

Saturday 23 July, 2011

Linder Auditorium, Johannesburg, South Africa

The Making of Social Justice: Pluralism, Cohesion and Social Participation

Introduction

Excellencies, ladies and gentlemen,

It is a rare privilege to be invited to South Africa, to celebrate the birthday of Nelson Mandela, the man who inspired the world, who liberated his people and perhaps did more than any other human being to destroy the venom of racism in the world. Madiba, along with your countless admirers and disciples, I wish you many happy returns.

It is a great honour to be invited to deliver the Ninth Mandela Lecture, to follow in the footsteps of the illustrious people who have preceded me, many of whom I am privileged to call my friends.

Today, I would like to address five points:

- Social justice as the foundation of the state
- Reflection on the meaning of justice
- Freedom, rights and equity
- Cohesion in the age of pluralism
- And then to end, the centrality of participation

Social justice: The foundation of the state

It is most appropriate to start with the notion of social justice, since that is the foundation of the modern Republic of South Africa. If modern democratic states are based on a social contract that unites the human family within its borders in a framework of citizenship, then the felt presence of a modicum of social justice is the necessary glue that will hold that society together.

Apartheid was the epitome of social injustice, and its overthrow was a great moral victory for freedom, equality and justice. The light shining from South Africa has finally reached the northern part of the continent, where I live.

As you all know, this has been the “Arab Spring”. Ordinary citizens have toppled autocrats and still battle dictators armed with little more than their convictions. Ultimately, they cannot be denied. For as Victor Hugo has said: “No army can defeat an idea whose time has come.” And freedom, human rights and democracy are ideas whose time has come for even the most remote corners of the globe.

And sparked by the successes of Tunisia and Egypt, the people speak. From the Syrian demonstrators of Damascus and Deraa to the fighting Libyan defenders of Benghazi and Misrata to the chanting Yemeni crowds in Sanaa... they are the embodiment of the unconquerable spirit described by Henley's *Invictus*:

*"It matters not how straight the gate,
How charged with punishments the scroll,
I am the master of my fate,
I am the captain of my soul."*

Now, this surge for freedom will face setbacks to be sure. But ultimately, it must triumph. And it is more than a demand for freedom of expression. It is also a demand for the making of social justice. For our youth are revolting against a society where there is or was corruption in high offices, aimlessness amongst youth, anxiety among the elderly, and a profound sense of loss among those who look beyond material success for the inner meaning of their lives. A new society has to be built on the basis of social justice.

The meaning of Justice

But what is Justice?

If we try to answer in the shorthand of the philosopher John Rawls: "Justice is fairness", we will find that its deceptive simplicity hides profound issues. Surely we all desire "fairness". Who would want to be considered "unfair"? Yet we shall find that justice has multiple components including freedom, equality, inclusion and social interaction.

This last requires some clarification, social interaction, yes. For if humans need their freedom as much as they need air, they also need to interact with other humans for we are fundamentally social animals. The worst punishment we can think of is solitary confinement, and in some communities a fundamental tool of social coercion is the threat of "shunning", cutting off all social interaction with the offending person by the entire community.

Now, the stigma attached to some diseases, leprosy in the past, and HIV/AIDS in the more recent past, results in the exclusion of these members from social interaction. Likewise such purposeful stigmatisation by race, gender or religion is equally damaging to society, and clearly undermines our sense of justice. That makes it particularly important to reflect on the pluralistic societies of today, where many groups coexist and marginalisation and social exclusion of members of society make for an unjust society, whatever the reason used to justify that exclusion.

Now back to fairness: Let us stop for a parable. It is a story that I owe to my friend, Amartya Sen. You meet three children with a flute and they ask you to help them decide who should get the flute. The first child is poor and has no toys, while the other two are rich and have many toys. The facts are not contested by any of the children. Thus it is "fair" to let the poor child have the flute.

Now consider the same three children, but the middle child says that she is a talented musician, she enjoys playing the flute. She plays it well. The other two have no musical abilities at all, and they enjoy listening to her play and again, the facts are not contested. She should get the flute.

Now let's consider a third scenario, and again where the facts are not contested. The third child contends that even if the first is poor and the second is talented, he is the one who made the flute. He took the reed and made the holes and he turned it into a flute. Surely it is only fair that he should get the result of his own work.

Now what we have here is some, and only some, of the criteria of social choice: equity in the first case, utility in the second, entitlement in the third. The fact is all social problems and policies involve a mix of these dimensions, and choosing in a fair way has a lot to do with how society values these different dimensions and the weights that we put on each of them at a particular moment in the history of that society.

To redress past injustices it may well be very necessary to put the emphasis on one or the other of these dimensions. That is frequently the case when allocating quotas or according compensatory preferential treatment to some underprivileged group in a society. But, clarity in the political debate, and lucidity in our social intercourse can ensure that social cohesion is enhanced and not undermined by the choice that we make when we use such methods.

So, if Social Justice has many dimensions, how do we get there? The two pillars of achieving Social Justice would be Freedom and Equality. And again, for everyone, these words have different meaning. Freedom entails the exercise of rights, and equality may need to take into account the innate inequalities between individual capabilities. Each of these points needs some discussion.

Freedom, Rights and Equity

Madiba told us:

"To be free isn't merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others."

That is why we have to learn to go forth and fashion the wise constraints that make people free.

But the meaning of Freedom is ingrained in the soul of all humans. I think the people of South Africa have given the most striking example of the sacrifice and tenacity of a people yearning to be free, and Nelson Mandela has given the supreme example of a leader's devotion to the cause of his people and his own. He has become the embodiment of wise leadership and of the unstoppable urge to be free. While it is an inspiring lesson for all of Africa, and all of humanity, it is also an invitation to reflect on the meaning of that most fundamental of human rights.

Freedom is about the ability to decide, the ability to choose. But we very quickly notice that many in society are not able to choose, even if the law guarantees them that right. Thus, extreme poverty severely limits the choices open to an individual. Lack of education or illness can also be important constraints in an individual's ability to fulfil his or her potential, not to mention social

attitudes towards gender or ethnicity. Therefore, the exercise of rights needs the empowerment of individuals with certain capabilities that allow them to effectively practise such rights.

To many, society's assistance to each individual to ensure that they acquire such capabilities becomes itself a human right since it is necessary to exercise the other rights. Without that, there can be no Social Justice. Amartya Sen has also cogently argued about the importance of balancing rights and capabilities to ensure the exercise of freedoms, and he recast even the issues of development as broadening the space of freedom in which people can thrive.

Now other specialists refer to positive and negative rights. They categorise Human Rights into positive rights which require active provision of entitlements by the state and negative rights, which they say the state can protect simply by taking no action (the state being required only to prevent the breach of rights). They are further categorised as Political and Civil Rights on the one hand or Economic, Social and Cultural Rights on the other. The former are often considered to be cost-free, precise and enforceable in a court of law. The latter are viewed as costly to provide, vague and cannot be properly judged in a court of law.

But such categorisations are confounded by reality. Thus building up and maintaining an effective judicial system, essential for the civil right to due process before the law and for other rights relating to judicial process, is positive, resource-intensive, and vague, while the social right to housing is precise and easily enforceable in a court of law.

For me, I believe that all these categorisations are minor and need a broad categorisation of rights of law to exercise each to ensure Social Justice and cohesion.

But if freedom is ultimately to allow each person to live as fully as they can, then the inherent differences between people challenge us in terms of the inequalities that they will generate. People are multi-dimensional and we are unequal in our endowments in various dimensions: musical talent, ability in sports, physical strength, educational attainment, entrepreneurial drive, and so on.

To measure equality before the law is but a start. Now back to the point of fairness, some people would see fairness as the provision of equal opportunities only. If the result is to have some who are as rich as Bill Gates and some who are extremely poor, so be it. Others, most of us in fact, would see that a society where some people are lighting cigars with thousand dollar bills while others are starving is inherently unjust, whatever the starting position was and whatever the procedural guarantees have been.

Extreme inequality is corrosive; it hardens the attitude of the rich and powerful towards the poor and lowly; it builds acceptance of the incongruity of wealth and misery and exclusion; and it undermines the very notions of Social Justice and social cohesion. It makes a mockery of fairness and leads to the slippery path of class warfare as the only means of redress.

And men have said that for a long time, quoting Oliver Goldsmith from 1770. He says, "*Ill fares the land, to hastening ills a prey, where wealth accumulates, and men decay.*"

Indeed, recent studies have confirmed our suspicions that far from being a necessary corollary to compensate the talented and the inventive where everybody agrees the forces in society that propel society forward, excessive inequality is inefficient and is associated with a variety of ills.

But all efforts to provide equality of outcome have run afoul of the inherent different endowments of people, as witnessed in communist societies who ideologically pursued such notions. Thus most of us would demand a minimum of decent standards of living in the outcome in addition to the equality of opportunity in the start position.

Perhaps it is better to talk of equity rather than equality. The former is more relational, the latter more absolute. Equity is defined as something that is just, impartial, and fair. That leads to a view of Justice applied in circumstances covered by law yet influenced by principles of ethics and a general innate fairness. How these latter must be exercised can and will change over time as social circumstances change as well: Hence the relevance of the story of the three children and the flute.

Justice in the sense of equity brings to mind that many things can be legal and correct but the outcomes of their rigorous application can remain unjust: After a natural disaster such as a prolonged drought, losing land or home because of the inability of the person to meet their payments to their creditors, is an example of a legal but unjust outcome. And it calls to mind that old phrase, "Justice must be tempered by mercy", a call most eloquently put forth by Shakespeare's Portia, for those of you who remember *The Merchant of Venice*. She says:

*"The quality of mercy is not strained.
It droppeth as the gentle rain from heaven
Upon the place beneath. It is twice blest:
It blesseth him that gives, and him that takes.
'Tis mightiest in the mightiest. It becomes
The throned monarch better than his crown.
His sceptre shows the force of temporal power,
The attribute to awe and majesty,
Wherein doth sit the dread and fear of kings;
But mercy is above this sceptred sway.
It is enthroned in the hearts of kings;
It is an attribute to God himself,
And earthly power doth then show likest God's
When mercy seasons justice."
(IV.i.181-94)*

But beyond justice and equity, lie the qualities needed for social cohesion to bring the disparate elements of society together. All nations are today gradually becoming rainbow nations. We are entering the age of pluralism.

Cohesion in the age of Pluralism

The ideas of racially pure, ethnically unique or homogenous religious societies are now things that have been rejected by the overwhelming majority of humanity. Those who promoted that by genocide and ethnic cleansing have been defeated. But the corollary, the acceptance of pluralism, is not easy to implement. Diverse communities may indeed be enriching the mosaic of a multi-cultural society, but it also generates a sense of unease among the population.

We have witnessed disasters in the Balkans and Rwanda, the dissolution of the state in Yugoslavia and Sudan... all reminders that pluralism is difficult to implement, even in the democratic societies of Europe, without verging towards separation. Belgium is at a crossroads today, while Czechoslovakia underwent a peaceful separation between the Czechs and Slovaks.

For many, the “melting pot” approach of the United States remains attractive. But it involves a negation of cultural pluralism, even as it exalts the uniformity of the national values and the diversity of the ethnic and religious mix of the citizens. It is American values that hold people together.

What used to be called “cosmopolitanism” has almost disappeared, the cosmopolitan in great cities such as Istanbul and Alexandria has been lost. Recapturing that spirit is proving elusive. For cosmopolitanism involved diverse communities with very distinct identities rubbing shoulders and interacting every day. So in Alexandria, throughout the 19th to the early 20th Century, communities of Greeks, Syrians, Italians, French, British, Armenians, Turks and Arabs co-existed and intermingled, and they were considered Egyptians. Christians, Muslims and Jews intermingled. We would lunch together at the Syrian club and dine together in the Greek club.

They had a multiplicity of newspapers and produced novels, plays and films in multiple languages. The mosaic of diverse cultures was overlain by social networks that criss-crossed many political movements and political parties.

Today co-existing pluralistic communities find recapturing that spirit elusive without slipping into exclusion and hostility. But youth and technology are coming to our rescue. Let's hear it for youth.

The internet culture created by youth and predominantly pioneered by youth has been able to dissolve boundaries of politics and geography, to help create networks of like-minded people who can communicate, share experiences and reinforce each other on common causes in ways that were unthinkable a generation ago. Youth have also led the way in the formation of social networks such as Facebook and Twitter.

They bear witness to events on YouTube and Flickr. In so doing, they have not only created their own special means of communications, they have also revolutionised the notion of how societies interact. Thus cohesion and social interaction in the virtual world are becoming as important as that practised in the physical world of daily contacts, and many young people spend hours every day in such virtual connections.

Yet, the presence of these additional multiple overlays, as one is part of many, many networks, may enrich life, but it leads to two other problems. Where friendships based on physical contacts

are few and deep, those nurtured by the web are broader but shallower. But they may constitute a complement, even a support for, the traditional friendships that have existed from time immemorial, but will not replace them.

And that is not necessarily a problem, but it becomes so if it takes too many hours away from the activities in the real world and the real society and it could even be a real positive force for strengthening social cohesion if it is used wisely.

But the second problem is more difficult. Where the old media usually tried to expose people to a variety of opinions, the enormous explosions of outlets that the new media have created allows people to gravitate towards the specific outlets that support their point of view. They get reinforced in their prejudices and that in turn leads to more polarisation in debate, even as it caters to a wider variety of opinions and removes the barriers to expressing such opinions.

On balance, however, I have unlimited confidence in youth. They will craft a world in their own image, idealistic, dynamic and imaginative. But it will be a different world than that which we have known. We are on the cusp of a major global revolution.

That global revolution is often referred to as the coming of the Information Age or the Knowledge-based Society. Yet to address the issues of social justice, pluralism, freedom, equality or participation we need much more than information or even knowledge. We need wisdom. Data when organised becomes information, and information when explained becomes knowledge, but wisdom is something else. For example, the people who invaded Iraq had a lot of knowledge but I'm not so sure about the amount of wisdom. It requires combining knowledge with prescience, judgment and the patina of experience.

And we must hope that what we are living through right now will turn out to be not just a knowledge revolution, but the start of wisdom... But humility would have us ask, as TS Eliot did a century ago:

*Where is the Life we have lost in living?
Where is the wisdom we have lost in knowledge?
Where is the knowledge we have lost in information?*
– T.S. Eliot

And he didn't even have the internet. But I am not pessimistic. Indeed, I am excited and I invite others to share my wonder and admiration, my concerns and my misgivings, and above all to be infected by the excitement of the times, and the fantastic explorations that lie ahead that will transform forever our views of ourselves and of our societies, as we move to realise our aspirations for social justice.

The Centrality of Participation

How does a society promote that social capital, that glue that holds society together, promotes trust and makes transactions between people possible? Actually the evidence is overwhelming that Participation is absolutely central to the properly functioning society. Participation promotes

transparency, accountability, and the rule of law. It fights corruption and promotes efficiency in government. In a landmark study published in 1993, Robert Putnam of Harvard showed that much of the variation between the performance of the northern and southern parts of Italy, where the north is rich, dynamic and growing rapidly while the south is poor, stagnant and corrupt, could be traced to the much greater level of citizen participation in the north.

It did not matter what form that participation took, from soccer clubs to choral societies, from school boards to art clubs, it was the intensity of social interaction in voluntary-based, horizontally-structured organisations – as opposed to being part of coercive hierarchical organisations – that made all the difference.

And that after all is perhaps a definition of social cohesion and social interaction. It is essential in this time of Pluralism and diversity, and it is a manifestation of that dynamic “Rainbow Nation” that Nelson Mandela helped to nurture on the rubble of racism and injustice. But the task ahead is difficult and again Madiba teaches us:

“The greatest glory in living lies not in never falling, but in rising every time we fall.”
– Nelson Mandela

We, who believe in democracy and in liberty, are going to win... No one can stop the tides of change and progress. The last 400 years have been a global march towards liberating the human mind from the shackles of dogma, and liberating the human condition from oppression and despotism to where democratic government is not an exception, but the norm. Setbacks are momentary, mere blips in the sweeping march of history.

Now, these powerful societal forces of democracy and human rights are like the deep, unseen ocean currents that govern the climate and shape our destiny. Many people focus on events that grab the headlines and generate intense debate, but these are like surface storms that can sink ships and drown people, but they do not have the profound effects of the deep currents, they lack the staying power, the lasting effect that real societal change is based on.

And these enlightened values of human rights, the rule of law, democratic participation and social cohesion to promote social justice, are the values that can provide youth with a sense of a higher purpose than mere material gain. They under-gird the dignity of the individual and the mutual respect that is so necessary for civilised discourse. They allow our children to grow in the belief that the ideals of truth, goodness, liberty, equality and justice are not just empty words. It is these values that promote a culture of humanism, a culture of peace.

Now, the opportunity to be with you today to deliver this 9th Mandela Lecture is not just a great honour, it is an inspiration for me and for others to redouble our efforts to spread these humane values that Nelson Mandela has so ably defended and so completely personified. Especially for our youth, who sparked our revolution, just as other young people transformed societies, reinvented business enterprise and redefined our scientific understanding of the world we live in, we have to strive to build social justice.

To our youth, and to all youth, from the Cape to Cairo and beyond, I say: You have been called the children of the internet, or the Facebook generation, but you are more. You are the vanguard of the great global revolution of the 21st Century. So, go forth into the journey of your lives, to create a better world for yourselves and for others. Think of the unborn, remember the forgotten, give hope to the forlorn, include the excluded, reach out to the unreached, and by your actions from this day onwards lay the foundations for better tomorrows.

So get on with the task of creating Social Justice, based on Pluralism, Cohesion and Social Participation, and in so doing take us to a new country, a country where, in the words of Tagore...

*“Where the mind is without fear and the head is held high;
Where knowledge is free;
Where the world has not been broken into fragments by narrow domestic walls;
Where words come from the depth of truth;
Where tireless striving stretches its arms towards perfection;
Where the clear stream of reason has not lost its way into the desert sand of dead habit;
Where the mind is led by thee into ever-widening thought and action—
Into that heaven of freedom, my father, let my country awake.”*

Thank you.