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GLOBALISATION: AN ANALYSIS IN THE CONTEXT OF SUSTAINABLE JUSTICE

Kanchan Lavania*

Abstract

This article makes an effort to study and analyze the impact of globalization on achieving the sustainable development goals of decent work and economic growth. The article revolves around these critical issues:

i. Whether the lives of people from the "nasty, brutish and short" state of nature of Hobbes has progressed in the wake of Globalisation and so called diverse developmental agendas?

ii. Whether deprivations and inequities can be addressed by the Global Institutions?

iii. Whether the "difference principle" of Rawls concerned with distributive equity and overall efficiency which takes the form of making the worst off members of society as well off as possible applies in the global context of globalization and development?

iv. Whether the New Industrial Division of Labour theory which has arisen in the globalization era in contrast with the developmental agendas of third world countries and thus destructing the very idea of justice?

Keywords: *Washington Consensus, classical economic theory, Millennium Development Goals, Sustainable Development Goals, Job Security, North South divide, Global Capitalism*

INTRODUCTION

Globalization which seems just a thirteen letter word has called the entire global community

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to debate on its merits and demerits. It has various dimensions to it: social, economic, political, cultural etc. An anti- globalization movement is again on the rise and questions as to whether it is dead or alive are asked in the light of events like trade war and the significance of WTO dispute resolution process, Brexit, the formation of African Trade Agreement etc. The other stream of arguments flow from the perceived tension between the national institutions, agencies or governments and the International institutions, groups or organizations to achieve various goals enshrined in the welfare policies, programmes, legislations of the countries and the International agreements, conventions, declarations, negotiations and agendas. Thus it becomes pertinent to analyze whether the Hobbesian and Rawlsian claim that there is a need of sovereign state to attain principles of justice through a set of institutions holds true or is it possible to achieve the global sustainable justice even without a world government.

From Washington Consensus to Sustainable Development Goals: A Reflection

The time of Second World War can be exactly described in the imagery of Hobbes State of Nature: "solitary, poor, nasty, brutish, and short; warre of every man against every man." After the end of Second World War there was an onus on the newly independent colonies to put into order the economy of their nations, which had been poorly wrecked by the war and the colonialism era. The economic revival at that time was in the hands of the nation states. The developing countries then, Latin America or elsewhere with low per capita income were mainly agricultural economies. Thus the need was felt for the investment in manufacturing sector and industrialization with import substitution. But the decade of the 70's and 80's was a stormy challenge before the development economists due to the oil crisis of 1973 and then in 1979, with the apprehension of same in early 80's (ending with the fall of the Berlin wall) and the debt crisis of Latin American countries. Most importantly we had a new term coined 'Washington Consensus' by John Williamson in 1989.

Thus, the approach of a planned economy questioned the viability and efficiency of the Government policies to cope up with the economic crisis. In this perspective, it was obvious to look at the alternatives and the environment justified that the well trained, well intentioned economists to utter the obvious truths of their profession- "getting macro balance in order, taking the state out of business, giving markets free rein. 'Stabilize, privatize, and liberalize' became the mantra and John Williamson's Washington Consensus inspired a wave of reforms in Latin America and Sub Saharan Africa that fundamentally

transformed the policy landscape in these developing areas."[1]

The conception of Washington Consensus was different for everybody; its relevance and impact also differed significantly according to various authors and economists. As Williamson also mentions that it was only to get everyone on the same page as he was in the Institute of International Economics where the conference was organized so as to know from the authors what was actually happening in their countries. However the set of ten policy[2] considerations laid down by him became a bone of contention in ideological debates for more than a decade. It was generally understood in terms of "market fundamentalist" or "neo liberal" approach which advocates for the minimal state intervention except for maintaining macro- economic stability, law and order and to ensure proper distribution of public goods. However it is still debated as to whether the concept constructed by the "Bretton Woods Institution"- IMF, WB and WTO has been successful or failure, and to analyse the possible line of arguments, it is important to divert our attention on the question of whether it was a comprehensive code for all the developing economies to prosper or was it only a kind of "shock therapy" given to emerge out of the economic crisis? Was there a need to amend the approach of looking at the global economy and development process?

Though there is a general consensus about the repercussions of the reforms that they haven't worked well to the extent expected and intended and rather "ill- suited" especially in Sub Saharan Africa where there was a public health emergency, still these Adam Smith's "invisible hands" framework prevailed from 1970's to mid 1990's. In fact this policy frame was concretized in the form of SAP (Structural Adjustment Programmes) to help the countries in getting rid off their prior debts on certain 'conditionalities', especially the governments of developing countries. This was again questionable because this idea of giving financial assistance by the International Financial Institution as based on the said 'conditionalities' was market oriented and had significant impact on the social sector. Thus creating a divide between the economic priorities and social considerations/growth rather than aiming at inclusive growth.

Further, technically why the Washington Consensus failed can be understood from the critique of Stiglitz when he says that the Adam Smith's laissez faire concept would have been relevant for the industrial economies of that time but may not hold true for the developing

1 Dani Rodrik, "Goodbye Washington Consensus, Hello Washington Confusion? A Review of the World Bank's "Economic Growth in the 1990s: Learning from a Decade of Reform"(2006) 44 Journal Of Economic Literature, 973,987

2 "Fiscal Discipline, reordering public expenditure priorities, tax reform, liberalization of interest rate, competitive exchange rate, trade liberalization, liberalization of inward foreign direct investment, privatization, deregulation and property rights".

countries today. He believes that the preconditions for working of a market economy are the robust working institutions like courts to enforce property rights, competition and perfect information but none of them are achievable as yet. Rather if reforms happen then it is not possible that they happen simultaneously which will then make the matter worse. He refers to this as "issue of sequencing" which if ignored can lead to disastrous results.[3]

He further criticises the approach of IMF and World Bank on the note that "it does not take acknowledge that development requires a transformation of society. Even it completely ignored the fairness concept."

Thus, the failure of this concept led to emergence of new approach known as Post Washington Consensus. It was different from the former as the latter focuses on "social growth and welfare" as well leading to sustainable development. Further the Washington Consensus was based on the premises of "classical economic theory" and "Instrument rationality". The latter implies that an individual will take the decision based on maximum utility to create perfect markets. However, the Post Washington Consensus does not reject the role of a State and focuses on economic as well as non- economic factors. The Post Washington Consensus gives us a balanced approach whereby market as well as the state has a role in the economy. However, how far this new consensus has been successful is again a point of various deliberations and thoughts. As Alfredo Saad points out the lacunae even in the new consensus approach as:

> getting institutions right' has sometimes been exaggerated to the point of becoming mantra, just like 'getting the prices right' was the mantra of the WC. An excessive emphasis on institutions suffers from problems at three levels. First, the literature has been unable to establish strong links between institutional design and long term economic performance. Second, the institutional reforms demanded by the new consensus are rarely new; for example, the World Bank has for several decades has advised the poor countries to improve the investment climate, invest in infrastructure and agriculture and educate girls. Third, even if these relationships could be demonstrated, their implications may be disabling for the poor countries, because institutions are context specific and rigid over time, suggesting that poor countries with weak institutions would be unable to implement rapidly the institutional reforms necessary for 'development'.[4]

3 Joseph Stiglitz, *Globalisation and its discontents*,(Penguin Press, U.S, June 2002).

4 Alfredo Saad- Filho, "Growth, Poverty and Inequality: Policies and Debates from the (post) Washington

Thus, there was a shift in thinking - from Washington Consensus and post Washington Consensus to realizing that more needs to be done and other efforts need to be taken - is reflected in the Millenium Development Goals. MDGs came about to show the commitment of global institutions towards inclusive growth and take many other steps towards removing poverty, illiteracy, hunger, fighting diseases, ensuring women empowerment, maternal health, and protecting the environment.

The shift from the purely economic approach of WC to MDG and further to SDG reflects the change in the approach of the international community towards the economic- social problems faced by the 'global citizens'. Most importantly there was convergence of development agenda of UNDP, UNICEF, UNEP, WHO and UNESCO. It was not something confined to International Financial Institutions only. Whereas MDG were framed particularly by some experts in the UN the framing of SDG was more comprehensive with the involvement of civil society, general public working groups, specific country consultations, face to face meetings.[5] Thus, at this stage it can be concluded that brutish state of Hobbes has been 'replaced' or rather improved by a sense of global community concept and the initiatives taken both by the "imagined community" and global in the form of MDGs and SDGs.

Globalization: Economic Vulnerability or Enhanced Security?

Globalization and Employment: Antithesis?

"Promoting jobs and enterprise, guaranteeing rights at work, extending social protection and promoting social dialogue are the four pillars of the ILO Decent Work Agenda with gender as a cross-cutting theme."[6]

Security is for most people closely connected with the security of work. In this light many supportive and opposing views are developed on the impact of globalization on employment opportunities and related matters. Much of the debate has centered on job security that is whether or not global capitalism is providing, or can provide, waged positions for everyone in the world workforce who needs or wants them. Some experts believe that globalization has created major job losses. Others including neoliberals have mainly attributed problems of unemployment to other factors such as new labour saving technologies, inadequate education and training, or unsustainable levels of wages and benefits. When neoliberals

Consensus to Inclusive Growth", (2011) 5 Indian Journal Of Human Development 1,14

5 17 Goals to Transform Our World available at http://www.un.org/sustainabledevelopment/(July 2,2019 10:30 PM).

6 Guy Ryder, ILO Director General

accept that a link could exist between globalization and unemployment, they usually regard job losses as a temporary pain of economic restructuring in response to the liberalization of the world trade and investment.[7]

The Washington Consensus as well as the MDG did not address the issue of unemployment and definitely the concerns of working conditions or wages were not even addressed in both the important global economic policy documents. However, the 'promotion of inclusive and sustainable economic growth, employment and decent work' is one of the agendas of Sustainable Development Goals. It is also mentioned in the Agenda of ILO that "putting job creation at the heart of economic policy-making and development plans, will not only generate decent work opportunities but also more robust, inclusive and poverty-reducing growth. It is a virtuous circle that is as good for the economy as it is for people and one that drives sustainable development."[8] Still the question remains whether poor state of job creation trends, violation of human rights of the labour force and degrading wage pattern is the result of globalization?

Over 201 million – with an additional rise of 2.7 million The number of unemployed persons globally in 2017 is forecast to stand at just expected in 2018 – as the pace of labour force growth outstrips job creation.[9] As the ILO Director mentions, "Economic growth continues to disappoint and underperform – both in terms of levels and the degree of inclusion. This paints a worrisome picture for the global economy and its ability to generate enough jobs. Let alone quality jobs. Persistent high levels of vulnerable forms of employment combined with clear lack of progress in job quality – even in countries where aggregate figures are improving – are alarming. We need to ensure that the gains of growth are shared in an inclusive manner." As a result, the number of workers in vulnerable employment is projected to grow by 11 million per year, with Southern Asia and sub-Saharan Africa being the most affected.[10]

Taking the other side of the story, two assertions are generally made. First, there was unequal distribution of productive resources across the country. Second, the low skilled labour of the world was mainly concentrated in underdeveloped or developing countries and the skilled or capital labour was concentrated in the developed countries. Globalisation

7 Jagdish Bhagwati, *In Defense of Globalization*(Oxford University Press, New Delhi, 2004).

8 Goal #8: Decent work and economic growth available at http://www.ilo.org/global/topics/sdg-2030/goal-8/lang--en/index.htmJuly 3, 2019, 11:00 PM)

9 Dani Rodrick, *Goodbye Washington Consensus, Hello Washington Consensus?* (2006) 44 Journal Economic Literature, 973

10 http://embargo.ilo.org/global/about-the-ilo/newsroom/news/WCMS_541128/lang--en/index.htm (July 20, 2019, 05:30 PM).

was thought to be a panacea of this issues but it has no clear evidence of the same because the problem of brain drain and low investment even in emerging economies remains a problem.[11]

Looking from the North- South divide taking employment as criteria some connection is inevitably reflected. For example some losses in the North have occurred when the firms have extensively looked upon the possibility of global organization, global communications, global production and global finance to move their manufacturing plants to low wage sites in the South and the East. However it would be wrong to simply accept this argument as many enterprises in the South and East are not only a part of relocation strategy but established for expansion purpose. Further, many layoffs in the North are the result of the introduction of labour saving technologies such as digital computers and robotics.[12]

Standards of Employment and Impact of Globalization

Today, the idea of human rights dominates the discourse on the morality of globalization. As boundaries erode and connexions multiply, it no longer seems naively utopian to hope humanity may at last be embarked on the road to an international order in which basic human rights could in practice matter more than state centric realpolitik and the avarice of multi nationalized capitalism.[13] In this regard it is essential to analyze whether the basic human rights prevail in the employment sector and whether they have improved or worsened with the process of globalization.

"A common view is that heightened international competition as a result of globalization increases the pressures to cut costs, including labour costs, and to achieve greater flexibility in the production system. This would necessarily imply a negative impact on acquired levels of labour standards. Problems of child labour in inhuman conditions, of bonded labour, of physically taxing work processes, of discrimination in access to employment and in the workplace, and inadequate returns to work still prevail."[14]

There is the argument that not only in the South but even in the North there is decline of

11 Ajit K Ghose, *Globalization and Employment in Developing Countries*, (2008) The Indian Journal Of Labour Economics, 51

12 Ed. Patrick Hayden and Chamsy el- Ojeili, Confronting Globalization: Humanity, Justice and Renewal of Politics, 2005.

13 Patrick Hayden And Chamsy El- Ojeili , *Confronting Globalization: Humanity, Justice And The Renewal Of Politics*,(International Political Economy Series, Palgrave Macmillan, 2005).

14 Eddy Lee, (1997) 6"Globalisation and Labour Standards: A review of Issues", International Labour Law Review,136 .

working conditions referred to as Occupational Health Security due to outflow of capital leading loss in the jobs as well. Further in the South the argument against labour standards is that they are inimical to the economic growth of developing countries.

Even the Background paper submitted by Alejandro *Teitelbaum*, American Association of Jurists on the *"Implementation* of *The International Covenant On Economic, Social And Cultural Rights*: *Globalization And The Human Rights Set Forth In Articles 6 To 8 Of The International Covenant On Economic, Social And Cultural Rights*", mentions that due to internationalization of goods and services in the light of globalization has limited the bargaining rights of employees and thus affects the trade union rights.

Other aspects of life are also affected due to increased insecurity in jobs. Insecurity may at times lead to instability in relations. It has been observed that the transnational firms in the South and the East have led to long working hours, no guarantees, weaker health and safety standards and poor collective bargaining. Even the works agree to these terms and conditions of work thinking that some employment is better than nothing or in prospects of comparatively high salary or wages they may get for a short period. This phenomenon has been rightly described as "race to the bottom" of labour conditions.

On the contrary, the World Bank Group Report[15] mentions that it is not every kind of FDI that affects the working conditions. "For example, FDI that produces for the domestic market may increase competition for firms causing them to lower costs by making working conditions worse. In contrast, FDI that produces for export may increase the demand for workers, which may cause firms to improve working conditions as a way to attract or retain workers."[16] However, it finally concludes that there is a shift of workers from sectors with low wages and poor non- wage working conditions to sectors with relatively high wage and better non-working conditions due to globalization. Thus, the focus must shift to polished labour having better training, remuneration, security because it will in reality enhance the productivity of labour.

15 *World Bank Employment Policy Primer*, The Effects of Globalization on Working Conditions in Developing Countries: An Analysis Framework and Country Study Results, March 2008, No.9.

16 The effects of globalization on working Conditions in developing countries available at https://openknowledge.worldbank.org/bitstream/handle/10986/11765/429910BRI0EPP010Box327342B01PUBLIC1.pdf?sequence=1&isAllowed=y(July 12, 2019, 04:50 PM).

Role of International Labour Organization in the Era of Globalization

One of the reforms of globalization is improve in the security of people in work. For example, the ILO could acquire greater capacity to monitor and enforce compliance with its core conventions. These legal instruments provide for freedom of association, the right of collective bargaining, the abolition of forced labour, the prevention of discrimination in employment, and a minimum age for employment. Moves could also be started towards the establishment of a global regime of minimum wages, whose levels might for the time being be weighted in relation to the per capita of a country.

Even the language of SDG 8 is very comprehensive and attractive. The dual idea of development (including economic growth) and global justice is reflected in the words "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all."

This goal itself is comprised of many other sub- goals like promoting sustainable tourism that creates jobs, which is another facet of globalization. Recently the Addis Ababa Action Agenda was adopted by the General Assembly for devising implementation mechanism for SDG 2030. More importantly ILO is playing a prominent role with respect to Goal 8.

- In its 105th session on International Labour Conference it passed a Resolution " Advancing Social Justice through Decent Work." It emphasizes on the guiding role that ILO will play in implementation of 2030 Agenda.
- ILO's End to Poverty Centenary Initiative also emphasizes on the role that the private sector can play as well as the importance of national integration of SDG 2030 as Decent Work Country Programmes.
- It also calls for ratification of 2014 ILO Protocol at national level for abolition of slavery and forced labour.
- For improving working conditions and ensuring the health, safety of workers, ILO recommends for adoption of ILO fundamental rights and standards at national level.
- ILO Global Jobs Pact and ILO 2012 Resolution on youth employment provides for successful examples of job creation, which has been adopted by many governments, employers and workers. The commitments to the same are also shown by G-20 countries.

Thus, it can be said that supranational bodies like ILO are no more instruments of state policy and are a means of transforming international society or at least, a reflection of a pluralistic world community.[17]

State and the International Organization: Cohesion or Conflict?

By the traditional understanding of the term sovereignty it meant that the state had all comprehensive, supreme e, unquestioned power over its territory. Today, in the wake of unprecedented globalization it is not possible to assert sovereignty in its traditional sense. There has now been emphasis on multilateralism reflecting that states are less inclined to the system of unilateral initiatives in modern day world of globalization. Regional organizations like EU, ASEAN, AU, SAARC etc.; global organizations like UN, IMF, WB; coalition or groups of nations like G8, G8+5, G20 etc. are all reflection of globalization trend where these institutions are response to the common issues like labour standards, environmental protection, economic growth, terrorism etc. Thus, there is no hegemony of the nation state in the world affairs today. As far as the SDG 8 is concerned, it is not possible to achieve the goal without the support and active role of the nation states. Along with the standards developed by ILO and appreciating work done by UNDP (like its report on "Rethinking Work for Human Development" there is a need to work harmoniously with the states .As the director of ILO mentions "the report highlights that pressing global challenges require that growth must be accompanied by policies and actions that also tackle unemployment, underemployment, inequality and the denial of voice and rights."

Presently even the nation states are taking welcoming steps to bring in some labour reforms although not truly from the perspective of doing justice to working class but for attracting more FDI and making markets attractive for that. For an example, one of the emerging economies like India has recently taken the initiative of codifying the labour laws as: "code on wages, code on social security, Code on industrial relations and code on occupational safety, health and working conditions"[18]. The Code on Wages Bill, 2017 has been introduced in Lok Sabha and the striking feature is that along with ensuring ease of doing business the code ensures universal minimum wage for all. Further, National Skill Development Mission started by the Government of India in 2015[19] is a remarkable step which reflects convergence of globalisation and development. In fact, the Niti Aayog Report[20] on "Decent

17 BOB DEACON et al. GLOBAL SOCIAL POLICY: INTERNATIONAL ORGANIZATIONS AND THE FUTURE OF WELFARE, 1-27 (Sage Publications, London, 1997).

18 http://labour.gov.in/labour-law-reforms (July 15, 2019, 8:30 PM).

19 http://www.skilldevelopment.gov.in/(July 20, 2019, 8:45 PM).

20 http://niti.gov.in/writereaddata/files/Report_SDG-8.pdf (July 28, 2019, 7:50 PM).

Work and Economic Growth" mentions the programme like "Make in India", "Startup India", "Skill India" and "Digital India" support the initiative of employment generation for youth which will ultimately help in achieving the SDG 8 and as all the SDG are interlinked, other SDG are not too far a dream.

Thus, it can be said that states and International Organisations are working in the same direction though use of different tools and so there is no conflict but harmonious approach of the global agencies as well as nation states to achieve SDGs.

Conclusion

Center for Sustainable Justice define the term as "the approach to justice that aims to improve social harmony, wellbeing, the general feeling of safety within society, and further personal and societal development, within a framework of human rights and principles securing legal uniformity and equality. The general principle of sustainable judging is to turn bad into good, contributing to social harmony, and personal and societal development."[21] This highest ideal of sustainable justice can be attained in a globalized world where increased association of people around the global economy makes credible claim that these persons have duties of justice to one another and even though there are evils of globalization but the same can be addressed. Author concludes on the following observations:

- Globalization and welfare: Today at the global level international organisations or groups meet to discuss the major issues which are in essence involve 'social and environmental' questions. For example the G 20, 2016 summit discussed the issue related with climate change in Hangzhou (China) with the President of the IMF, President of World Bank, Director General of FAO, ILO, WTO and Secretary General of the UN and OECD. "socialization of global politics" best describes the impact of globalisation on the working and direction of International Institutions which is not contrary but in conformity with idea of development at national level.
- Employment Creation: There has been a considerable shift from the approach of neo-liberalism or market domination to the era where market forces and global as well as state institutions work together to aim for 'justice' to all in all respects. From the idea that exploitation was though deplorable but it was a 'necessary evil' for material advance of humanity, today we aim for sustainable justice which imbibes economic growth as well as decent work and employment opportunities for

21 http://sustainablejustice.org/(July 21, 201, 9:30 PM).

people without exposing them to exploitation. For example, the SDG fund which is an international mechanism to support SDG, in Bangladesh (where extreme poverty is a serious issue) has started a programme SWAPNO[22] ("Strengthening Women's Ability for Productive New Opportunities") whereby women from poor houses will be given employment for 18 months to construct or improve the community resources. The significant feature of this programme is that it is well aligned with the national policies and planning of the Bangladesh Government. This is harmonious model which refutes the arguments that globalisation and development are antithesis to each other.

- Wages: Free Trade has rather helped the workers in raising the wages because it has moderated the decline that would have occurred mainly due to labor saving techniques and if there is any depressing effect on wages then it is too insignificant.
- Labour Standards: The fear that labour standards will decline in the North due to investment made in the South in search for cheap labour and based on the premise that there are weak protection laws, is baseless. The argument against these are: lower wages may not always reflect discrimination rather it may reflect low labour productivity, MNC not always resort to dumping the waste in the country of investment in the light of global media like CNN/ BBC or activist NGOs, having moral consideration of their reputation and the international political pressure to impose higher standards in poor countries has rather caused "a race to the top."[23]

SUGGESTIONS

From our experiences we have learnt that what we require at this point of time is not the "shock therapy" but consistent efforts to achieve social, economic and political agendas in the race of globalization. Few suggestions in this regard are:

- With greater openness in the market and trade there comes a sense of economic insecurity from the fear that more openness will lead to volatility of prices and hence of jobs. Though the fear is not compelling yet some additional adjustment assistance must be provided to the laid off workers by the national as well as international institutions like ILO and UNDP.
- To achieve the aims of sustainable justice in the modern world, we can resort to some measures other than imposing unilateral sanctions or embargoes on the

22 http://www.sdgfund.org/(July 21, 2019, 5:30 PM).

23 Jagdish Bhagwati, "*In Defense Of Globalization*", (Oxford University Press, New Delhi, 2004).

countries or MNC violating norms of justice. Active involvement of civil society and media coverage is a useful strategy to put moral pressure on the nations.

- Strengthening of review and monitoring functions of the international institutions that have been created to address these agendas can also result in translation of international norms into effective domestic legislations and enforcement with judicial activism. This offers greater promises of accelerating achievement of social goals.