

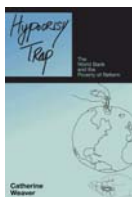
## International Organization and Poverty Alleviation

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**The World Trade Organization and Human Rights: Interdisciplinary Perspectives.** Edited by Sarah Joseph, David Kinley & Jeff Waincymer. Cheltenham, UK: Edward Elgar. 2009.

**Global Poverty, Ethics and Human Rights.** By Desmond McNeill & Asunción St. Clair. New York, NY: Routledge. 2009.



**Hypocrisy Trap: The World Bank and the Poverty of Reform.** By Catherine Weaver. Princeton, NJ: Princeton University Press. 2008.

### Introduction

Under the leadership of former U.N. Secretary-General Kofi Annan, and former High Commissioner of Human Rights Mary Robinson, efforts were made to mainstream human rights throughout the entire U.N. system. Annan appealed to all U.N. specialized agencies and affiliated organizations to consider how their work was linked to the corpus of internationally recognized human rights in international law. In one of his last acts as Secretary-General, Annan called for basing new reforms at the U.N. on three notions of freedom: freedom from want, freedom from fear, and freedom to live a life with dignity (Annan 2005).

Robinson explicitly linked human rights law to the development policies of international organizations (IOs) such as the World Bank and the World Trade Organization (WTO). She suggested that decisions as to appropriate priorities in the quest for development “can be made easier by using the language and standards of human rights and placing the decision-making process firmly in the context of the government’s international human rights obligations. These obligations stretch also to international organizations” (Robinson 1998). The U.N. Committee on Economic, Social and Cultural Rights (CESCR) furthermore asserted that development activities that do not contribute to respect for human rights are not worthy of the name (CESCR 1998).

Many IOs concerned with issues of poverty alleviation, including the World Bank, responded favorably to Annan and Robinson’s challenge and integrated human rights into their programming. Other IOs, including the WTO, were less open to the inclusion of human rights into their programs. This essay will consider several new works that assess the integration of human rights into these organizations.

While such a constructive dialogue with these international organizations is useful, it is clearly only a beginning. More powerful and fundamental mechanisms and procedures seem warranted to hold these dominant associations accountable to human rights standards. Each of the books under review for this article is concerned with IO accountability, good governance, poverty alleviation, and economic and social human rights fulfillment. The authors identify ways in which development IOs are [or are not] held accountable to global economic and social human rights standards; and the authors consider different mechanisms through which accountability could be strengthened. Each of these three volumes makes an important contribution to the literature on IO's and poverty alleviation.

World Bank President James Wolfensohn, for example, in response to this pressure, worked closely with Robinson to organize a major conference on human rights and the role of the Bank. The focus of this effort was to articulate the link between normative human rights and the Bank's development work, and to analyze the extent to which the Bank was obligated to respect and protect international law (McNeill and St. Clair 2009: 107). Yet, questions emerged. How would a human rights framework change the actual policies and practices of the Bank? Some experts inside the Bank contended that such a normative approach was "political" and outside the mandate of the Bank's "Articles of Agreement," which state that "only economic considerations shall be relevant to their decisions" (McNeill and St. Clair 2009: 106; Oestreich 2007: 68-69). Other experts inside the Bank, as well as scholars outside the organization, argued the opposite, stating that the Bank had a legal responsibility to carry out its programs within the normative framework of international human rights law. This human rights approach was intended to push the incorporation of fundamental and basic economic and social human rights into the Bank's work on poverty, governance, health and education targets, social safety nets, and so on (McNeill and St. Clair 2009: 107-108).

The WTO, on the other hand, resisted Annan's call for the integration of human rights into trade policy. The WTO asserts that it is a trade, not human rights, organization. Andrew Lang accurately summarizes the dangerous results of such an approach. Defining "certain concerns as 'human rights concerns' and others as 'trade concerns'" creates an opening for the WTO to ignore human rights law. "This is because characterizing them in this way enables a whole series of new arguments against considering them: 'we already have a human rights regime to deal with those issues'; 'that is not our area of expertise'; 'we are a trade institution, not a human rights institution'; 'expanding the mandate of the trade regime to include non-trade issues risks spreading it too thin, and diluting its resources'; and so on" (Lang 2009: 182). Such an approach has led the WTO to ignore the invitation of the CESCR to "collaborate...on these matters and thereby be active partners toward the realization of all the rights set forth in the Covenant on Economic, Social, and Cultural Rights" (Felice 2010: 96). After all, such collaboration would be seen as a diversion to the tasks of a trade organization.

Should the World Bank and the WTO be held liable to international human rights law? Are there accountability mechanisms to ensure IO compliance to these norms? In fact, certain structures have been established through the U.N. to hold IOs responsible to international human rights law. The U.N. human rights committee structure, for example, provides one level of accountability. As explained below, the CESCR has focused on the often direct impact the actions of international finance and trade organizations have on the well-being of the world's poor. The

CESCR asks reporting states whether they consider the human rights implications of proposed World Bank and WTO projects and programs. These states are also systematically asked whether they consider the human rights implications of their own voting behavior and lobbying activities inside the World Bank, WTO, and other IOs. The CESCR has also attempted to draw the World Bank and the WTO into its deliberations. The Committee is clear that it is each individual state's responsibility to hold these global IOs accountable to human rights standards inside each of their individual countries (Skogly 2001: 133-134).

### **IOs and Global Governance**

In Global Poverty, Ethics and Human Rights, McNeill and St. Clair carefully analyze the evolution of key multilateral organizations and discuss the ways in which development discourse now incorporates the language of ethics, human rights, and global justice. These authors note that, at least on the rhetorical level, “[i]nternational development organisations share a moral purpose: the reduction of poverty” (4). The authors explain that this “moral purpose” of poverty reduction did not necessarily come from the states that set up and funded these organizations. Rather, as Barnett and Finnemore have articulated, the power, legitimacy, and authority (including moral authority) of IOs has evolved and expanded (with good and bad results) in the post-WWII era. As a result, “IOs are supposed to be more moral (ergo more authoritative) in battles with government” (Barnett and Finnemore 2004: 23). Or as Thomas Risse writes (as quoted by McNeill and St. Clair, 14-15): “Take the U.N. and its organizations. These IOs gain their legitimacy because they claim to be oriented toward the world’s common good rather than to the egoistic interests of the principals to whom they are internally accountable.”

McNeill and St. Clair provide us with examples of how moral authority and expert knowledge can allow IOs to establish their own priorities, often at odds with the preferences of key nation-states. For example, the United Nations Development Program (UNDP) emphasize its role as a “knowledge organization” (67) allowing it to promote a paradigm of “human development,” produce their flagship publication, *The Human Development Report*, and establish a new development framework independent of the priorities of most U.N. member states (72). Yet, moral authority and expert knowledge may not prevail when an IO takes a position dramatically at odds with key donor states. For example, when UNESCO launched a poverty “abolition” strategy around the claim that “poverty is a violation of human rights,” powerful countries, including the United States, viewed the initiative as too radical. As McNeill and St. Clair state, “[i]f violating human rights can lead to justiciability, rather than mere moral condemnation, the poor of the world have a strong claim against the rich. Such ideas are anathema to the rich and powerful” (125-126). As a result, the UNESCO poverty abolition effort withered. The authors thus help us to see, on the one hand, the ways in which IOs can direct development policies and programs independent of states (e.g. UNDP), and, on the other hand, the limitations to independent IO action (e.g. UNESCO).

### **Human Rights and Poverty Alleviation in International Law**

Economic and social human rights law (including the International Covenant on Economic, Social and Cultural Rights (ICESCR)) has focused on the global protection of the poor and vulnerable. Nation-states are to be held accountable to adhere to the terms of the human rights

treaties they sign and ratify. However, a strong legal argument can also be made that this corpus of law applies not only to nation-states, but to IOs as well. No state and no international organization is above the law. Global finance and trade organizations operate in a new international milieu that has woven together a degree of “moral interdependence” designed to accompany the expanding “economic interdependence.” Human rights provide the normative foundation of our “moral interdependence” and a legal and moral framework to address poverty and needless suffering often caused by the “negative externalities” of economic globalization.

Henry Shue and Amartya Sen each contributed substantially to the articulation of this new “moral interdependence” through the development of key concepts that were later adopted by U.N. agencies and human rights bodies. With the development of “basic rights,” including security, subsistence, and freedom, Henry Shue (1980:32) presented perhaps the most influential case for economic and social human rights. Shue argued effectively for subsistence as a basic right, which meant that it was necessary for development programs to insure *a minimum floor of economic security for all citizens*. In fact, from Shue’s framework, one could argue that all human rights were contingent upon the protection of “subsistence” rights. Furthermore, from a global human rights perspective, all people everywhere are entitled to make minimum reasonable demands upon the rest of humanity to have basic rights met. Shue writes, “Basic rights are the morality of the depths. They specify the line beneath which no one is to be allowed to sink” (18). Subsistence rights meet basic human needs and are essential because without them other rights cannot be realized. For all human beings to be able to fully function in today’s world, their subsistence rights must be respected. Shue was the first to propose that states have a responsibility to respect, protect, and fulfill economic and social human rights. This three-part approach (respect, protect, and fulfill) has been adopted by the CESCR, providing the essential framework to establish accountability to economic and social human rights law.<sup>1</sup>

The influence of Amartya Sen in the U.N. human rights and development discourse has been ubiquitous. McNeil and St. Clair write that Sen “has become an iconic figure—rarely unquoted in any speech, book or article where the words ‘ethics’ and ‘development’ appear together” (2). These authors note that Sen’s “intellectual status” proved very influential to the development and acceptance of the concept of “human development,” and the associated “human development index” (24). Sen pioneered the “capabilities approach” which is now central to development economics. Sen’s notion of “capability” expanded “the dominant informational basis of development economics to also include concerns for the quality of life, well-being, agency, social justice, entitlements and rights and freedoms” (32). As a result of Sen’s work, the terms “capability” and “capability poverty” are now widely used at the UNDP, World Bank and other IO’s and have clarified the multidimensional nature of economic and social human rights obligations.

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<sup>1</sup> In 1997 a group of distinguished experts in international law met in Maastricht, the Netherlands, to elaborate the nature and scope of states’ obligations under the Covenant on Economic, Social and Cultural Rights. This meeting resulted in “The Maastricht Guidelines on Violations of Economic, Social and Cultural Rights,” which reflected the emerging consensus within the legal community as to state responsibility under the Convention.

Along similar lines, Thomas Pogge (2005) also links human rights fulfillment to the alleviation of poverty. “Piecing together the current global record, we find that most of the current massive underfulfilment of human rights is more or less directly connected to poverty. The connection is direct in the case of basic social and economic rights, such as the right to a standard of living adequate for the health and well-being of oneself and one’s family, including food, clothing, housing and medical care” (286). Pogge (2002) situates the problem of global poverty within a framework of international human rights. He links human flourishing and well-being to global economic justice. Eradicating systemic poverty, he argues, will involve acting on a new understanding of global responsibility and breaking out of stifling conceptions of “sovereignty” and nationalism, and enacting a series of modest and feasible reforms in international law and organization (McNeil and St. Clair: 55-56).

Is poverty itself a violation of human rights? The Office of the High Commissioner for Human Rights (OHCHR) appeared to adopt this position in its 2002 draft guidelines *Human Rights and Poverty Reduction: A Conceptual Framework*: “The reason why the conception of poverty is concerned with basic freedoms is that these are recognized as being fundamentally valuable for minimal human dignity. But the concern for human dignity also motivates the human rights approach, which postulates that people have inalienable rights to these freedoms. If someone has failed to acquire these freedoms, then obviously her rights to these freedoms have not been realized. Therefore, poverty can be defined equivalently as either the failure of basic freedoms—from the perspective of capabilities, or the non-fulfillment of rights to those freedoms—from the perspective of human rights” (OHCHR 2002:10; quoted in McNeil and St. Clair: 50-51).

McNeil and St. Clair (51) argue that this idea of poverty as a violation of human rights “takes off” between 2003 and 2004 with a “thinned out” version adopted inside key IOs and a more robust version adopted in key NGOs. Even though the UNESCO project (described above) was stymied by the powerful states, the ideas behind its initiative appear to have gained traction. This global dialogue on the link between human rights and poverty alleviation has helped to frame the contours of the “moral interdependence” emerging in the world today.

Thus, from a human rights perspective, those IOs with the capacity to respond to acute poverty have legal duties in economic and social human rights law to act. As McNeil and St. Clair write, “International organizations are ‘response-able’: they are particularly well placed to act by virtue of the powers that we, the people of the world, have given them: the economic resources and expertise that enable them to change the world; and the political legitimacy they enjoy by virtue of their mandates” (62). In other words, IOs have legal obligations and responsibilities to respect, protect, and fulfill economic and social human rights.

To clarify this IO duty, McNeil and St. Clair coin the word “response-able.” Drawing on the work of Iris Young, the authors write, “[a]ll that matters is that an agent be *able* to do something to help alleviate the suffering or remove the threats to well being” (italics added; 60-61). From this perspective, whether it is an individual, a state, or an IO, if they have the capacity to respond to injustice, they should do so. “They are response-able to protect people from the scourge of poverty” (9). Moreover, when “structural injustice” is global, and IOs are the only actors with the capacity to

respond, these organizations have a moral and legal duty to respect, protect, and fulfill economic and social human rights, i.e. a moral and legal response-ability.

### **IO Accountability to Human Rights**

Growing “moral interdependence” via human rights law draws our attention to the impact of these ideas and norms on IOs and international relations overall. But perhaps the critical questions then become: Have these normative ideas directly impacted IO development policies and actions in relation to poverty alleviation? Are IOs held accountable to follow through on their legal, economic, and social human rights obligations? Are there mechanisms for monitoring and ensuring compliance by IOs with these legal duties? IO accountability to human rights standards has been developed both (1) internally, inside different development IOs; and (2) externally, most notably via the CESCR.

#### ***Internal IO Accountability***

As already noted, in response to pressures from the NGO community and the Secretary-General of the U.N., the World Bank and other IOs adopted a human rights framework for their poverty alleviation programs. These organizations have not only verbalized a commitment to human rights, but have also established internal accountability mechanisms. Unfortunately, this internal human rights monitoring has often proven disappointing.

For example, as early as 1999, the World Bank rhetorically embraced a human rights approach with a statement that read: “By helping to fight corruption, improve transparency and accountability in governance, strengthen judicial systems, and modernize financial sectors, the Bank contributes to building environments in which people are better able to pursue a broader range of human rights” (quoted in Uvin 2004:88). And in 2004, the current General Counsel of the World Bank asserted that human rights should be part of the Bank’s discourse. Bank officials argued: “We really ought to refer to the human rights approach when talking about why equity matters intrinsically. More than a hundred countries have ratified the various Human Rights covenants that sanctions economic, social, and political rights” (McNeill and St. Clair: 96).

However, the internal accountability mechanisms set up to meet these obligations have often been inadequately funded, and thus ineffective. For example, the Bank established “Inspection Panels” to give voice to citizens whose human rights are negatively impacted by Bank projects. Yet the budget-support for this effort was cut and the role of the “Inspection Panels” was subsequently reduced. McNeill and St. Clair also note that another “accountability mechanism of the Bank, the Independent Evaluation Group (IEG), has also very limited capacity to become a tool for transforming the Bank into a ‘responsible’ institution” (112).

This apparent lack of effective internal mechanisms to hold the World Bank accountable to its rhetorical human rights commitment causes Peter Uvin to conclude: “[M]uch of this World Bank conversion still amounts to little more than rhetorical repackaging, that is, policies that were once justified by their potential to improve investor confidence are now justified for their human rights benefits, at least in brochures destined for the human rights community” (2004:88). And, as we will explore in depth below, Catherine Weaver documents what she calls the “hypocrisy trap” at the

Bank, which is the pervasive gap between the organization's talk, decisions, and actions. The lessons from Weaver's outstanding study of the World Bank enrich our understanding of the complex forces at work limiting fundamental organizational change inside IOs, and the difficulties of incorporating a human rights approach inside entrenched bureaucracies.

### *External IO Accountability*

The approach of the CESCR to the accountability of non-state actors' to economic and social human rights is instructive. In a 1998 statement on globalization, the Committee emphasized that the realms of trade, finance, and investment were not exempt from human rights principles and that "the international organizations with specific responsibilities in those areas should play a positive and constructive role in relation to human rights" (CESCR 1998). The Committee is thus clearly aware of the profound impact of the policies of the World Bank, WTO and other IOs on the plight of the poor. Yet, the CESCR cannot compel these IOs to change their policies, or even to appear before the Committee. The Committee thus attempts to pressure individual governments to hold these IOs accountable for upholding human rights law in their activities and policies in all activities inside each state that is party to the convention.

According to the CESCR, the state remains the primary actor in international law responsible for implementing economic and social rights. The U.N.'s approach is to hold governments accountable for the provision of basic social services, including health care, employment, and education. Thus, while recognizing other global forces at work in the modern economy that weaken the state's ability to control its economic destiny, it is still the state that is required to ensure that private entities or individuals, including transnational corporations' and IOs' actions within their jurisdiction, do not deprive individuals of social or economic rights (Felice 2010: 79-80). As stated in the *Maastricht Guidelines*: "States are responsible for violations of economic, social and cultural rights that result from their failure to exercise due diligence in controlling the behavior of such non-state actors" (Maastricht 1998: 697).

This point was again emphasized in the 2010 report of the U.N.'s independent expert on the question of human rights and extreme poverty, which included the following:

*The Millennium Declaration and the Millennium Development Goals highlight the shared international responsibility for poverty reduction and the need for a partnership among developed and developing countries against extreme poverty. Numerous legally binding human rights obligations refer to international assistance and cooperation. **Additionally, States must ensure that their international assistance and domestic development policies are designed and implemented in ways consistent with their human rights obligations, and further the realization of human rights in the recipient countries** (emphasis added; Sepúlveda Carmona 2010: 24).*

To complicate things further, it is often difficult to clarify exactly which outcomes these multilateral organizations should be held accountable for causing. As McNeill and St. Clair write, "[w]orld poverty is the result of the complex interactions of many forces at global, national and local levels. Multilateral and bilateral development agencies are responsible only in part for this situation; and many different ones are involved, so that it is difficult to trace the individual responsibility of

each of them” (3). For example, if a state is governed by a corrupt dictator determined to squander the resources of his or her people, there is often little a development IO can do. Or, if a country is dependent on one or two primary products for over 50 percent of their export earnings, and the price of those products drops dramatically on the international commodities market, there is again often little a development IO can do. IOs are only “response-able” for those outcomes that are a result of their actions (or non-actions).

The authors of the volumes reviewed below on the World Bank (Catherine Weaver) and the WTO (Sarah Joseph, David Kinley, and Jeff Waincymer) provide us with a closer examination of the response of these particular IOs to international human rights. They explore the ways in these organizations have responded to McNeill and St.Clair’s argument of IO response-ability to respect, protect, and fulfill economic and social human rights. Overall, these books help to clarify both the strengths and the weaknesses of the emerging normative regime of human rights’ “moral interdependence.”

### **The World Bank**

While giving voice to the importance of human rights for the alleviation of poverty, World Bank actions to respect, protect, and fulfill economic and social human rights have lagged behind global human rights standards – leading to perceptions, and even charges, of hypocrisy. Catherine Weaver’s Hypocrisy Trap explores the concept of hypocrisy as it applies to IOs (the World Bank, specifically) and offers an analytical framework for understanding IOs and human rights. Weaver defines “organizational hypocrisy” as “the gap between what an IO says and what it does, or in Nils Brunsson’s definition, the contradictions between ‘organizational talk, decision and action’” (Weaver 2008: xi).

Organizational hypocrisy is not the same as individual hypocrisy, where a single individual says one thing and deceptively does something else. Rather, in a complex organization, the staff members who make organizational decisions or implement them (i.e., take action) are often not those who speak for the organization. Weaver notes the challenge of assigning responsibility for “systemic” hypocrisy within an organization, and, quoting Mlada Bukovansky, cautions that it “may not deserve the [same] moral condemnation” (2008: 17).

Moreover, Weaver also observes hypocrisy can be “essential for organizational survival” (2008: 4). For example, expectations and demands expressed by the donor states and/or recipient states that originally created an international development organization can differ from the internal thinking that evolves and comes to dominate within the organization. In such a case, the organization’s staff who communicate externally might offer words (paying “lip service”) as a “strategic tool” to satisfy the external challenge while insulating the internal functioning of the organization (6).

Thus, Weaver explains, when external demands are inconsistent with informal organizational structures and culture, organizations will develop “gaps” – between formal structures (visible to the external realm) and informal structures that guide operations, as well as between “espoused theories,” designed to acquire financial resources and to create perceptions of legitimacy, and



"theories-in-use" that shape work activities (2008: 5, 28-29). In short, "to cope with irreconcilable practices, organizations in fact develop distinct 'political' and 'action' roles" (5).

But is hypocrisy always "a fully conscious and deliberate act" strategically employed by organizations? Weaver suggests no. Sometimes organizational hypocrisy emerges when new development theories or ideas, or new organizational goals, conflict with the organization's internal structure. Weaver refers to "the difficulty" of "constantly reengineering the organization's research and organizational cultures in line with an ever-changing menu of new development theories and tasks" (2008:42) – the emerging "tensions" can yield gaps between "espoused goals" and action (43).

Weaver notes that *international* organizations are "especially susceptible to hypocrisy" (2008: 5) because of their complex external environments and, in the case of "large service IOs," their "distinct bureaucratic cultures" (which develop "over time [as] the professionalization and socialization of staff engender organizational preferences and worldviews that [often diverge] from the interests of dominant member states") (6). Selecting the World Bank for intensive study, Weaver applies theories from organizational sociology (26-31) and gathers information from extensive interviews with World Bank staff conducted over a seven-year period along with research of World Bank documents and others' reports on the Bank (13-15). As Weaver so carefully analyzes for the World Bank – a large service organization that works in a highly complex external environment, hypocrisy is embedded in both the Bank's external environment and internal organizational culture (3).

Concerning the external environment, in the Chapter 3 section entitled the "world's Bank," Weaver identifies the proliferation of competing external actors who seek to influence the Bank. At the top of the list are the five most powerful donor states, most especially the U.S., which has exerted "hard power" from the beginning of the World Bank's formation. To understand the avenues of influence, consider that the World Bank is actually a group of five agencies, known together as the World Bank Group. Weaver focuses on the two organizations that constitute the "heart" of the Bank, and which have a common structure, sharing management and personnel (2008: 47, footnote 4).

The original institution, established in 1945 and the largest to this day is the International Bank for Reconstruction and Development (IBRD). In the 1950s and 1960s, the U.S. was the largest subscriber, providing nearly 35 per cent (Weaver 2008: 51) of the "paid-in capital" and pledging substantial "callable capital" to back up the AAA rating of IBRD bonds. Besides financial leverage, the large subscription entitled the U.S. executive director on the Board to the largest share of votes of any single country, again, facilitating U.S. influence (50).

In time, as European countries recovered from the War, the U.S. proportion of donor subscriptions and its highly influential role declined somewhat. However, the International Development Agency (IDA), the second-largest institution of the Group, was created in 1960. Offering interest-free loans to the poorest less-developed countries (LDCs), the IDA has been highly dependent on raising resources from the top donor countries (Weaver 2008: 46), and especially from the U.S. Indeed, the U.S. was the largest donor to the IDA for nearly five decades – until December 15, 2007, at which time Britain emerged as the largest donor to the IDA, with the

U.S. second (Faiola 2007). Furthermore, the U.S. has long wielded “soft power” over the World Bank – facilitated by Bank headquarters located in Washington, D.C., and U.S. selection of the Bank president (who then has appointed the Bank’s chief economist, etc.) (48-49, 55-56).

In more recent years, with growing pluralism in the international arena, the assertiveness and contributions of other major donor states have made inroads, limiting U.S. influence on the World Bank. In FY2007, while the U.S. alone held 16.41%, the next four largest donors (Japan, Germany, France, Britain) together held 20.89% of the votes on the IBRD executive board (Weaver 2008: 48, 50). In addition, the Bush administration’s support for Wolfowitz in 2007 “eroded” U.S. soft power on the executive board (56), sparking the assertiveness of multiple donors, most notably the European countries.

Along with this increase in the number of influential donors, Weaver also emphasizes the growing power of the borrowing “client” countries. In particular, since the early 1990s the largest LDC client states (e.g., India, Brazil, Indonesia, Russia, China) have been in positions to exert leverage over the Bank – notably, by the threat of possible loan default, refusing conditional strings attached to Bank loans, reducing their demand to borrow Bank funds (due to easily accessible capital elsewhere), or possibly competing with the Bank by offering their own loans (Weaver 2008: 57-64). “Overall, these demand-side shocks and rise of unexpected competitors put the Bank in financial peril. In response, since the mid-1990s the Bank has sought to engender a more ‘client-focused’ image” (59).

Weaver effectively depicts the World Bank as an IO faced with competing demands from “multiple political and financial masters” (2008: 42-43). Whether donor or client, numerous countries have sought to influence the Bank; yet in turn, the Bank has been dependent on them for both financial resources and perceived legitimacy. It is thus not surprising that at times, seeking to placate these many countries, the Bank’s talk has diverged from its actions.

However, as important as these external “masters” have been in explaining organizational hypocrisy, Weaver emphasizes that “just as important” is the Bank’s internal structure and culture. In the Chapter 3 section, the “Bank’s world,” Weaver examines the Bank’s internal “bureaucratic politics and culture,” specifically focusing on (1) the “operational environment” and (2) the “ideological and intellectual environment” inside the Bank (2008: 73).

Concerning the first, the “operational culture” (Weaver 2008: 83-90), Weaver identifies the Bank’s “disbursement imperative” (84). She reminds us that the World Bank “is...a *bank*,<sup>2</sup> which means its *raison d’être* is to lend money” (58). Likewise, McNeill and St. Clair refer to money lending

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<sup>2</sup> Technically speaking, the World Bank is not a “for-profit institution,” as Weaver also suggests. Rather than a “profit,” the World Bank generates a “surplus” from interest payments on some loans and service fees, which is then allocated to support the Bank’s operations and mission. The World Bank website reports, “Some of the surplus goes to IDA...The rest of the surplus is either used for debt relief for heavily indebted poor countries, added to financial reserves, or helps us respond to unforeseen humanitarian crises” (World Bank 2011). Weaver is therefore correct in her emphasis that loans issued through “the IBRD (the hard-loan window)...underwrit[es] the Bank’s primary source of financial autonomy and sustainability” (2008: 58), thus underscoring the operational importance to the Bank of issuing loans.

as the Bank's "core business," noting "indeed the Bank measures performance in terms of the amount of money it successfully lends" (2009: 93).

Traced back to the McNamara era of 1968-81 (Weaver 2008: 84), this imperative to lend has provided incentives to Bank staff to generate new loans, sometimes at the expense of project and program effectiveness. And despite internal reform efforts, e.g., in the Wolfensohn years of 1995-2005, these practices have continued to this day. As Weaver's research details, the impacts have been many. To promote lending, staff are encouraged to approve project proposals rapidly (in effect, creating an "approval culture"). This in turn discourages complete project assessments (85); also, project proponents tend to overstate the positive prospects and understate the risks in their proposals, seeking rapid approval (87). Indeed, Weaver notes, "lending targets...continue to strongly bias" the Bank preference for designing "universal blueprints" that apply to many countries and situations, generally speaking, rather than addressing a specific local context (85-86). Moreover, a "pervasive problem" in project implementation is the rapid turnover of Bank staff, as they rush away to identify and start the next project to obtain Bank lending, rather than staying with a started project to oversee effective implementation, monitoring and evaluation (87-88).

In addition, rather than waiting for LDC governments to seek funding, Bank staff identify and design supportable projects, signaling LDC governments to request Bank funds (Weaver 2008: 85) – which in turn empowers the recipient governments in the loan negotiations. Even more, knowing the Bank needs to lend has strengthened the larger client states' resistance and noncompliance with conditions being placed on the loans (58).

Thus, rather than a "results focus," which emphasizes loan conditionality and project implementation and evaluation to ensure achievement of specific results, the Bank's organizational culture has promoted rapidly creating new projects to generate more lending. As Weaver writes, "many staff members still believe that institutional incentives reward individuals who get projects started, but do not hold them accountable for the long-term effectiveness of loans" (Weaver 2008: 88).

Regarding the second component of the Bank's internal structure, the "intellectual culture" (Weaver 2008: 73-83), Weaver highlights the Bank's well-known embrace of "apolitical, technocratic, and economic rationality," dating back to the days of McNamara (76). Forming "a triad of mutually reinforcing characteristics," this rationality has now become engrained and even self-perpetuating within the organization (74). Over the years, Bank hiring and promotion decisions have demonstrated a preference for professionals with credentials in economics, with their training reflecting even more narrowly a neoliberal, pro-market emphasis (76-77).

Weaver writes, "This dominance of economists and neoliberal, technocratic thinking has strongly shaped the evolution of the Bank's 'talk' – its espoused development theory and agendas" (2008: 79). The triad's influence on the Bank is perhaps best illustrated by examples of "paradigm maintenance." Citing Robert Wade, Weaver recounts the re-drafting of two World Bank documents. In the well-known report, *East Asian Miracle*, the initial draft's support for the role of government intervention in promoting economic development was revised with "market-friendly" language. In the *2000-2001 World Development Report: Attacking Poverty*, the first draft criticized economic growth

(and promoted empowering the poor as the path to reduce poverty) but was revised to include a greater focus on economic growth as a positive strategy with a reduced emphasis on social safety nets in poverty alleviation (79-81).

Moreover, this triad of rationality has shaped Bank actions to focus on technocratic, economic solutions. Weaver notes, the Bank “narrowed its range of activities to seemingly neutral or technical tasks, such as targeted lending for infrastructure and rural agricultural development or sweeping macroeconomic reforms and adjustment policies, while other development agencies endowed with different mandates pursued development based on rule of law, *human rights*, and democracy” (*emphasis added*; 2008: 74).

Weaver’s sophisticated and detailed analysis thus offers us an understanding of the Bank’s lagging behind in tangible actions to address human rights as part of its poverty alleviation programs. Consider the very forces that have generated organizational hypocrisy – specifically, the Bank’s seeking to appease multiple *external* masters: (1) the many donor countries (including the dominant donor, a keen supporter of free-market ideology and economic growth strategies), and (2) the growing number of client states with increased leverage (who have been wary of IO interference in domestic political affairs, including human rights issues), along with the Bank’s *internal* organizational culture: (1) an operational culture that fosters rapid project approvals (disallowing time to consider social, environmental and human rights issues) along with insufficient monitoring and evaluation of the implementation process, and (2) a dominant apolitical, technocratic and economic ideology that fervently embraces the market and economic growth as key to economic development. These have converged to steer the Bank away from taking substantial action focusing on economic and social human rights.

All of these factors underscore the challenges facing an IO in effectively incorporating in its programs the necessary strategies to respect, protect, and fulfill economic and social human rights as fundamental to alleviating poverty.

### **The World Trade Organization**

While the editors of *The World Trade Organization and Human Rights: Interdisciplinary Perspectives* (Sarah Joseph, David Kinley, and Jeff Waincymer) are all legal scholars, the additional contributors to this volume include economists, political scientists, and philosophers as well. The result is an outstanding collection of essays that weave together the salient multidimensional aspects of the trade and human rights debate. This interdisciplinary breadth allows the reader to comprehend the complexity of the ethical issues surrounding “free trade.” After finishing the book, the reader comes to understand that solutions to these dilemmas require such an interdisciplinary approach.

Waincymer clarifies two related aspects to the compatibility of the international trade regime and the promotion of universal human rights as follows: “The first is to consider whether the WTO unduly interferes with the promotion of human rights...[and] [t]he second is to consider whether the WTO ought to do more to promote the attainment of universal human rights. If...the ultimate goal of all governance systems is to promote human rights, then any institution is failing in its

obligations if it does not prioritize that goal” (2009: 1-2). Lang raises similar issues in asking whether the social dimensions of economic liberalization and human rights are de-prioritized in WTO trade policy (2009: 166). Or perhaps, utilizing McNeill and St. Clair’s framework, the issue becomes: Does the WTO accept a “response-ability” to respect, protect, and fulfill economic and social human rights?

As previously discussed, the language of human rights has been central to the growing sense of “moral interdependence” between peoples and states. The international community has labored hard to establish global “rights” and “wrongs” intended to provide rules to govern global behavior. Furthermore, human rights are cast in a legal framework, using legal language. Such a legal approach in theory should provide a useful avenue to engage (and challenge) WTO policies and actions that appear to ignore or exacerbate global poverty. The WTO itself works through an elaborate international legal framework of trade law. The contributors to this volume explore the divisions between human rights and trade law, and analyze whether these legal spheres are compatible or doomed to conflict.

On one side of the debate are those who argue that the political priorities of trade law are different from, and sometimes in conflict with, the normative goals of human rights law. From this perspective, as a trade organization, the WTO cannot (and will not) incorporate human rights priorities. Its job is to ensure efficient global production and cannot be sidetracked from its central mission.

On the other side, are those who believe that the differences between the regimes are not so stark, but rather a product of the systemic fragmentation in the international system with human rights IOs working in isolation from the WTO, and visa-versa. From this perspective, an argument is made that the trade and human rights regimes are in fact compatible and would serve each other well by working together. The conflicts that have emerged often simply reflect a misreading of WTO rules, and a more accurate legal interpretation of WTO laws shows a great deal of harmony with human rights norms.

### **Are Trade Law and Human Rights Law Compatible?**

According to Waincymer, the WTO is “best understood as a legal response to protectionist behavior” (8). The rules of the WTO, including national treatment, nondiscrimination, and reciprocity, are designed to remove all political interference in trade. States that join the WTO commit themselves to the progressive removal of all tariff and non-tariff barriers to trade, creating a global open market that rewards efficiency and, in theory, creates the greatest goods for the greatest number at the lowest cost.

Global utilitarian ethics, embraced by the WTO, promotes policies and actions that claim to improve the welfare of the most people. According to a utilitarian, to act morally in the world today is to act in a way that improves the long-term, overall well-being of the most people on our planet. WTO globalists argue that in our imperfect world, the greatest number of people can benefit from free trade in a global economy. This transition from a “backward” localized economy to full

integration in the international market may be messy and cause pain to many. But, over the long run, there will be positive net gains for most people (Felice 2010: 33).

Is this liberal utilitarian economic vision of free trade compatible with a human rights ethic and approach to economic globalization? As the authors in this volume make clear, such a human rights approach would probably establish different priorities. Instead of a sole focus on increasing global or national economic growth, the priority would shift to the goals articulated in the ICESCR. These social goals would serve to orient trade policy toward the maximization of human rights and not solely either growth or wealth. The social impact of trade policy on the poor, workers, women, the disabled, migrants, and the environment would be factored into all trade negotiations. Moreover, since economic and social human rights are focused on the weak and the helpless (as seen above in the discussion of Shue's "morality of the depths"), trade policy would be reoriented to take into account the needs of the poorest and most vulnerable groups (Lang: 172-173).

This visionary "human rights approach to trade" is clearly not the working framework for the WTO or for most national governments. Such an approach would involve a massive reorientation of existing economic priorities. It would mean including social goals on an equal footing with economic growth in all national and global planning. Is this possible? Can the two visions—WTO utilitarianism and human rights norms/laws—be bridged? Or, are these two frameworks incompatible?

### **Bridging the Divide**

After examining the WTO treaties as legal instruments, Robert Howse and Ruti G. Teitel conclude, "it quickly becomes evident that the treaties themselves have been structured in many ways so as to ensure that the means adopted in the WTO to achieve economic goals are not inconsistent with the human purposes and values intrinsic to the norms in the ICESCR" (2009: 42). For example, the preamble to the WTO Agreement calls for "...raising standards of living, ensuring full employment and... [the] need for positive efforts...to ensure that developing countries, and especially the least developed among them, secure a share in the growth in international trade commensurate with the needs of their economic development." Howse and Teitel (42) note that this WTO preamble corresponds with the obligation provision in Article 2(1) of the ICESCR, which calls for the progressive realization of economic and social human rights.

Howse and Teitel persuasively demonstrate that, on paper at least, the WTO rules and human rights norms do not necessarily conflict. Instead, according to these scholars, the issues come down to the interpretation and elaboration of state duties under these sets of laws. On the one hand, a bias toward a neoliberal interpretation of trade rules will shift WTO implementation and actions toward a rigid utilitarian framework that neglects human rights concerns. On the other hand, a bias toward a human rights interpretation of trade rules would push WTO actions in a different direction. Neither direction is ruled out by the existing trade rules.

In fact, the founders of the General Agreement on Trades and Tariffs (GATT)/WTO regime established rules through which nations could prioritize certain human rights and over-ride trade rules. Through these legal procedures, economic "protectionist" interventions in the market

are seen as appropriate in certain circumstances impacting human health and the environment. Specifically, GATT Article XX, entitled “General Exceptions,” allows states to take actions “necessary to protect human, animal or plant life or health,” “necessary to protect public morals,” “relating to the products of prison labor,” and “relating to the conservation of exhaustible natural resources.” States must demonstrate how their interventionist actions in these areas are directly “related” and/or “necessary” to achieve these social objectives (Thomas: 262).

Furthermore, in taking these actions, states must respect the GATT/WTO principles of nondiscrimination. The “chapeau” (i.e., the introductory paragraph) states that the measure cannot be “applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or a disguised restriction on international trade” (Thomas: 262).

How much does Article XX create an opening to take into account human rights concerns? Howse and Teitel believe these rules are flexible enough to “allow deviation from trade liberalization rules where the realization of fundamental human values, such as health, is at stake” (43). Unfortunately this human rights approach has not yet been embraced within the dispute settlement process at the WTO. As Chantal Thomas summarizes, “The WTO decision-making bodies seem prepared to err on the side of enabling trade rather than enabling trade-restricting social measures” (267). Yet the problem, according to Howse and Teitel, is “arguably a question of the interpretation of the existing rules of the WTO” (43). In other words, these authors argue that ICESCR and WTO law are compatible and that there has been progress in this direction.

Take, for example, the “right to health.” An Appellate Body of the WTO ruled in the *EC-Asbestos* case that France could ban all asbestos and asbestos-related products, whether domestic or imported. Canada had challenged this health-based ban contending that the asbestos-containing products were “like” products on the domestic market already in France. From this perspective, the ban violated WTO rules regarding “national treatment” in which “like” domestic and imported products are to be treated the same. The Appellate Body ruled that health concerns could be taken into account and that since the health effects of the asbestos products were so severe, the two groups of products were “unlike” (and thus no violation of national treatment). The Appellate Body furthermore went on to indicate that France’s measure would also have been justified under the health exception in Article XX. Howse and Teitel conclude: “From the perspective of the right to health, this is a landmark ruling, because it indicates that considerations of health as a human value must be considered not only in interpreting and applying exceptions to WTO disciplines, but in understanding the very scope of those disciplines themselves” (58).

### **Race to the Bottom?**

Yet, there remain human rights areas where it is difficult to see how progress can move forward within the existing WTO structure. Let us examine, for example, the right to basic core labor standards and worker protections.

### *Global Core Labor Standards*

Beyond its preambular language, the WTO framework agreement does not contain any affirmative obligations to uphold labor standards. Despite this deficit, Thomas examines whether there is room for members to restrict trade in order to implement social regulations. For example, can a member of the WTO legitimately discriminate against products produced with child labor by another member of the WTO? Since GATT/WTO Articles I and III guarantee that domestic and foreign goods be treated equally, on what basis could these foreign goods be banned? A member state may file a grievance when the actions of another member violate GATT/WTO rules and cause harm to the complainant state. For example, a state may file a grievance against a state that arbitrarily raises tariffs in a particular industry, causing harm to its firms. But, on what basis could a member state argue that the failure to uphold ILO core labor standards by a different member state causes “harm” to its domestic industries?

A member wishing to bring such a claim must allege that its rights under the WTO have been violated by another member’s noncompliance. “The complainant state would have to allege that the respondent’s failure to, for example, eliminate child labor nullifies and impairs its benefits under the agreement” (Thomas: 269). One can argue that this is not an insurmountable barrier. The ILO, for example, declares that “the failure of any nation to adopt humane conditions of labor is an obstacle in the way of other nations that desire to improve the conditions in their own countries” (quoted in Thomas: 269-270). Thomas applies this ILO principle to the WTO, and writes, “According to this principle, one WTO member could argue that another member’s failure to honor child labor standards impedes its own ability to uphold child labor standards in its own territory. Indeed, this ‘race to the bottom’ argument animates much of the movement to set international labor standards” (290).

It is undoubtedly the case that a violation of ILO labor standards in some states pushes others states to lower their workers’ protection laws (This same dynamic is occurring inside the U.S. as well. Faced with a serious economic recession, local state governments are actively removing worker protection laws to balance budgets and attract industry). This occurs because states do not want to risk the loss of trade and investments as firms search for the lowest overhead possible. So, there may be real economic “harm” to those states that adhere to ILO labor standards. But, does this argument meet the criteria of “harm” outlined in the GATT/WTO trade rules?

Thomas engagingly discusses these issues. On the one hand, it is possible to present evidence that WTO dispute panels have concluded that rule violations hinge on harming the “conditions of competition.” One could thus argue that a government’s use of child labor can harm “competitive conditions” for fair trade. Thomas summarizes, “[u]nder a trade-related labor agreement, the complainant government could argue that the respondent government’s actions harm the ‘conditions for securing labor standards’ for its own nationals” (270).

Yet on the other hand, at the present moment, it seems far-fetched to imagine the WTO adopting this human rights/labor rights interpretation of trade rules. It is also hard to image how such a ruling could be enforced. The ILO’s weak enforcement record speaks to the difficulties of IO implementation of a human rights protection strategy in even the most egregious cases. For



example, an ILO Commission of Inquiry found that Myanmar engaged in extensive violations of the Forced Labor Convention, amounting to “a saga of untold misery and suffering, oppression and exploitation of large sections of the population inhabiting Myanmar by the Government, military and other public officers.” Thomas notes that in response, the ILO took unprecedented steps in 2000 to compel Myanmar’s compliance with ILO Convention No. 29 on forced labor, including the utilization of Article 33, “a procedure reserved only for the most grave and persistent violations of international labor law.” Yet progress has been slow and effective change has not yet come to Myanmar. In fact, in 2008 the gaoling of a local labor activist threw doubt on the government’s willingness to follow-through on its commitment to comply (Thomas: 260).

### **Human Rights Accountability: Strategies Going Forward**

Kenneth Shadlen, Caroline Foster, and Sarah Joseph suggest pathways to develop more human rights accountability at the WTO. These scholars accept the need for an organization like the WTO to supervise the global trade regime. Their proposals are to help bridge the gap between human rights and trade law.

First, Kenneth Shadlen points to the progress that has been made in the North-South conflict over intellectual property rights in relation to access to essential medicines. A central focus of this conflict was use of compulsory licenses (CL) by the LDCs for essential drugs. A CL “allows a public or private actor to use patented knowledge without the authorization of the owner.” Under certain conditions, the *Trade Related Aspects of Intellectual Property Rights* (TRIPS) agreement does not prohibit the use of CLs by LDCs. Yet, despite LDC adherence to these TRIPS rules, Shadlen notes that throughout the 1990’s, the U.S. would routinely place countries on their “Priority Watch List” for their use of CLs. The U.S. regarded the use of CLs as demonstrating “insufficient” protection of intellectual property, the justification for inclusion on the U.S. “Priority Watch List.” To be clear, many LDCs were placed on the U.S. “Priority Watch List” solely due to their CL efforts. An extended campaign by LDCs and NGOs to secure affordable medicines pushed the topic to the top of the agenda of the WTO Fourth Ministerial Meeting in Doha in 2001. This effort resulted in the *Doha Declaration on the TRIPS Agreement and Public Health*, which states that the TRIPS agreement “does not and should not prevent members from taking measures to protect public health.” The declaration affirms LDC’s rights “to use, to the full, the provisions in the TRIPS agreement, which provide flexibility for this purpose.” And, furthermore, the declaration clarifies CLs as follows: “Each member has the right to grant compulsory licenses and the freedom to determine the grounds upon which such licenses are granted” (Shadlen: 119-120).

The Doha Declaration thus affirmed the right of LDCs to move with haste to develop life-saving medicines through the use of CLs. This success is important. Shadlen notes that while it does not give LDCs the power to stop the U.S. from continuing to unilaterally punish (via the U.S. “Priority Watch List”) those who utilize CLs, it does raise the political costs for doing so. It makes clear “that when the US (or other developed countries) act in this way, they, and not the developing countries, are violating the WTO’s rules” (Shadlen: 120).

Second, Caroline Foster shows how the WTO *Agreement on Sanitary and Phytosanitary Measures* (SPS Agreement) can be made consistent with international human rights law. The SPS Agreement

“regulates barriers to trade that are adopted to counter sanitary and phytosanitary risks by requiring them to be based on science” (285). Yet, as Foster points out, “a strong argument can be made that risk assessment can never be a value-free process” (298). She demonstrates the ways in which science is not neutral and that the bias of the individuals on the WTO dispute settlement panels will often play a role in the determination of the ultimate outcomes. These issues came to a head in the well-known *EC-Hormones* and the *EC-Biotech* disputes. In both cases, the public opinion of the Europeans regarding food safety was not considered in decisions by the WTO dispute settlement bodies. These issues concerned, for example, growth promotion hormones in beef, which has been linked to cancer. Foster effectively argues that the WTO decision to sanction the Europeans “undermine[s] the WTO dispute settlement system (287).

Furthermore, these decisions raised issues of democracy and accountability. Why wasn’t European public opinion considered in the dispute settlement process? Why shouldn’t the public/citizens be able to determine issues of their own health and safety? As Foster writes: “[I]n the context of scientific uncertainty, a WTO Member should be able to defend sanitary or phytosanitary measures on the basis that its population simply does not want to run a given risk” (289). Foster continues: “While it may be possible to estimate the likelihood of a risk in technical terms, the question of a risk’s magnitude will always hinge partly on value judgments by the society that is to be subjected to the risk...Where the societal view and the view of authors of a risk assessment do not sufficiently coincide, it is not possible to say that a full and complete risk assessment has actually been conducted” (298).

International human rights law, and in particular the International Covenant on Civil and Political Rights, gives every individual the right and opportunity to “take part” in the conduct of public affairs. The U.N. High Commissioner for Human Rights in 2005 noted that this participatory right includes “the exertion of influence on decision-making through public debate and dialogue” (quoted in Foster: 307). A clear way to address the legitimacy of the WTO multilateral trade regime, and the SPS Agreement in particular, is for the WTO dispute settlement system to be more responsive to these basic participatory human rights which would require a greater recognition and openness to public opinion.

Finally, Sarah Joseph suggests “redrawing the scope of the substantive power of the WTO” (335) by differentiating between “inward measures” and “outward measures.” Joseph writes: “Perhaps greater deference should be given when the WTO deals with so-called ‘inward measures’, those designed to protect national populations, compared to outward measures, those aimed at protecting other people or somehow changing behavior overseas” (338). In other words, states should be given more discretion to decide internal measures designed to protect their own people (e.g., the *EC-Hormone* case). But states would have less control over outward measures designed to exert extraterritorial obligations on others (e.g., *Tuna Dolphin* dispute). Why? Because “[o]utward measures are more likely to constitute illegitimate interferences into the sovereign domains of other States, so there is more justification for international supervision in that regard” (338). Joseph’s attempt to scale back WTO power in relation to “inward measures” has significant merit. Numerous critics have pointed to a “democratic deficit” in the work of the WTO and the ways this serves to undermine the organization’s overall legitimacy. Restoring the voice of citizens and consumers in the

determination of “inward measures” could thus help to strengthen global governance of international trade.

## Conclusion

McNeill and St. Clair provide a useful analytical framework of four factors “crucial in determining the scope for action of multilateral organizations: (1) their clout (mainly financial); (2) their expertise (especially economic); (3) their political legitimacy (delegated authority from states), and ; (4) their moral authority” (11). This configuration helps us understand both the power that IOs derive in international relations and the problems of accountability.

The WTO, for example, while weak in financial resources (financial clout), is able to strongly influence global trade policies and relations. Where does this authority come from? Joseph, Kenley, and Waincymer convincingly demonstrate the ways in which WTO influence and muscle has evolved first from their perceived economic expertise in trade law and global economics. And second, the WTO’s commanding influence in global trade relations flows directly from the political legitimacy the organization derives from the binding 1995 Marrakech treaty granting it extensive dispute resolution powers. Yet the WTO’s “moral authority” has continuously eroded since the Seattle round of trade negotiations in 1999. The WTO seems “tone deaf” to the legitimate issues of human rights accountability raised by individuals and organizations in civil society. Such obstinacy has resulted in a significant weakening of the organization. For example, the Doha round of trade negotiations collapsed despite the WTO leveraging of all its political influence. This erosion of WTO legitimacy and ability to influence outcomes is partially a result of a loss of moral authority. The authors in The World Trade Organization and Human Rights articulate and document the ways in which the WTO is losing traction due to their intransigence regarding the integration of trade law with human rights law. Perhaps we have reached the point where even the most powerful IOs, like the WTO, cannot ignore the growing “moral interdependence” behind the human rights claims articulated in international law. With such a normative legal framework in place, the WTO would be wise to consider some of the proposals discussed above to “bridge the divide” between trade and human rights law.

In contrast to the WTO, the World Bank does have considerable financial resources, which, combined with its economic expertise, gives it significant clout in international economic relations. Critics, however, argue that this economic power has often worked to weaken its legitimacy. As McNeill and St. Clair write, “[t]o put it simply, the World Bank is seen by its critics as using its financial clout and economic expertise to enforce policies and promote projects which do not benefit the poor” (11). In addition, as Weaver so clearly documents, the moral authority of the Bank has declined over the years due to its hypocrisy (e.g., the gaps between the organization’s rhetoric and talk about human rights and its actions). Weaver’s careful analysis of the impact of “organized hypocrisy” in holding back progressive reform at the Bank clearly demonstrates this erosion of moral authority at the organization. Does this really matter? Why should the Bank care about the loss of moral authority?

McNeill and St. Clair point to the NGO Amnesty International as an organization that enjoys moral authority—i.e., “the authority that comes from representing the common good, the

interests of the poor” (12). The World Bank and the WTO claim to have a moral purpose, the alleviation of global poverty. Unfortunately, as we have seen, the power and influence of these IOs comes not from a strong record of success in addressing this moral purpose; instead, their power flows from either large financial resources (World Bank) or delegated authority (WTO).

Weaver reminds us that genuine change, such as the uprooting of hypocrisy, is more than just a matter of political will or of creating effective incentives and sanctions, but “requires arduous changes in structures, policies, mind-sets, and behavior.” And one should not underestimate how difficult this task is. As Weaver notes, “Such systemic cultural change is notoriously difficult to engineer” (7). It is thus easy to become fatalistic and complacent. Yet, the ways forward have perhaps never been clearer. As the volumes under review here demonstrate, the pathways for IO accountability in relation to poverty alleviation and the protection of economic and social human rights have begun to be identified and articulated. The legitimacy of both the World Bank and the WTO would be enhanced by paying more attention to shoring up their moral authority and integrating human rights into their programming.

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