everywhere are numerous. While the global economy offers countless opportunities for job creation and market expansion, it threatens old ways of life and the livelihoods of many, who, for different reasons, cannot make rapid integrations into the world marketplace.

Not only is the process of economic globalization an unequal one, but it also potentially endangers irreplaceable social and environmental foundations in our world. Despite the complexity involved, we are beginning to witness a growing reaction to this threat, and a growing recognition of the relevance that an ethical dimension has in charting the course of humankind. For many, this ethical dimension has its roots in the religious legacies that many societies have inherited throughout the ages. While human rights discourse can provide a valuable impetus to the promotion of human dignity for all, it may also be maintained that the religious traditions of societies also enshrine and uphold humanity. As such, it is important for all societies to reflect upon these traditional religious and cultural values. These traditions often correlate with the ethical dimension of international rights discourse, which should in turn dictate the course of global development efforts.

Although the “universality” of human rights may be contended, and indeed is challenged on the basis of the eurocentric origins of those rights, the notion of principles and ethics is one that all cultures can claim, however differently. As such, an effort to reflect upon and uphold those common areas of ethical principles seems a worthwhile attempt. The divisive and often counter-productive nature of the debate that surrounds international and universal human rights may indeed benefit from the internal and collective appraisals of societies’ own ethical values, inasmuch as they may uphold the rights of individuals and communities.

## **Role of traditional values in the age of globalization: The example of religion**

The quest for sustainable human development is generally agreed to be one of individuals and communities having access to a range of assets and entitlements. Increasingly, growing attention is being given by the development community to the non-physical assets of societies. In other words, it is not just the financial, physical and natural capital that influences people’s livelihoods, but also the social and human capital that they may enjoy or be deprived of. The Sustainable Livelihoods approaches currently being adopted in many poverty-alleviation and development strategies throughout the world explicitly recognize the normative, cultural, and traditional dynamics that operate within societies, which may both help and hinder the rights of peoples.

In the case of Islamic societies, there is often an outside perception that traditional religious practices and attitudes have discriminated against women and restricted their role within society. As such, these particular interpretations and applications of the Islamic Faith may be seen to contradict standards of equality and equity upheld in the framework of international human rights. Of course, it is important to note that within Islamic and indeed Arab societies there are vastly differing interpretations of religion. One finds religion being used in contradictory ways, which indicates that the origins of such attitudes are as much social as they are embedded in any one original religious edict or dictate.

On the other hand, religious and traditional values can be found to play a vital role in providing social safety nets in the care and cohesion of the family, and the shared sense of responsibility that members of society have towards each other. *Takaful* is a traditional Islamic term that denotes social responsibility, and is common in numerous societies in which homelessness and other bad situations are avoided, even though such communities may be poor themselves.

## Positive and negative local impacts of globalization: A call for reconsideration

While it is vital to raise the issue of Decent Work as a goal and an objective of development efforts and to seek to expand people's opportunities, it is also important to note that people's needs to earn a living mean that they may be willing to forgo certain standards in order to generate income. Globalization and free trade often leave communities, and vulnerable groups in particular, exposed to discriminatory practices that violate their rights and human dignity. Often, these groups are unaware of their own rights and entitlements, and may feel they are in no position to see these rights being met. An interesting example of this may be found in the case of the newly expanding Qualified Industrial Zones (QIZs) in Jordan. These zones are compelling examples of the types of pressures and forces that both promote and detract from the pursuit of Decent Work.

While free trade offers new job opportunities for a workforce deprived of the chance to obtain jobs in the past, the conditions of such work are often less than that enshrined within a Decent Work ethos. Women are often exploited in the zones, and are viewed, because they are women, as being docile and passive. They therefore enjoy little job security, and suffer from low wages and few, if any, benefits. They face threats not only from their employers – often in the form of foreign companies – but also from the existing social and religious environment that surrounds them. Often men find the growing demand for women in certain manufacturing industries to be threatening. As a result,

during Friday sermons in mosques, there have been reports of denunciations made against women working in the QIZs.

Having said this, however, it is also interesting to note that when comparing interviews conducted with QIZ women employees, and the employees of local, non-QIZ factories, the latter reported high degrees of job satisfaction. The reason for this, it seemed, was that the local employers felt a greater degree of accountability to employees and to their communities.

In viewing a country such as Jordan, it is also important to be aware of the historical context, and the changing pattern of employment that has characterized people's livelihoods. The terms and conditions by which people were able to make a living have shifted dramatically since the country became a nation-State. A once predominantly nomadic society, it became heavily dependent upon the patron State. Although educational opportunities made it possible for some to seek employment overseas, regional geopolitical upheavals meant that, until now, Jordanians suffer from numerous employment-related problems.

## Challenges and obstacles to the fulfilment of Decent Work for all

The challenges and obstacles to attaining and enjoying Decent Work everywhere are numerous. As explained, in Jordan they come from within society itself, from attitudes and culture; and externally from the pressures and demands of a global economy. Clearly, there is a necessary and integral role for civil society in protecting and promoting the rights of individuals and communities to enjoy the benefits of Decent Work. Unions are an obvious mechanism for individuals to demand and work towards attaining their rights. However, women's interests can frequently be underrepresented in unions and in their leadership. In Jordan, political tensions also mean that, often, the role and voice of unions can become restricted.

The type of climate required in order to make the kind of reforms needed to promote Decent Work and labour standards can be hindered in politically uncertain times and politically tumultuous regions. The kind of radical action that led to dramatic improvements in work and employment rights in industrialized nations is difficult to duplicate in developing societies, where there is often huge internal and external pressure to maintain stability, often at the cost of the democratic process. Both parliament and trade unions suffer from this feature of the political arena in Jordan and elsewhere. A certain degree of political stability and confidence is a necessary prerequisite for decent standards of work, and for employment rights to be furthered.

The external environment is also often a cause of instability and fluctuation in the labour force. As recent events have demonstrated, the political climate of the world can have dire consequences for tourism and travel industries in countries such as Jordan. In such a predominantly demographically young country, where 70 per cent of the population is under the age of 20, the political implications of unemployment are also serious. Young people must have the opportunity to seek meaningful and productive livelihoods, and to enjoy their rights, if stability and prosperity are to be achieved in the region. The case of Gaza is a serious indication of the violence and unrest that can result when people are denied their basic right to employment opportunities and a decent livelihood.

There is a need for coalitions of interest groups in pursuit of Decent Work. Experience in Jordan has shown that even the most controversial issues can be constructively addressed through dialogue and participation. Civil society has had a marked effect on furthering population growth issues by involving religious opinion leaders in family planning programmes. The same needs to occur around women's work entitlements. Unions are also a forum for fostering such dialogue and negotiation, but here again, there is a need for greater inclusivity.

The international arena also has a vital role to play in this coalition. International treaties, including those of the ILO, are key instruments that must be put to practice. However, the international community also needs to recognize its responsibilities in supporting and promoting political and economic environments that foster equitable, just and sustainable growth throughout the world. The conditionality and double standards we witness all too often are a hindrance to any truly global cooperation.

As old systems of social protection and the family structure are eroded, modern living conditions place tremendous strains on communities. The more vulnerable and marginalized are the first to suffer. Special attention must therefore continue to be given to women, children and the elderly. Also, the particular strengths and existing resources of groups must be promoted. Women have demonstrated a propensity to be dynamic contributors to the informal economy. This can be supported through a range of financial, legal and social interventions. Youth have tremendous vitality and an ability to be innovative, which should be encouraged and allowed to thrive.

An inter-agency approach is crucial. However, it is also crucial that the process involves all stakeholders. As the threats continue to increase and overshadow our global future, it seems unavoidable that we will need to exert more efforts to reach grounds of common understanding. To do this, it also seems unavoidable that societies should not only reach inwardly to locate the voices of their own ethics and principles. These must also be shared with the world. This is a time in which only the best of our societies must be shared. There is no room for anything else.

# A Muslim perspective on Decent Work

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One should establish a clear distinction between the message contained in Islam's holy book, the Koran, and the way this text has been applied over time in the physical and historical context of many significantly different countries and societies. I will focus my comments mostly on the original thinking and philosophy of Islam, without trying to capture the extreme diversity of contemporary Muslim realities.

## The ethical value of work

In Islam, work is considered the only legitimate basis for all richness and property. There is both a right to work and a right to the product of that work. Work must always have an ethical component, either in itself or in its outcome (e.g. establishing a charity contributing to the community).

In Islam, profit is completely legitimate and is considered a desirable goal, provided that it is obtained through investment and risk sharing. There is a clear difference in Islam between legitimate (*halal*) and illegitimate (*haram*) profit. Money-lending for profit or usury (*riba*), in particular, is considered illegitimate, because it supposes a fixed payment, without participation in the risk of the business venture: "Those who live off the interest on loans will never stand up, except in the way those whom Satan knocks down with a fist rise up again" (Surah III: 2:275), or "You who believe, do not live off usury which is compounded over and over again" (Surah IV: 3:122).

In a way, Islam is against debt-finance and is strongly in favour of the equity model of business financing. This has implications for work. The idea that you can be repaid, even if your debtor goes through hardship, is contrary to Islamic principles: "If any debtor suffers hardship, then postpone (repaying) until conditions become easier (for him)" (Surah III: 2:277).

In fact, the ethical foundation of all human activities is based on the distinction between *halal* and *haram*. The context of every action (and that holds particularly true of the employer–employee relationship), considering the interests of the community and the rights of all individuals involved, determines whether it should be deemed *halal* or *haram*.

In a way, Islam establishes a clear and explicit obligation of balancing both the interests of the individuals and the interests of the community.

## Work and society

Work is considered by Islam both as a right and a duty, creating a web of relationships between individuals and across communities. One should not forget that, in the Arab society of the seventh century, business meant mostly trade or commerce. Trade is, in and by itself, a generator of social connectedness, which is not the case in money-lending and taking interest. Moreover, trade is seen by some only from the point of view of making vast profits: “That is because they say: ‘Trading is like taking interest.’ Yet God has permitted trading and forbidden taking interest” (Surah III: 2:275).

Islam defines itself as a form of government, as well as a social structure and a regulatory norm for interpersonal relationships. Therefore, business is not seen as a specific sphere, apart from other aspects of social life. It is a part of human life, like any other type of activity, as Islam takes a holistic approach to interpersonal relationships.

## Muslim perspective on the basic set of values enshrined in the Declaration of Fundamental Principles and Rights at Work

The Islamic religious message would agree with these four objectives:

- freedom of association and the effective recognition of the right to collective bargaining;
- the elimination of all forms of forced or compulsory labour;
- the effective abolition of child labour;
- the elimination of discrimination in respect of employment and occupation.

Islam stresses that all humans are “brothers” and urges Muslims to always strive as a group. Islam considers that any activity conducted in a group is always superior to the same activity conducted alone. That is true of prayer, as well as of any form of social activity. Therefore, collective bargaining would be encouraged.

Although Islam did not abolish slavery, it made it very clear that it did not approve of it by actively encouraging the freeing of slaves. Bilal, one of the first Muslims and one of Muhammad's closest companions, was an African and a freed slave. The Koran recommends treating slaves well: "Show kindness to both (your) parents and near relatives, orphans, the needy, the neighbour who is related to you as well as the neighbour who is a stranger and your companion by your side, the wayfarer and your slaves" (Surah V: 4:36). In addition, Muhammad said in a Hadith<sup>1</sup>: "These slaves are your brothers that God put under your authority. Whoever owns slaves should feed them the same food he eats, should dress them the way he dresses himself." Or again: "Whoever hits or slaps his slaves has no other way to pay for this bad deed than to free that slave."

The Koran considers that freeing a slave is one of the best deeds a human being can accomplish. It strongly encourages Muslims to buy back slaves' freedom from their owners. The same is true of child labour. One of the purposes of *za'kat* (a kind of income tax that must be given for charity) is to finance the freeing of slaves: "Charity (*za'kat*) is (meant) only for the poor, the needy, those working at (collecting and distributing it), those whose hearts are being reconciled, for freeing slaves and debtors" (Surah X: 9:60).

Discrimination is more challenging for Islam, especially vis-à-vis women. Although Islam's message was quite progressive in its historical context, it has not evolved since then. Therefore, many of its aspects could be seen as discriminatory today. That is an issue Muslims have to deal with in order to end discrimination that is only too prevalent in many Muslim countries.

## Muslim perspective on the four strategic objectives set by the ILO towards realizing the goal of Decent Work

- Promoting the Declaration of Fundamental Principles and Rights at Work
- Creating greater employment and income opportunities for women and men
- Extending social protection and safety at work
- Promoting social dialogue on work between governments, employers, workers and other social actors of civil society

I would like to focus my comments on the second objective: creating greater employment and income opportunities. This issue should be linked closely to the WTO and international trade issues. In most of the Muslim world, work is

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<sup>1</sup> For a definition of Hadith, see Zafar Shaheed: "Decent Work and fundamental principles and rights at work, with particular reference to Islam", p. 140 of this volume.

still mainly found in agriculture. The market for agricultural products is one of the most distorted in the world. OECD (Organisation for Economic Co-operation and Development) countries give more than US\$300 billion a year in agricultural subsidies.

Why is that relevant? Because export subsidies from developed countries impoverish and even kill farmers all over the developing world. Because the European Union exports subsidized flour, all the poor in African cities eat bread (good old “baguette”) instead of local cassava. There is no way African farmers will ever compete with flour that is sold way below its production and transportation cost. Every attempt by developing countries to oppose these subsidies or to stop these subsidized products from entering their territory has been fought by the World Bank and the IMF as “illegitimate barriers to trade”. What does creating “greater employment and income opportunities” mean in such a context?

As far as *social protection* is concerned, it will remain an elusive goal for Africa as long as the HIV/AIDS crisis is not resolved.

*Social dialogue* is an absolute prerequisite to any type of progress.

## The values in Islam that underpin and interrelate the strategic objectives

All these objectives are obviously interrelated. A central concept in my religious tradition is the notion of Respect. It links for me all the four objectives. Islam considers the individual as the recipient and bearer of God’s will on earth. The sense of individual dignity, pride and honour is central in Islam. That is very close to the Decent Work Agenda.

In Islam, rectitude is expected and undue advantage is considered base. Fairness is both a means and an end, irrespective of practical realities or constraints. Honesty is not a virtue but an expected feature in every Muslim. These values have as corollaries social dialogue (all Muslims are equal and therefore must talk), and social protection (no undue advantage), as well as greater income opportunities (dignity for all).

Personally, if I had to rank these four objectives, I would put at the top of the list *creating greater employment and income opportunities*. For the poor, freedom and self-esteem start with the ability to earn income.

## Recommended action and programmes towards building a coalition of interest groups

The starting point has to be creating more common ground between the parties involved, which in turn will only happen through dialogue. The following

comments are inspired by my experience in Africa and are therefore mostly relevant for African countries. Other areas of the world may have a very different set of priorities.

In my opinion, the key programmes should focus on the following issues:

- eliminating agricultural subsidies. This is the only way the poor in Africa will be able to start having any income. It will require concerted action by civil society in developed countries, farmers and their organizations in developing countries, governments on both sides, the media, the WTO, the ILO and the private sector, which could ultimately benefit from this. Farmers and agro-industry in developed countries, who would be losers in the short term, should also play a key role;
- more generally, promoting fair trade. For instance, if some subsidies for cotton were eliminated, prices would be higher and the incentives to use child labour in West Africa would be lower. There are many examples of this nature;
- fighting HIV/AIDS. Today, this issue makes any type of social protection or insurance non-viable in most of Africa. Civil society, pharmaceutical companies and governments need to work hand in hand;
- promoting foreign direct investment (FDI). This is controversial but it has been my personal experience that multinationals have work and environmental standards that help improve things in the countries where they invest. The private sector and governments should take the lead here;
- promoting freedom of the media and, more importantly, financial independence for the media.

All these programmes would only have an impact if they were designed and implemented as partnerships between the relevant parties.



PART IV

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CONCLUSION



# Consultation on the ILO Decent Work Agenda: An assessment

The aim of this consultation was to comment on the already existing and agreed Decent Work Agenda from a philosophical and spiritual perspective. The practical approach that was followed is presented below. A recommendation would be to apply the same kind of process to discuss the draft of future global instruments.

## Selection of participants

- It was difficult to find individuals with the desired profile, i.e. who are deeply rooted in their tradition and have a clear understanding of the issue. Hence it was not possible to set up a group based on predetermined criteria such as gender equality or a balance between people from the North and the South. Nevertheless, the need for such equilibrium was always kept in mind.
- Regarding the composition of the group, it was unfortunate that some traditions were not represented at the meeting: this created certain limitations in the scope of our discussions. There were two reasons for this. First, some traditions were not invited, in order to keep the group to a manageable size. Secondly, having initially accepted the invitation, several invitees declined at the last minute.

## The meeting

- The venue for the meeting was carefully chosen. It needed to be residential, away from outside distractions, in a quiet and attractive setting. This helped to create a sense of sharing and experiencing a special moment together.
- Informal exchanges, during mealtimes for example, were as significant as exchanges during the sessions. (It was interesting to encounter cultural diversity in diet and attire.)

## Philosophical and spiritual perspectives on Decent Work

- Silence for five to ten minutes at the beginning of each session was very important. Indeed, it was a moment of genuine sharing among the participants. An atheist participant highlighted the importance of this practice in his decision to introduce a few minutes of silence in meetings he would organize in the future.
- The friendly gathering created a symbolic apogee, or high point.

## Written contributions

- Since individuals with the desired profile are few, they tend to be people who are very busy. Hence some members of the group were not able to provide written contributions.
- Several participants, while they spoke with deep conviction, experienced difficulties when writing. Thus, some only presented a brief telegraphic text that was taken into consideration in the final synthesis but was not published as a specific written contribution.
- Few participants rewrote their contributions in publishable form, despite commitments made at the meeting.

## Reporting

- In compiling the final text, it was a challenge to arrive at a synthesis of the content of the debate, including recorded discussions and various oral, written and telegraphic contributions.
- After the meeting, a virtual conference was planned in order to carry on the discussion between the participants on more specific issues linked to the ILO Declaration on Fundamental Principles and Rights at Work, that is, freedom of association and the right to collective bargaining, forced or compulsory labour, child labour and discrimination. It had been decided to invite other people to take part. It was almost impossible to conduct such a conference. However, due to the limited number of responses it was decided not to continue. It is interesting to note that, during the virtual conference, most of the statements were received from people that had not attended the meeting. This highlights the importance of the meeting itself, as a privileged moment.

## Overview of the benefits of the consultation process

The main benefits of the exercise are twofold. On the one hand, the discussions allowed participants to compare the Decent Work Agenda to their own traditions and to adopt its main elements. Therefore, it may be expected that,

once back home, participants may disseminate the work of the ILO and raise its visibility. On the other hand, some comments expressed by participants may suggest the need to finetune the agenda and this, if taken into account, would make ILO policies more efficient. To this end, it is intended to continue this experiment on a systematic basis, as it provides real exchanges and advisory opinions that may prove of interest for the ILO in ensuring the universality of its policies and legal instruments.



# ANNEX I

## The Decent Work Agenda: A brief summary

The Decent Work Agenda reflects in clear language a universal aspiration of people everywhere. It connects with their hopes to obtain productive work in conditions of freedom, equity, security and human dignity. It is both a personal goal for individuals and a development goal for countries.

Decent Work is a development framework built on the four strategic objectives of the ILO, which are closely interconnected, each reinforcing the others:

- (a) creating greater employment and income opportunities for women and men;
- (b) achieving universal respect for fundamental principles and rights at work;
- (c) extending social protection;
- (d) promoting social dialogue.

A basic argument underlying the ILO approach is that the attainment of human rights and economic progress must go hand in hand. Achieving fundamental rights is not only a goal in itself; it is also a critical determinant of the capabilities of people to realize their aspirations. Therefore, fundamental principles and rights at work are the essential foundation, the “floor” of Decent Work.

As stated by Juan Somavia, Director-General of the ILO, in his report *Reducing the decent work deficit: A global challenge*, submitted to the 89th Session of the International Labour Conference of 2001:

The goal of decent work is best expressed through the eyes of people. It is about your job and future prospects; about your working conditions; about balancing work and family life, putting your kids through school and getting them out of child labour. It is about gender equality, equal recognition, and enabling women to make choices and take control of their lives. It is about your personal abilities to compete in the market-place ... about receiving a fair share of the wealth that you have helped to create and not being discriminated against; it is about having a voice in your workplace and your community ... And everywhere, and for everybody, Decent Work is about securing human dignity.<sup>1</sup>

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<sup>1</sup> p. 7-8.

## Philosophical and spiritual perspectives on Decent Work

There are close links between the Decent Work Agenda, the International Covenant on Economic, Social and Cultural Rights, and the Ten Commitments agreed upon by Governments at the United Nations World Summit for Social Development, held in Copenhagen in 1995.

In the global economy, notably among the developing countries, there are formidable obstacles before the goal of Decent Work. The process of globalization has brought profound changes in the world of work. The industrial societies' construct of a "normal employment pattern", characterized by full-time jobs and stable career trajectories, and regulated by labour market instruments, has been seriously challenged. A large-scale entry of atypical workers who resort to subcontracting, part-time, temporary or independent work has only added to the intensity of this challenge. More important, economic globalization has produced both winners and losers. At one extreme there are groups with new, often technologically advanced skills or professional qualifications. At the other extreme is a large and growing category with few skills, who are vulnerable, insecure and often severely exploited.

This dual impact of globalization raises more important questions. What is the meaning and significance of work in the changing environment? What does insecurity do to people and their families? How do people concerned about humanity and social justice respond to the ongoing process of exclusion? What contributions can they make to ensuring a just and equitable society, and improve the quality of life for all?

We believe that the Decent Work Agenda deserves close attention and support in the context of economic globalization and its consequences for the lives of people worldwide. Given the people-centred focus of the new ILO agenda, we would like to explore the possibility for joint work on it with the support and involvement of major religions and faith groups from different countries. The preparatory meeting in January 2002 is being convened with this purpose.

The organizers of the meeting would like to pose selected topics relevant to the theme of Decent Work, and also invite the participants to a review of those topics set against the background of their own religious and cultural perceptions.

## ANNEX II

### Outline for contributions by participants

Different cultures view and interpret work in relation to some unique characteristics of work. For instance, work is perceived as a means to sustain one's income and living standards; a means of expression, creativity and fulfilment; a vehicle for affirming identity, individuality and collectivity; and an instrument of social ordering.

People's perceptions on work take us to a common denominator that, in all societies, there is an ethical dimension to work and that it is primarily centred around the rights and entitlements of the person who performs work. The ILO's Decent Work Agenda recognizes the primacy to this ethical dimension. It signifies the adoption of a rights-based approach to development whereby the basic human rights belonging to the broader arena of social ethics are viewed both as the ends and means of development.

We would like to request you to prepare a written contribution on the Decent Work Agenda, not exceeding 2,000 words in length, to reach us before 15 December 2001. In preparing the contribution you might wish to take into account the following issues relevant to the theme of Decent Work.

1. Whether and how far does the emphasis on Decent Work find resonance in your religious tradition, especially with respect to:
  - (a) The ethical value attached to work, taking into account the rights and duties of individuals, community and the State?
  - (b) How work builds relationships and so society (at the workplace, in the family and in the community)?
2. Your views on the basic set of values enshrined in the 1998 ILO Declaration of Fundamental Principles and Rights at Work which (according to the Decent Work Agenda) constitutes the social floor of the global economy. The core elements of the Declaration are the following:
  - (a) freedom of association and the effective recognition of the right to collective bargaining;
  - (b) the elimination of all forms of forced or compulsory labour;
  - (c) the effective abolition of child labour;
  - (d) the elimination of discrimination in respect of employment and occupation.

### Philosophical and spiritual perspectives on Decent Work

3. The assessment, in terms of your tradition, of the four strategic objectives set by the ILO towards realizing the goal of decent work, namely:
  - (a) promoting the Declaration on the Fundamental Principles and Rights at Work;
  - (b) creating greater employment and income opportunities for women and men;
  - (c) extending social protection and safety at work;
  - (d) promoting social dialogue on work between governments, employers, workers and other social actors of civil society.
4. What are the values, in your religious traditions, that underpin and interrelate the above objectives? How would you describe the nature of the relationship between the above objectives? Could they be ranked in any order of precedence? Could we aim to realize them simultaneously?
5. How do we move to a common ground for a coalition of interest groups in pursuit of Decent Work? What activities and programmes would you suggest towards building such a coalition?

## ANNEX III

### List of participants

Mr Swami Agnivesh,  
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Fund on Contemporary Forms of  
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Chairman of the Bondage Labour  
Liberation Front,  
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Mr André Beteille,  
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Professor, Escola Superior de Teologia  
in Sao Leopoldo,  
Sao Leopoldo, Brazil

Mr François Dermange,  
Professeur ordinaire d'éthique à la  
Faculté Autonome de Théologie  
Protestante de l'Université de  
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Coordinator of the Women's  
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## Philosophical and spiritual perspectives on Decent Work

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Mr William McComish,  
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Parish of Saint Pierre-Fusterie,  
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Mr Ashim Kumar Roy,  
Researcher and social activist in labour  
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