

Issues of Global Justice: How is the Global Arms Trade Violating the Human Rights?

After centuries of moral discussions on issues as war and peace, a new wave of thinking in the international relations became the main focus of concern. Once the interdependence between states and actors in the international arena strengthened accompanied by the erosion of sovereignty, and after witnessing the horrendous crimes of the WWII, new standards began to develop in the moral thinking, in the sense that equal treatment for human beings was expected to be guaranteed for everyone on the planet.

This development considers minimum standards at the institutional level that aim to be implemented everywhere in the world for every citizen in and outside the country. The Universal Declaration of Human Rights (UDHR) is such a standard, upon the majority of the world states adhered. The European Union (EU) and the United Nations (UN) along with other international organizations were invested with a part of the national sovereignty of the member states in order to take more equitable measures of governance, create supranational institutions and limit the powers of the individual states. Other global developments such as worldwide protests, non-governmental organizations (NGOs), technological developments, transnational labor, climate change, biodiversity, and trade required the need to open new ethical measures and discussions in order to keep track of the ethics of the new paradigm; these discussions reflect a struggle for Global Justice everywhere in the world. Issues such as poverty, inequality, extended injustices and the responsibility of governments, corporations and individuals are brought to the table in academic debates, a proper ground of creating equitable principles.

Human rights are now of great importance, being regarded by many advocates as universal and inalienable, yet despite their wide acceptance, many injustices and violations are still taking place under the same institutional architecture in which some others are doing more than well. The 67 richest people are as wealthy as the world's poorest 3.5 billion,^[1] 1,020 million^[2] people are chronically undernourished, and 2.5 billion^[3] lack access to basic sanitation, while 2,000 million do not have access to essential drugs^[4]. 18 million^[5] die annually from poverty related causes, half of them being children under the age of 5.

As an issue of Global Justice, this paper is analyzing the global arms trade that is responsible of grave violations of human rights, but also has consequences and implications in causing poverty and preventing the international development to take place properly. I will use an institutional approach to human rights and the arms trade, rather than an interactional approach (actions between individuals). The research question is whether the citizens of the affluent countries are in any way responsible for the catastrophic effects that arms



trade has upon the most vulnerable and how this situation can be changed. I will take a further step to connect the decisions that the governments of the affluent countries take when they impose unjust international standards upon the poorest countries to the extent of the idea that they represent the citizens' (of the affluent ones) acceptance of such impositions.

Moreover, the responsibility is seen as a negative duty not to harm which is more stringent and powerful than the positive duty of helping or protecting someone's rights. The arms trade is a good example of this distinction from the perspective of the participants in the global institutional architecture.

The approach of this paper is shaped by the non-ideal theory which focuses on the question of what makes the actual system unjust, rather than the ideal theory concerned with the question, what a

perfectly ideal system should look like; starting with the current institutional order and what can be modified in order to fulfill the minimum standard of the basic rights for everyone.



The aim and scope of this work is to understand the paradigm shift brought by the phenomenon of globalization as a starting point for finding pragmatic solutions for this important change that is continuously taking place based on philosophical moral arguments. The idea of Global Justice is to help address avoidable current global issues in such

a manner that the following evolutions in alleviating world poverty and human rights violations to be aligned with today world's needs. The SDGs that are about to be implemented starting with 2015, for example, are aimed to respond to the failures of the previous actions in this respect, are an example of some Global Justice efforts.

The significance of this approach is to address an issue of Global Justice that is insufficiently studied, which only gained more importance in the last decade, namely the global arms trade and the unjust system that governs it. Undertaking this direction of study is crucial because the global arms trade is tightly linked with systemic poverty.

To make a short overview, I will further summarize the structure and I will explain why I chose this specific order of the chapters.

Chapter 1 starts with the first three articles of the UDHR, which, as the reader will notice throughout the paper, are not fulfilled for a large part of the world's population in the context of arms trade, through direct or indirect effects of this global activity. It continues with a historical and a literature review of human rights and several ways of understanding them from a philosophical perspective. I used Gewirth's theory of Principle Absolute, Pogge's alternative understanding of human rights from the moral cosmopolitanism perspective and Rawls' approach of a minimum set of rights in the interaction between states.

Chapter 2 is explaining why and how the global arms trade is responsible for human rights violations, addressing a structural problem that is caused by the very rules meant to prevent a malfunctioning of this sector. The International Law (IL) is not properly built to prevent genocides, atrocities and civil wars - I will explain why in a detailed analysis of the loopholes in the Arms Trade Treaty (ATT), and also why the peremptory customary law of *jus cogens* fails to be respected. The negative duty approach is helping us to determine why IL is not suitable when it comes to arms trade because it is mostly based on the positive duty - the Responsibility to Protect (R2P).

Chapter 3 explains the concept of responsibility and makes the transition from the idea of states' responsibility alone to the responsibility of citizens from affluent countries in facilitating grave human rights violations, by contributing through votes, taxes and tacit acceptance of the unjust system that is governing the circulation of arms around the world.

Chapter 4 shows the horrific fear that vulnerable people and societies are constantly living with and why it is of great importance to eliminate it as soon as possible, so the personal and social development of the affected ones can start taking place.

Read more: [Issues of Global Justice_Diana VELICA](#)

—

[1] Moreno, "The 67 People As Wealthy As The World's Poorest 3.5 Billion"

[2] FAO, "1.02 Billion People Hungry" in Pogge, 2010, p. 11

[3] WHO and UNICEF, 2013, p. 5 in Pogge, 2010, p. 11

[4] Fogarty International Center, "Strategic Plan" in Pogge, 2010, p. 11

[5] 'In 2004, there were about 59 million human deaths. The main causes highly correlated with poverty were (with death tolls in thousands): diarrhea (2,163) and malnutrition (487), perinatal (3,180) and maternal conditions (527), childhood diseases (847 - measles accounting for about half), tuberculosis (1,464), malaria (889), meningitis (340), hepatitis (159), tropical diseases (152), respiratory infections (4,259 - mainly pneumonia), HIV/AIDS (2,040) and sexually transmitted

diseases (128) (WHO, Global Burden of Disease, table A1, pp. 54-9). To be sure, some deaths from these causes would still have occurred even in the absence of poverty. But these are greatly outnumbered by the contribution that poverty makes to deaths from globally common causes such as cancer, cardiovascular disease, traffic accidents, and violence. It is likely then that rather more than one third of all human lives are substantially shortened by severe poverty.' (Pogge, 2010, p. 205, n. 10)

*

Ms Diana Velica is currently researching issues of Post 2015 Development Agenda and Human Rights. Diana earned her M.A. from the University of Bucharest in International Development Studies and International Relations Ethics with a dissertation called *Issues of Global Justice: Is the Arms Trade Violating the Human Rights?*; she holds a B.A. from the Faculty of Philosophy, University of Bucharest, with a thesis focused on small arms and light weapons' proliferation in the context of globalization. Diana was a Visiting Assistant in Research at Yale University within the Global Justice Program in the fall of 2013, where she was focused on issues like global arms trade, international law and world poverty. Her expertise is built through research, volunteer work and internships in various organizations such as Making Commitments Matter, the Romanian Ministry of Foreign Affairs, the Romanian Association for International Cooperation and Development, and Academics Stand Against Poverty.

—

Photo credits: .UNAMID / [Albert Gonzales Farran](#)