

# A Rights-Based Global Economy

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*(adapted from suggestions submitted by the Association of World Citizens to the United Nations' Secretary for his Report to on Promoting Life in Harmony with Nature.)*

The Universal Declaration of Human Rights was adopted unanimously by all Members of the United Nations in 1948. It has since become a part of the body of traditional international law and thereby applies to all people no matter where they live. If its 30 articles were fully implemented we would have a strong foundation for a peaceful and flourishing world community.

At present humanity is undergoing a profound change as we move from identifying ourselves as separate religions, nations and cultures to seeing that we are inextricably interrelated parts of a global community, as well as an integral part of nature. By implementing the articles of the Universal Declaration of Human Rights, we have the opportunity to become a peaceful and loving global community where the wellbeing of all, people and nature, are safe-guarded by all.

In this article, I shall focus just on Articles 25 and 28 of the Universal Declaration in particular as they relate to an emerging paradigm for a global economy which is based both on human and earth rights and the inherited value of nature and society that must be preserved for coming generations if these rights are to be implemented.

Article 25 states *Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family,...*

Article 28 states: *Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.*

The present economy that is based on the production and sale of goods and services is destroying the very natural resources and the people-power needed for it to function. It is thereby in conflict with the Declaration of Human Rights.

**It is essential that the very foundation of the present economy be replaced. The health of the new economy must be measured by the degree to which all human beings and the whole of nature thrive – and humanity must be seen as an integral part of nature.**

The well-being of people and nature are our real inherited wealth that must be passed on to future generations. This real wealth has become increasingly well-known by the name *the global commons* since Elinor Oström won the 2009 Economics Nobel Prize for her work on the *commons*. Such a global commons-based economy would be linked to real value, human, and earth rights. It would consist of:

1. those aspects of nature and society that all people require access to in order to survive
2. a set of principles that would allow these to be stewarded by and held in trusteeship for the benefit of all
3. a set of appropriate values and norms

This will require that the global community:

1. change the concept of ownership of nature to stewardship and trusteeship of the global commons
2. modify the jurisdiction of the global commons
3. price its (ab)use
4. generate funds for the new rights and values-based global economy
5. create a currency based on the value of the global commons
6. shift our economic indicators and basic values and norms
7. shift from win/lose and win/win to *all*-win values and norms
8. look at legal aspects of a rights and values based economy and
9. move forward without procrastination

Much of the above is already taking place.

### **1. Changing the concept of ownership of nature to stewardship and trusteeship of the global commons**

Recently the Co-Chair's Summary of Prepcom 1 for Rio+20 (CCS) noted:

*“Reservations were expressed by a number of delegations about a particular interpretation of the concept of a green economy which was equated with “marketization” of nature and natural resources... [and] that unregulated markets have been a contributing factor to environmental degradation and thus their contribution to a solution is questionable” (58 CCS).*

*All* people contribute to the health of our natural environment and the capacity of societies to support their people, and *all* people (including those working in the private sector) experience the consequences of its degradation so that *all people* must share the jurisdiction of the global commons with the help of their national and local governments. Elinor Ostróm points to the success of fishermen to restore lobster stocks to health after hovering on the brink of extinction. Transition Towns, Geocities and Wikipedia, the Internet encyclopedia, are just a few of a rapidly growing number of examples where people are managing their natural and social environments for the well being of all. The Treaties of Outer Space, Antarctica and the Law of the Sea are also movements toward global stewardship of the global commons.

### **2. Modifying the jurisdiction of the global commons, pricing its (ab)use and generating funds for the rights and values-based global economy**

Even though much can be said for ownership of the global commons by all people, private ownership of parts of the global commons need not be ruled out, nor its use for private gain, provided that:

- i. the health of the commons is carefully monitored and it is stewarded and held in trusteeship for the benefit of all
- ii. use and access remain open to all
- iii. this is guaranteed by enforceable international, national and local laws.

**3. (Ab)use of the *natural* global commons** by individuals, organizations (including business and industry) and nations would be taxed according to their ecological footprint. The revenue would be used for restoration and care of the global commons and the well-being of the people who are linked to those parts of the local, national, regional and global commons. In

the Chair's Summary of CSD 18 (CS) and the above mentioned CS, a number of financing mechanisms were proposed, including:

“Ecological tax reforms” (77 CCS).”Polluter pays” (77,139,281,282 CS), “extended producer responsibility” (127,131,139, 258 282 CS), “internalization of external costs” (59, 77CS), “rehabilitation funds for mining” (158 CS); and “public investment in... natural capital to restore, maintain, and where possible [to] enhance the stock of natural capital” (77 CCS). The social (including cultural and intellectual) commons gain in value with use. Mechanisms to cover the (ab)use of social and other aspects of the global commons are equally important.

Instead of levying taxes on people's productivity (and thereby, as it were, penalizing them), Governmental income would also be generated from taxes from the use of commons within their countries. Local authorities and communities would similarly benefit from the use of the national and local commons. Monies from the commons—once nature has been restored to health and its capacity to thrive guaranteed—could be used for a basic income for all people. This would increase creativity and thereby increase the value of the social commons, increase harmony between people(s) and further protect the natural commons from abuse by those desperate to survive while enhancing harmony between people(s).

**4. Pricing of the natural global commons** is being undertaken by researchers working for the URSULA-project. According to their web site, [www.ursulaproject.org](http://www.ursulaproject.org), *URSULA stands for Unified Rating System, Universal Lifecycle Assessment. It allows data from different systems to communicate with and relate to one another. Using a standard of universal global sustainability enables us to do an "apples-to-apples" comparison of all kinds of data whether it reflects social, economic, environmental, legal, technological or political elements of nature and humanity.*

Fees and taxes on (ab)use of the natural commons can be assessed according to the **ecological footprint**<sup>i</sup> each entity – countries, people and organizations – would be assessed. Monies from nations would go to an international fund that would be administered by the UN. This could be used to restore the global commons from its present degradation and increase its ability to thrive.

#### **5. Currency based on the health of the natural and social commons**

Quoting international economic consultant James Bernard Quilligan<sup>ii</sup>, Mary Beth Steisslinger<sup>iii</sup> writes in *Our Global and Local Commons: The New Narrative for Justice, Peace, Environmental Security and Shared Prosperity for All. 4.0-Economics for the Commons*:

*Since the money system and individual purchasing power are social commons, there is a way to both stabilize and democratize money. The world community could create a form of monetary reference—belonging and accountable to everyone—that is not dependent on the economic or political decisions of a single state or the money nationalism of currency-issuing states. Global commons representatives could collaborate to produce an international currency, backed by a new kind of reserve asset, to provide a stable and usable exchange credit for business trade and other social transactions. **This new system would generate a broad measure of common wealth and well-being that is not based on productivity, profit or interest, but on the perpetual vitality and continuous adaptation of local resources to support a good***

*quality of life for all human beings. It would mean turning the present system of private credit—including banking and finance—into a commons utility through conversion of debt to equity across all sectors of society. It would mean using our commons-based capital—cultural, social, intellectual, natural, genetic, and material—as collateral for a resource-based global reserve system.*

*Using this new reserve system, commons assets would form the basis of a composite standard of value. For example, a Reserve Basket of Global Common Goods could include indicators for cultural resources such as indigenous wisdom, household work and the arts; special resources such as health, literacy economic output and income distribution; intellectual resources such as scientific knowledge, intellectual property and information flows; natural resources such as air and water quality, ecosystem health and biological diversity; genetic resources such as living creatures, organs and seeds; and the material resources such as gold, oil, water and the atmosphere.*

*Rather than convert commons assets into a market value, these indicators would generate a unique index based on the sustainability of the global commons and the value that these common goods have to our natural and social quality of life and that of future generations. By continually measuring and averaging the indices of each resource in this basket. Trustees of the commons reserve system could decide the proportion of those commons resources that should remain untapped as principal.*

*At the same time, the commons reserve system would replace the present interest rate mechanism with a sustainability rate. This commons reserve currency would function through the creation of co-credit—a participatory unit of value used in trading, investment and decision-making. As co-credits are lost or gained in each transaction, the deficit or surplus would be accounted with reference to the sustainability rate—a real-time measure reflecting the capacity of the global commons to provide and sustain the well-being of present and future generations. At any given moment, if the sustainability rate is low, the co-credit is worth less relative to its value in an exchange, which may cause a buyer to spend less, and if the sustainability rate is higher, the co-credit will be worth more in the exchange, which may convince the buyer to spend more. (See attached document 4.0 Economics of the Commons)*

**6. A global shift in economic indicators** has been recommended by the UN, including in the UNDP Development Reports starting in 1990. Bhutan's Gross National Happiness Index is well-known.

### **7. A fundamental shift from win/lose and win/win to all-win values and norms**

We must learn to see that assuming power over our fellow human beings and the rest of nature (win/lose) and seeing *people* as central to the wellbeing of the planet (win/win) are both threatening our ability to survive. **Our survival depends on recognizing our interdependence with our fellow human beings and the rest of nature (all-win).** This can be brought about through:

- i. formal education by, for instance –
  - changing the perspective from which physics, chemistry, history, geography, biology and other subjects are taught<sup>iv</sup>

- introducing as mandatory subjects at schools, *the art of relating*: how to communicate with others in all-win ways and solve conflicts peacefully, and how to reawaken the instinctive and intuitive connection with nature <sup>v</sup>
  - courses on the UN so that students realize that all people are interrelated beyond our separate cultures, religions and nationalities and that the necessary structures are being developed and are already partly in place to allow all people to live in a mutually beneficial spirit of cooperation<sup>vi</sup> and that there are mechanisms for civil society to give input into global policies
- ii. Through informal education via the media and new standards in advertizing, for instance, by making it mandatory to mention the global footprint of products and by taxing the sale and purchase of products accordingly
  - iii. By introducing economic indices that relate to human well-being rather than to GDP.<sup>vii</sup>

### 8. A look at legal precedents

The right to access and use of the natural and social commons of the general public has existed throughout history and is increasingly being adopted today.<sup>viii</sup> There is also a long tradition and much in favour of the people themselves taking full responsibility for the commons.

Polly Higgins<sup>ix</sup> has written extensively about the need for legal recognition of ecocide to establish a new legal premise of crimes against the planet; applications of trust law doctrine under the UN Trusteeship Council to confer protection, prevention and remedy; and enforcement of natural laws to halt the flow of destruction and advance the flourishing of life. A file is attached with further information.

James Quilligan<sup>x</sup> suggests that we institute the mechanism of **social charters** which he describes as follows:

*“When resources are mismanaged, the development of covenants and institutions by consumer-producers is a critical step in protecting and sustaining them. A social charter is a formal declaration which outlines the rights and incentives of a community --involving both local jurisdictions and the multijurisdictional environment -- for the supervision and protection of a common resource. The charter describes patterns of relationships between the resource and its users, managers and producers, allowing them all an opportunity to voice the mutual interests and responsibilities emerging from their rights to these common goods. The social charter empowers a geographical group and a broader association of stakeholders to hold a commons in trust for its beneficiaries, thereby safeguarding these vulnerable resources from the growing pressure to exploit them. This ensures that marginalized groups have access to common goods and that the benefits arising from their use are distributed in a fair and cooperative manner for present and future generations. Effective maintenance and preservation of a particular commons is thus generated through the collective action of citizens, customary representatives, social networks, academics, scientists, bilateral donors, development partners, regional organizers, intergovernmental organizations, independent media and other stakeholders -- with limited input from government and the private sector.*

*By encouraging a range of self-organizing capacities, social charters give substantial*

*discretion to individuals in designing effective institutions matched to the local, regional and global scales of vital goods and services. This enables a diversity of individuals and officials to make rule-based adjustments for the stewardship of their commons through multiple centers of power and decision-making. Social charters have been developed for forests, pastures, irrigation systems, water, fisheries, internet, knowledge, genetic resources, public health, energy, landscapes, historic sites and other domains. Examples of commons-based social charters include Heritable Innovation Trust; Creative Commons; WANA (West Asia-North Africa) Forum; Charter of the Cultural Forum of Barcelona for Innovation, Creativity and Access to Knowledge; Praja Foundation; Pacific Youth Charter; People's Charter for Health; and the Sky Charter proposed by State of the World Forum. Resource communities like these express the values of democracy, equity and justice by managing a commons as directly and locally as possible. Through their transparent decision-making and decentralized control, such social chartered initiatives generate an entirely new context for collective action.*

*Social charters are based on **commons rights**. Commons rights differ from human rights and civil rights because they arise, not through the legislation of a state, but through a customary or emerging identification with an ecology, a cultural resource area, a social need or a form of mutual labor. By expressing the rationale behind a group's collective actions and the importance of understanding who shares what, how it is shared, and how it may be sustained for future generations and species, commons rights affirm the **sovereignty of people over their means of sustenance and well-being**.*

## **9. Moving forward without procrastination**

As mentioned above, we are just beginning to develop solutions. We have no alternative but to gather together what we have now and build on that. This could begin with a collaboration between experts in the UN Secretariat and civil society organizations, including the Major Groups. The Secretariat can work with groups that already have practical experience in stewarding the global commons and living the various shifts recommended above (in values and with regard to the economy) as well as those economists and other experts who are working on the theoretical and policy aspects of a rights and values-based economy (Some of which have been mentioned here). Together with them a step-by-step plan can be outlined both with regard to areas that need further research and input and with regard to expanding existing best practices. The outcome can be reported annually in the SG's Report to the CSDs and associated conferences with a call for further input, and so, gradually, gaps can be filled in and areas of implementation expanded.

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As such a rights and value based global economy becomes established, all people will have an equal say over the natural and social wealth they have inherited. This will allow all people to flourish in their own unique ways. Since all have those needs met that add deep meaning to their lives, cut-throat conflict will gradually die out and creative conflict will take its place. There will be more leisure for people to appreciate the wonders of nature and other people and the myriad ways in which these contribute to our individual fulfillment.

In the past, nature has developed in leaps, its emphasis moving from a predominance of energy to include increasing amounts of mass, life and, finally, self-aware human beings.

By implementing this rights and values-based economy human beings can live in harmony with one another and form a new unit of being: an integrated and flourishing humanity, living in harmony with nature.

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<sup>i</sup> *Our Ecological Footprint. How Environmental Law Can Help to Reduce It*, by Dr. G.A. Biezeveld, Professor of Environmental Law at the University of Groningen, the Netherlands on March 31, 2009 (shortened version) is attached to this email.

<sup>ii</sup> James Quilligan, *People Sharing Resources/Toward a New Multilateralism of the Global Commons*, Kosmos Journal, Fall/Winter 2009.

<sup>iii</sup> *Our Global and Local Commons: The New Narrative for Justice, Peace, Environmental Security and Shared Prosperity for All. 4.0-Economics for the Commons* is attached to this email.

<sup>iv</sup> A shift from seeing the world as consisting of *separate* units, whereby human beings can exploit the earth and its natural systems with impunity to emphasizing the *integral interrelationships* between all that is, including humanity and the earth as living systems.” ***The Commons as a common paradigm for social movements and beyond, 28 January 2010—Silke Helfrich. World Social Forum: 10 years after: Elements of a new agenda.***

<sup>v</sup> Beside forms of constructive communication and conflict resolution, including the African method of Ubuntu, it is important that there is a general recognition that our communication is determined by how and what we think. Shifting from pure outward directedness to a monitoring of our thought processes is a necessary shift that many people have already undergone. The science and practices of the processes involved have been developed by many experts in the field of Transpersonal Psychology and through many diverse spiritual and religious practices. Buddhist mindfulness is an example. The theory of the affect of thought on life and matter is readily available in most countries from the fast growing body of modern popular and scientific literature (including on quantum mechanics). We can learn to reestablish an intuitive and instinctual connection with nature by first learning to quiet the screen of unruly thoughts that create the impression of separateness. We can do this through the practice of the above mentioned reflection and meditation techniques and then focusing our *desire to know* on our natural and social surroundings thereby minimizing the intrusion of preconceived ideas.

<sup>vi</sup> The Model UN is a programme that has caught on all over the world and is used extensively in schools. There is much useful information on the Internet on how to prepare and implement this approach to experiential learning about the UN and how relationships between nations work.

<sup>vii</sup> Dr. Luis Ferrate Felice, Chair for the High-Level Segment of CSD 18 stressed the need for bioethics and cross-generational vision. According to many delegations in the Rio+20 prepcom 1 “The current GDP indicators are inadequate to measure vulnerabilities of countries to the different crises confronting them (229 of the Co-Chairs’ Summary). Indicators of wellbeing were also mentioned (point 37 of the Co-Chairs’ Summary of the proceedings of Rio+20’s precom 1). The Undo’s Human Development Reports starting in 1990 list alternative economic indicators. Bhutan’s Gross National Happiness (mentioned in point 52 of CSD 18’s Chair’s Summary) is another example.

<sup>viii</sup> Here are some examples: “Et quidam naturali iure communia sunt omnium haec: aer et aqua profluens et are et per hoc litora maris” (By natural law in truth the following goods are common to all: the air, flowing water and the sea and—for the same reason—the coastal areas of the sea) Justinian (535 a.d.).

The use of the commons are outlined in the Magna Carta.

Silke Helfrich writes in her article for the World Social Forum 10 years after: Elements of a new agenda:

13. “In the commons sector, there are a great diversity and quantity of actors. Over the past several years, international interest in the commons paradigm has quickened. Several organizations and commoners now have significant transnational constituencies (Creative Commons, Wikipedia, Free Software and Free Culture Movement, sharing platforms, the anti-mining organizations, the alliances working for a Bem-Viver approach, the worldwide movements for sustainable agriculture, the Water Commons community gardening, citizen communication and information projects and any others). Actually it is a spontaneous explosive growth of diverse commons initiatives. Since Elinor Oström won the Nobel Prize in

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Economics (October 2009) many Universities have rediscovered the academic interest in the commons

...“We are witnessing a shift from the capitalist mode of production (based on property, command, value exchange via money, resources and labour exploitation, dependent on growth and striving for profit) to a commons mode of production (based on possession, contribution, sharing, self interest and initiative , where the GDP is a negligible indicator and the aim is a good life. Many “Commons Based Peer Production” projects are developing successfully. This is especially true for the production of knowledge (Wikipedia, Free Software, Open Design). But there is a thrilling discussion going on about how principles of commons based peer production can be transferred to the production of what we eat, wear and move with, at least to a certain extent. I believe that this is possible. Firstly because knowledge makes up the lion’s share of each kind of production. All goods are latent knowledge products. There is no car production or egg production without a concept and a design behind (Which make the lion’s share of its “market value”) Secondly because there are many kinds of commons sectors (care economy, solidarity economy) which have not been commodified yet and where commons values and rules are deeply rooted. Those sectors are evidence that every day many of the things we need to live are produced outside the market.

<sup>ix</sup> See [www.treeshavearightstoo.com](http://www.treeshavearightstoo.com). See also P. Higgins, “*Towards a Garden of Eden: ecocide, Eco-Colonization and the Sacredness of All Life*” in *Wild Law: A Reader in Earth Jurisprudence*, ed. P. Burdon, Wakefield Press, Adelaide, 2101.

<sup>x</sup> James Quilligan has served as an economic consultant to governments worldwide and as policy advisor for international leaders such as Pierre Trudeau, François Mitterand, Edward Heath, Julius Nyerere, Olof Palme, Willy Brandt, Jimmy Carter, Tony Blair, and HRH Prince El Hassan.