

EDUCATION AND THE DEMOCRATIC SOVEREIGNTY OF THE PEOPLE

*A HUMAN RIGHTS APPROACH TOWARDS INTRODUCING AND ENTRENCHING
THE FULL INTEGRATION AND IMPLEMENTATION OF A UNIVERSAL INCOME
BEYOND THE DURATION OF ELECTED GOVERNMENTS*

*FOR THE 10TH CONGRESS OF THE BASIC INCOME
EUROPEAN NETWORK'S THE RIGHT TO A BASIC
INCOME: EGALITARIAN DEMOCRACY
WITHIN THE FRAMEWORK OF THE DIALOGUE ON
HUMAN RIGHTS, EMERGING NEEDS, AND NEW
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1 INTRODUCTION

In order to introduce and entrench the concepts of Universal Income Systems within the people's consciousness and law so that once implemented it extends beyond the limitations of short-term governments, they must be well integrated within the core educational structure of society's formal and non-formal curriculum. *The International Bill of Human Rights* as well as conventions on sustainability provides practical and legal parameters for mainstreaming these concepts fully into society. We have found these conventions and laws to be invaluable tools towards the gaining of broad public acceptance for the concept of Universal Income Systems. This paper explores key components and practical implementation methods covering legal, educational, and grass roots avenues that we are presently working on nationally and internationally to achieve these ends.

In order to describe what the human rights approach that we have been implementing in New Zealand is, which we think is a unique approach towards the education and promotion of Basic Income, it is necessary to understand a little about the organisation we have set up as well as the unique definition used for a Universal Income. This will provide a better understanding of the legal and underlying human growth and development principles that are being employed to achieve the stated objectives of this paper.

This paper will open with some key issues and concerns highlighted in the United Nations Human Development Report for 2002. These issues ring very deep for many people in New Zealand as New Zealand was subjected to a massive transformation from a largely socialised society including an equal access health system, free tertiary education, and a minimum wage level sufficient to provide for a household to one that is now more oriented towards a privatised market economy. This new economy has a minimum wage that is not even sufficient to provide for a partner, much less a household. The country no longer has a free tertiary education and the once; largely-free health care system is rapidly being replaced by one of a user-pay system. It now has the highest youth suicide rate in the OECD¹ and suffers a barrage of newly emerging poverty related illnesses and health risks². The people have largely protested these changes yet almost all the political parties are embracing the core values of these changes. This leaves the public having to reassess what is a democracy, and how can they effectively rebuild it when they are working more hours for less pay. It is within this climate that an emphasis on human rights, sovereignty, sustainability and democracy in relation to the concept of Universal Income Systems has

¹ NZ Ministry of Health - *Suicide Facts - Provisional 2001 Statistics* (all ages) <http://www.moh.govt.nz>

² NZ Ministry of Health - *Our Health, Our Future: The health of New Zealanders 1999* <http://www.moh.govt.nz>

developed. As a result, this paper walks through various concerns and problems that are going on presently in New Zealand and relating how the violations of the International Human Rights laws and sustainability conventions are at the source of these problems in order to illustrate by example the techniques and avenues by which we are reaching the people.

1.1 THE DEEPENING OF DEMOCRACY

The theme of the United Nations Human Development Report for 2002 was *Deepening Democracy in a Fragmented World*. Key summary quotes of the concerns are as follows:

The spread of democratization appears to have stalled, with many countries failing to consolidate and deepen the first steps towards democracy.

For politics and political institutions to promote human development and safeguard the freedom and dignity of all people, democracy must widen and deepen.

Countries can promote human development for all only when they have governance systems that are fully accountable to all people—and when all people can participate in the debates and decisions that shape their lives.

The links between democracy and human development are not automatic: when a small elite dominates economic and political decisions, the link between democracy and equity can be broken.

The World Trade Organization operates on a one-country, one-vote basis, but most key decisions are made by the leading economic powers in “green room” meetings.

The executive directors representing France, Germany, Japan, the Russian Federation, Saudi Arabia, the United Kingdom and the United States account for 46% of the voting rights in the World Bank and 48% in the International Monetary Fund.

Half of all civilian war casualties are children, and there are an estimated 300,000 child soldiers worldwide.

Democracy that empowers people must be built [by the people]—it cannot be imported [or imposed].

1.2 WHAT IS THE UNIVERSAL INCOME TRUST?

The Universal Income Trust (UIT), established in 1998, is a registered educational charitable trust of Aotearoa NZ. Its primary aim is to educate about the social, environmental, and economic benefits of Universal Income Systems in relation to the *International Bill of Human Rights*, which comprises the *Universal Declaration of Human Rights* (UDHR), *International Covenant of Economic, Social and Cultural Rights* (ICESCR) and *International Covenant of Civil and Political Rights* (ICCPR) and optional protocols of ICCPR--all ratified by the New Zealand government. UIT demonstrates how such systems would act as an integral part of any sustainable future--not as a panacea that can solve all social, economic and environmental problems, but rather, emphasizing how they would act as an essential tool empowering people to effectively work through them.

The Trust does not advocate any Universal Income (UI) system in particular. Instead, it educates on the issues of economic rights, the minimum standards they set for compliance in any given economic system, how those systems work, and the diverse possibilities that the various models have to offer for a society's future sustainability. The ultimate decisions about the type, method of funding, or even having a UI system at all, must rest entirely with the well-informed will of the people. The importance of having such standards for the numerous Basic Income (BI), Citizens Income (CI), Guaranteed Annual Income (GAI) Universal Basic Income (UBI), Unconditional Universal Income (UUI) models, as well as other alternative economic proposals, becomes clear when comparing the operational details of the schemes offered with their stated objectives of what they seek to achieve. For example: a proposal that allocates a CI, UBI, or GAI etc. as a type of intermittent tax rebate system that can be given and taken away at a government's whim--and be less than or equal to the present unemployment benefit--would have a very limited effect on achieving objectives that stated the income would allow people to work less hours, encourage job sharing, or be an adequate payment for people in unpaid work. As with all jobs, people have a right to be paid the legal minimum wage level such that one person's income is sufficient to provide for a household. Otherwise, it could be used as a precedent to justify the further erosion of the minimum wage standard. For more information visit the website:

<http://www.geocities.com/caeruit>

2.1 WHAT ARE UNIVERSAL INCOME SYSTEMS?

Universal Income Systems are those economic systems that comply with the *International Bill of Human Rights* (IBHR). They have two parts: an economic component and an education component.

2.1.1 ECONOMIC COMPONENT

They are required to provide an unconditional income, the equivalent of minimum-waged or above, for every adult in addition to their current income. The legal minimum wage according to the *IBHR* should be set at a level such that one person's income is sufficient to provide for a household³. The income or wage is payment for every person's existing job responsibilities--as a citizen or permanent resident--in his or her role of shared sovereignty of that democratic society. These responsibilities as outlined in ratified international human rights instruments include:

- *monitoring and securing human rights for everyone;*
- *working in harmony with our natural environment to protect it for future generations;*
- *supporting a healthy environmentally sustainable economy, and overseeing the costs, education, and well-being of the sovereign people.*

Economic and legal compliance issues include a mandate to move to re-establish "free" tertiary education in NZ as well as providing an equal access "free" health system. In other words, UI systems cannot be implemented at the cost of dismantling a society's social security infrastructure, but rather they are there to enhance and expand it to meet--at the very least--the minimum legal requirements enshrined within the International Bill of Human Rights: the law.

2.1.2 EDUCATION COMPONENT

The education system must be upgraded--where applicable--to emphasize the sovereign people's role, rights, and responsibilities over that democratic society's institutions as opposed to just being its servants, in accordance with the *International Covenant on Economic, Social, and Cultural Rights* (ICESCR), Article 13.⁴

³ *ICESCR* Article 7, This ensure[s] in particular: (a) Remuneration, which provides all workers, as a minimum, with: (i) Fair wages and equal remuneration for work of equal value without distinction of any kind... (ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;"

⁴ (See website www.geocities.com/caeruit for full details)

3 ANALYSIS AND COMPARISON OF KEY COMPONENTS OF THE UI SYSTEM

The remainder of the paper covers three principal areas of concern that distinguish a UI, at the surface anyway, from other Basic Income models, in terms of how they are defined. These however are also key areas used to help facilitate the integration within the mainstream structural framework of society's formal and non-formal education systems. They are directly applicable to countries, like New Zealand, that have ratified the *International Bill of Human Rights* as well as several of the international conventions on sustainability. The first two concerns are primarily economic/human rights issues and the last is principally an educational issue, which is explored separately in its own section.

3.1 FIRST, THE INCOME IS VIEWED AS A PAYMENT FOR A JOB: THE JOB OF THE SOVEREIGNTY. IS THAT JOB REAL AND COULDN'T IT THEREFORE BE CONSIDERED A TYPE OF CONDITIONAL INCOME?

3.1.1 THE JOB OF THE SOVEREIGNTY

"What greater equality can there be in a city, [but] where the people are the absolute rulers [sovereigns] of the land?" a justification by the people for their system of the governance of Argos prior to 600 BC to foreign proponents of monarchic views.

Euripides (480-406_{BC})⁵

Mencius said: "[in the constitution of a state] the people rank the highest, the spirits of the land and grain come next, and the ruler [president, prime minister, and etc,] counts the least.'

Mencius (372 - 289_{BC})⁶

⁵ Euripides, (480-406 BC) *The Suppliants*

⁶ *The Works of Mencius*, Legge, James, trans. [Bk.7 B: 14] also [p96 *Sources of Chinese Tradition Vol. 1* compiled by WM. Theodore De Bary, Wing-Tsit Chan, and Burton Watson. 1964. Columbia University Press, New York and London. UNESCO Collection of Chinese Works, Chinese series. This Volume has been accepted in the Chinese Translation Series of the United Nations Educational, Scientific, and Cultural Organisation (UNESCO)]

The power of Kings and Magistrates is nothing else but what is only derivative, transferred and committed to them in trust from the People, to the Common good of them all, in whom the power yet remains fundamentally, and cannot be taken from them, without a violation of their natural birthright.

John Milton (1608–74)⁷

The job of the sovereignty is definitely real (democracy means *demos* = people + *kratos* = rulers). In a monarchic system, the monarch was one of the highest paid jobs in the land. Today relatives of those monarch's, as a result of inheritance, are some of the wealthiest people on the planet. In a democracy the responsibilities of the sovereign passes back to the people. Those job responsibilities have not diminished over time but have greatly expanded in scope to an unparalleled level in human history (i.e. Issues of globalised economies; “high-tech” wars, impacts on the environment and cultures, control/access/use and distribution of limited resources, spread of diseases, poverty, and so on).

In common law countries (like NZ) that ratified the *International Bill of Human Rights*, as well as other countries that have already acknowledged the supremacy of human rights laws, many international human rights laws are recognised now as superseding national statute laws (See Appendix). In short it is not within a government's right to create a law that would deprive all green-eyed people of their right to life, or force them to work in concentration camps. They may not legally oppress groups of people or individuals that are deemed “easy targets” or “vulnerable”, as they see fit. All people have the right to be free from those types of tyranny. Historically, people have had the legal right to depose those types of governments as we have recently witnessed in Bosnia, Afghanistan, and Iraq. The legality of Iraq’s recent overthrow is still in question even though it didn’t stop the incident from happening anyway. History is replete with examples, such as the American and French Revolutions, the milder Magna Carta, and Mencius' commentary on the “right of the people to overthrow despotic rulers or governments”⁸.

⁷ John Milton (1608–74), “The Tenure of Kings”, *The Works of John Milton*, vol. 5, p. 10 (1932).

⁸ *Mencius complete works* Bk.1 Part 2 Chapter VIII, p.97, *Sources of Chinese Tradition Vol. 1* compiled by WM. Theodore De Bary, Wing-Tsit Chan, and Burton Watson. 1964. Columbia University Press, New York and London.

In New Zealand there are members of the judiciary as well as parliament who see themselves as sovereign over the people since they believe that they have more power, demonstrated by their right to make others do whatever they want.⁹ However, what they fail to understand is that the judiciary, parliament, monarchy, or multinational corporations--for that matter--cannot exist without the people. These institutions are simply lifeless mental constructs--without consciousness--created by the people to perform certain functions. The people, in contrast, can and have existed without them whenever they have wished or needed too. Within the human domain, only individual people can have consciousness (i.e. they have the requisite sensory organs and brain by which decisions based on sense data can be made and communicated: a major determinant of human consciousness). Groups and institutions do not have brains and sensory organs they are therefore by definition not conscious without having the necessary constituent individual human beings. Therefore the actual power in society, relative to the issue of sovereignty, rests within the people not their created institutions. To think in opposite terms would be similar to placing the human race along with all the other species of nature and the dynamic processes thereof in servitude to the dictates of a "single-tasking" robot.

The *IBHR* is in itself, another expression of the people's sovereignty. People, united globally are acting through this channel, exercising their sovereignty, to help set parameters by which governments can govern legally, so as to not violate their own constituent people's inherent rights.

According to international human rights laws, every individual person is under responsibility to secure, monitor and promote human rights to their best ability for everyone. They are to use whatever educational means they have available to promote local, national and international human rights standards. These include the areas of social, economic, cultural and political rights. They are also under responsibility to protect and care for our natural environment. Without a healthy and dynamic natural environment there can be no human life at all.¹⁰

The job description and responsibilities can therefore be found throughout the *International Bill of Human Rights* and can be summarised by the following quote from the Preamble of the *Universal Declaration of Human Rights*.

NOW THEREFORE THE GENERAL ASSEMBLY proclaims This Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations,

⁹ *The Struggle for Simplicity Lord Cooke and Fundamental Rights*, The Hon Justice Michael Kirby; New Zealand Legal Research Foundation Conference, Auckland 4-5 April 1997, http://www.hcourt.gov.au/speeches/kirbyj/kirbyj_cooke.htm

¹⁰See Agenda 21 from the *Earth Summit*, U.N. Conference on Environment and Development (UNCED).

to the end that every individual and every organ of society keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

According to The World Conference on Human Rights held in Vienna in 1993,

“...three quarters of the violators of human rights guaranteed in international documents are the State Parties themselves”.

Since the major violators of human rights are the governments themselves, the final onus of responsibility for the monitoring and securing human rights for everyone falls on the people. This in itself is an incredible responsibility, a very difficult job that people cannot walk away from. To do so is at the very detriment of their future. To perform any job effectively people must have the requisite resources/money, knowledge/skill and time to perform it. All of these requirements are in diminishing supply for the majority of people. Therefore the people must have their legal entitlement to at least a minimum wage level income unconditionally in order to perform it: a Universal Income.¹¹

3.1.1.1 Conventions on the sustainability of our ecosystems

Sustainability is defined in this paper as the ability for the human race to be able to live in harmony with itself and the natural environment while preserving the skills, foundations, and structure of this harmony by passing it on to future generations. This is a concern of everyone.

An individual that is dependent on a natural ecosystem of a given environment for his or her survival cannot be described objectively as being either the same or different from that environment or ecosystem. They are therefore an essential link to a conscious aspect of that ecosystem and cannot be kept out of the equation for the successful management of that system.

Equally important as the wealth production concerns of a society, is the wealth management aspect of the equation including conservation issues, research & development, and the distribution of those resources especially as it affects the various symbiotic and intertwined ecosystems. The responsibility of this job falls squarely on the people experiencing the consequences of the effects

¹¹ For further information on the “Job” descriptions of individuals or their roles and responsibilities as it relates to human rights see also the “*Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*” - General Assembly resolution 53/144d.

of actions taken, who themselves are the living human consciousness aspect of those eco-systems: the sovereignty.

The nature of technology is to increase efficiency and reduce labour, which is critical for sustainable wealth production processes, growth, and the conservation of resources. However, the people who have laboured, produced, and financed the infrastructure for that wealth have largely been left out of the reckoning for whom that wealth was originally and necessarily intended: the entire people and environmental complex of that society. That is, the actual conscious aspect of society who has the responsibility to manage that wealth for future generations so everyone can continue to live in harmony with themselves and their natural environment. This is why they agreed to labour, finance, and otherwise support the technological advances in the wealth producing industries in the first place. There is simply no basis for the discrimination against participation based on income, sex or any other category.

This understanding for the need of the people's participation in the decision making processes and involvement in the management is very well addressed in almost all the recent conventions on the environment and sustainability. Further the idea of the importance of that participation is carried over into the justifications for subsequent conventions as well as conventions that at first seem to be more laterally related such as the Aarhus Convention.¹² The authors relate that the inspirations to elevate the participation on sustainability were largely based on the achievements of the *IBHR*. Thereby the Aarhus Convention is helping to fuse and create the participation on sustainability issues to the level of a new enforceable human right, which is “feeding back” around the world to other areas of sustainability and human rights issues. This is a very inspiring step for many in New Zealand especially in the UI movement. See the following conventions and documents as cited from the Ramsar Convention on Wetlands for other global developments.

Resolution VIII.36 Participatory Environmental Management (PEM) as a tool for management and wise use of wetlands¹³:

6. FURTHER RECALLING that the Johannesburg Declaration on Sustainable Development, paragraph 26, recognizes that sustainable development requires broad-based participation in policy formulation, decision-making and implementation at all levels, and that the Plan of Implementation of the World Summit on Sustainable

¹² Aarhus Implementation Manual, *The UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters*; <http://www.unece.org/env/pp/>

¹³ http://ramsar.org/key_res_viii_36_e.htm

Development, paragraph 128, underscores the importance of ensuring public participation in decision-making, so as to further Principle 10 of the Rio Declaration on Environment and Development;

11. RECALLING that Decision IV/4 of COP4 of the Convention on Biological Diversity on status and trends of the biological diversity of inland water ecosystems and options for conservation and sustainable use, Annex I, paragraph 9(e), recommends Parties to involve as far as possible, and as appropriate, local communities and indigenous people in development of management plans and in projects that may affect inland water biological diversity;

3.1.1.2 The poor do not have any valid representation of their concerns

The poor,¹⁴ defined in this paper for NZ, as it should be elsewhere, are those whose incomes fall below the internationally recognised legal minimum wage standard whereby one person's income is sufficient to provide for a household (see *ICESCR* Article 7), This definition reveals that over half the population of NZ falls into this category of poverty as revealed by the NZ Tax Review 2001.¹⁵ These people do not have any valid representation in government or in any of its subordinate departments. They are being denied the requisite time and resources to adequately represent their own concerns as it relates to the key issues that affect their lives. In all democratic civilized societies groups of people have the right to adequate representation by elected members of their peers.

The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

Article 8 (Right to non-discriminatory access to participate in the governance of society)

1. Everyone has the right, individually and in association with others, to have effective access, on a non-discriminatory basis, to participation in the government of his or her country and in the conduct of public affairs.

2. This includes, inter alia, the right, individually and in association with others, to submit to governmental bodies and agencies and organizations concerned with public

¹⁴ See minimum wage calculation and unemployment benefit calculation on the poverty page of the UIT website <http://www.geocities.com/caeruit/poverty>

¹⁵ *New Zealand's Tax Review 2001*, <http://www.treasury.govt.nz/taxreview2001/>.

affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.

International Covenant on Civil and Political Rights

Article 25 (ALL people have the freedom, without any discrimination of status, and right to participate directly in the management of public affairs)

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

For example, no one would ever consider allowing men to stand up as representatives for women's concerns, or employers to represent workers, or Europeans to represent Maori, and so forth. Yet the prejudice against the poor is so endemic, as it was during the age of slavery, that the fact isn't questioned, i.e. the allowing and encouragement of representation of the poor by the rich, or people and organisations that have a direct conflict of interest and whose livelihoods are dependent upon the continued existence of poverty. It is not surprising therefore that all the decisions made about the alleviation of poverty, finances, and economics are always in the interests of those consulted. Yet those who bear the heaviest burden of the consequences thereof are ignored. Such prejudices are justified on the basis that these people are receiving some form of tax transfer subsidy, yet since the 1990's NZ has had some form of work requirement for the so-called unemployment benefit. In fact many of these people are working far more hours without holidays at more wealth producing jobs such as farm work, food processing, and the like than the people chastising them. They are literally feeding the people who criticise and oppress them for not contributing to society or are trying to find them so-called "meaningful work".

With certain exceptions most of the categories of people that can be discriminated against whether they be employment related, racial, cultural, sexual, age, physical/ psychological abilities, it is the poor of those categories who are discriminated against the most. Yet these people who represent the majority of people in NZ society—51% see NZ Tax Review 2001¹⁶--as well as the

¹⁶ Ibid. See also minimum wage calculation and unemployment benefit calculation on the poverty page of the UIT website <http://www.geocities.com/caeruit/poverty> as well as the Appendix: Personal Income by Labour Force, Financial Status, and Sex: for Aotearoa NZ on the Economics page of the Universal Income Trust website <http://www.geocities.co/caeruit/economics>

majority of the people on the planet, have had their voices almost completely silenced. They are being denied the requisite time, money, and knowledge to participate effectively.

3.1.2 *THE JOB OF THE SOVEREIGNTY IS REAL BUT THE INCOME IS NOT CONDITIONAL*

The job of the sovereignty as it is called here is therefore real but the income is not conditional in the traditional sense as everyone already has the shared job of the sovereignty over their society with its respective responsibilities whether they get paid or not. Further, everyone gets the payment regardless of whether they act on their responsibilities or not. There is no one responsible for monitoring each other's contributions to society and empowered to take the income away from those select individuals who are deemed to not contribute appropriately. It is up to each individual to determine for him or herself based on his or her own knowledge, skill, and interests as to how most effectively contribute their energy to society. There may be representatives, but no "Boss of the Bosses", so to speak, in a democracy. The bottom line is that if people do not work to produce and manage their wealth appropriately there will be no wealth to distribute.

3.1.2.1 *Decision making: a sample issue*

This is a real concern right now under our present system, whereby a few private individuals are allowed to control the wealth and the wealth producing infrastructure of a whole society. They can, and then do, literally "package up"--for personal gain--whole wealth producing industries funded out of government subsidies, tax breaks, and/or rebates as well as the resulting suffering and labour of the people who paid the highest costs for the development of that wealth. The public supported these industries with the understanding that they were supporting the whole of society for its future generations. Instead, these so-called private entrepreneurs pick up and move these industries elsewhere as if it was all really exclusively theirs for their own private interests; hence, an importance of the education component of Universal Income Systems. Business week¹⁷ predicts in excess of 500,000 jobs being outsourced off shore in the USA and up to 3 million by 2015 if one can believe that. Congressman Barney Frank was quoted in the Washington Post,¹⁸ that as a result of outsourcing GDP has been rising but jobs and wages have been declining. A fundamental shift has occurred, he says.

¹⁷ *Is Your Job Next?*, Business Week, February 3, 2003, pages 50-60.

¹⁸ David S. Broder, *Creating more wealth but fewer jobs*, The Washington Post, March 14, 2004

"The ability of the private sector in this country to create wealth is now outstripping its ability to create jobs. The normal rule of thumb by which a certain increase in the gross domestic product would produce a concomitant increase in jobs does not appear to apply."

Frank buttresses his argument by pointing out that the boom in corporate profits and the rise in the stock market have been accompanied not just by joblessness, but a decline in real wages, a falloff in private health insurance and a rise in income inequality.

NZ is experiencing very similar patterns of concern. From 1939 to the mid 1980's NZ was in a state of full-employment with one person's income sufficient to provide for a household. It had free secondary health care and free education with a wide variety of benefits. Today, fourteen years after the big privatisation agenda was initiated at the end of the 1980's, which was imposed on the people, it has abolished free tertiary education and reduced free health care, leaving most families forced to have all adults working in the traditional labour force bringing back the income that it used to take one person to make. The state and private organisations and not their parents are effectively raising the children now. The parents still have to assume responsibility for the actions of their children. This is also an extreme violation of the child's right to be raised by their parents or primary care givers¹⁹. At the same time new labour market statistics are being interpreted as if New Zealand was in a state of near full-employment²⁰. The problem is that what is being measured, as employment now would not have been even viewed as a job during the 45 years previously cited, nor are they jobs according to the *IBHR*⁶ (see also minimum age calculation¹², and the Jobs Jolt programme which is on the same poverty page). One of the best studies covering the restructuring results concludes the following:

...the bottom 80% of New Zealand income recipients suffered a reduction in their share of the total incomes paid out, while the top 5% enjoyed a 25% gain after twelve years of painful restructuring²¹.

¹⁹ *Convention on the Rights of the Child 1989, Article 5*

²⁰ *Statistics New Zealand, Labour Market Statistics 2003*

²¹ See Ph.D. Nripesh Podder and Ph.D. Srikanta Chatterjee's *Sharing the National Cake in Post Reform New Zealand 1998: Income Inequality Trends in Terms of Income Sources*.

The people have a right to be involved and determine the kind of a future they would most want to have. Today, more than ever, the only people who have the time, money and resources to get involved with policy making are the wealthy and they make decisions based on their own interests and prejudices.

The idea of paying people for a job they already have, that everyone can determine is not something newly imposed on them, means that this can bridge a gap between two long standing arguments in the Basic Income field; paying the income as a type of handout with all of its preconditioned stigmas attached to the concept “handout” regardless of the specific language used, versus paying the income for some type of conditional labour with its potential to lag over into some form of even more repressive corvée or compulsory type labour scheme. Under this model the BI or UI can no longer be declared as “giving people something for nothing” nor can it be viewed as some form of covert “work for the dole” type scheme. This makes it much easier to relate to the average person such as farmers, workers of all income categories, employers, students, activists and also the extreme poor.

In short the average person can grasp very easily, from the vernacular language, that they are the “boss” of their democratic society and that the income, time and knowledge is indispensable for them to carry out their responsibilities effectively. It is also very easy for them to conceptualise how the money is a right as well as a responsibility and not a handout at all. Additionally, from a human development perspective, the individual feels very empowered by the knowledge, and reaffirmation that he or she is being valued, as an equal in the highest status attainable in, what is again, his or her democratic society. There is an almost instantaneous, perceivable, psychological shift that occurs when people grasp what this means. This consciousness shift is precisely what is needed to propel the movement for economic rights, sustainability, and the UI into its full fruition. In other words the people can own and understand the concept from their own perspective. They know that they don't have to understand the otherwise esoteric theoretical arguments of economists in order to promote it. Also since it is based on the universal standards outlined by the International Bill of Human Rights anyone can look at the IBHR and determine what the parameters are for a proposal to be qualified as a UI and can take part in its evaluation.

3.2 **SECONDLY, THE ISSUES OF SETTING THE BASIC INCOME LEVEL TO THE LEGAL MINIMUM WAGE LEVEL SEEMS AT FIRST QUITE EXTREME. CAN SOCIETY REALLY AFFORD IT AND, SEEMINGLY MORE IMPORTANT, WON'T EVERYONE JUST QUIT WORKING?**

There "should exist among the citizens neither extreme poverty, nor, again, excess of wealth, for both are productive of both these evils".

Let the citizens...distribute their land and houses...and seeing that the earth is their parent, let them tend her more carefully than children do their mother.

Plato; *Laws* 5.v.

'Around the [provided] homestead with its five mâu, the space beneath the walls was planted with mulberry trees, with which the women nourished silkworms, and thus the old were able to have silk to wear. Each family had five brood hens and two brood sows, which were kept to their breeding seasons, and thus the old were able to have flesh to eat. The husbandmen cultivated their farms of 100 mâu, and thus their families of eight mouths were secured against want.

Mencius²²

The concept of a state distributing enough resources to provide for a household are as old as the earliest records we have and can be found linked to all cultures.

Whether a given society can afford a full Universal Income or not is based on the actual amount of resources that society has. The point is that the people have a right to a Universal Income and by “progressive means” each society has the responsibility to make the best possible efforts to provide as much of that income as it can to the people. This of course should not be done to the detriment of the wealth building capacity of a society.

The illusory question of “Will people still work?” simply misses the point of paying people for their job as the sovereigns of that democratic society. At the point of payment, that society has re-

²² *The Works of Mencius* BK 7, Tsin Sin, Part 1 chapter 22

established “full-employment”. There is no such thing as “unemployed people”, “people not working”, or “people not wanting to work”. The question is therefore misplaced.

Human behaviour models are usually divided into three basic schools: Structuralist, Humanist, and Mechanistic. The Structuralist models, characterised by different stages of development that people go through as they age include certain models such as those of Freud, Erickson, and Maslow. These models would all say that humans have an innate need to belong and be valued as contributing members of society. Only someone that is mentally ill, traumatised, or otherwise imbalanced, would not contribute appropriately within his or her means; everyone else would. Humanist models can be characterised by the premise that all healthy humans are by nature well intentioned and creative. Rogerian and Adlerian theorists would be representative of this field. They would concur with the structuralist but for different reasons. They would say a Universal Income is a great idea. People would be finally unyoked from the constraints of the Mechanists and Structuralists and could finally creatively enjoy life by making it the best world possible for everyone. The Mechanist models are generally based on stimulus response mechanisms or reinforcement theory. They can be characterised by Pavlovian and Skinnerian theorists. Some of the Mechanists would be mild stumbling blocks to implementing a full UI instantly. They would caution that the strict economic system based on rewards and punishment that people have been subjected to for so long has created a dysfunctional addiction to external reinforcers (money) rendering many people unable to find the intrinsic worth in work and cooperation that could be self-reinforcing. The Mechanist supporter would suggest implementing the income gradually to higher levels as part of a weaning process. They would accept that education would be an important part of the reorientation process to help de-programme people’s present conditioning.

In short, all the schools of thought, would agree that human beings are largely gregarious beings and that having the requisite knowledge, skill, time and resources people would cooperate and work together to the mutual benefit of all.

The real concern then, which is not properly expressed by the question “Will people still work?” is how society will ensure that people, will select real wealth producing jobs. That same question can and should be asked right now under the present system concerning the jobs at which the majority of people are working. Seymour Melman, emeritus professor of industrial engineering at Columbia University, calculated that over 50 percent of the administrators of corporate America are unnecessary. They are there to intercept production, not to produce.²³ Ph.D. R. Buckminster Fuller calculated that approximately 60% of people in western countries are in jobs that do not

²³ Seymour Melman, *The Permanent War Economy*, (New York: Simon and Schuster, 1985) p 13

produce wealth or life support and as such it is cheaper to pay them to stay at home since the amount of energy and real wealth their work consumes exceeds the amount that they produce.²⁴

The next topic covers issues concerning whether or not this level of income is feasible and one possible source for how it may be derived.

3.2.1 CORPORATE WELFARE AND THE PROGRESSIVE TARGETED UNIVERSAL INCOMES PAID TO THE RICH

The Human Development Report 1998 & 1999 issued by the United Nations Development Program reveals that the “assets of the three top billionaires” in the world “are [worth] more than the combined GNP of all least developed countries and their 600 million people”. 225 of the world's richest billionaires have a combined wealth equal to the poorest 47 percent of humankind. Equally concerning is that “The world's 200 richest people more than doubled their net worth in the four years to 1998, to more than \$1 trillion”. At the rate suggested by these figures, it won't be very many years before the entire planet risks becoming “private property”. According to The Human Development Report, one-third of the planet's population is living on less than a dollar a day and approximately 50% of the planet's population is living on less than two dollars a day.

If we understand welfare payments to be defined as follows:

Welfare payments are any targeted payment or tax transfer in the form of a tax relief, break, cut, rebate, or subsidy which is not payment in return for productive services but represents an income redistribution, whereby the rest of society is expected to carry the burden of the payment and/or any shortfall payments directly resulting from that outlay. The shortfalls of which can be found in the inequities and disparities of the requisite funding responsibilities—placed on each individual—for the up-keep of the shared essential services and resources defined by law for that society. These include such things as health, education, natural resources, and minimum wage payments.²⁵

We then find that it is the wealthiest individuals and corporations that are receiving the lions share of welfare payments at levels unlike any known before in history (See Taxation Systems: Who Really Pays?).²⁶

²⁴ Fuller Buckminster R. *Critical Paths*, (St Martins Press, New York 1981), pp 223, 262

²⁵Universal Income Trust website, <http://www.geocities.com/caeruit/poverty.htm> , Patrick Danahey

²⁶Patrick Danahey, *Universal Income for a Sustainable Future*, Published by Universal Income Trust, 2003

“James Tobin, [...] winner of the 1981 Nobel Memorial Prize in Economic Science... [and a long standing advocate of universal income systems].

*...said that instead of achieving [...] goals of ending inflation and improving employment, productivity and investment, [...] cuts in Government spending and taxes would worsen the plight of [...] poor people. "What it is sure to do is redistribute wealth, power and opportunity to the wealthy and powerful and their heirs," [...]*²⁷

Herbert A. Simon who was a professor at Carnegie Mellon University and recipient of the Nobel Prize in economic sciences in 1978 states:

*Access to the social capital--a major source of differences in income, between and within societies--is in large part the product of externalities: membership in a particular society, and interaction with other members of that society under practices that commonly give preferred access to particular members. How large are these externalities, which must be regarded as owned jointly by members of the whole society? When we compare the poorest with the richest nations, it is hard to conclude that social capital can produce less than about 90 percent of income in wealthy societies like those of the United States or North-western Europe. On moral grounds, then, we could argue for a flat income tax of 90 percent to return that wealth to its real owners. In the United States, even a flat tax of 70 percent would support all governmental programs (about half the total tax) and allow payment, with the remainder, of a patrimony of about \$8,000 per annum per inhabitant, or \$25,000 for a family of three. This would generously leave with the original recipients of the income about three times what, according to my rough guess, they had earned*²⁸.

Clearly one of the multi-faceted ways to fund a UI is by reducing the extreme inequities to the current tax structure resulting in huge welfare payments to the rich, involving the people in reassessing the funding of jobs that are consuming more resources/wealth than they are producing, and educating the public through both the non-formal and formal education structures as to how to most effectively contribute to the development of the actual wealth production and management of their society. That is “learning to do more with less” in conformance with those outlined in the international human rights and sustainability conventions. This involves engaging the full

²⁷ Associated Press; *Tobin, Nobel Winner, Slams Reaganomics*; Section: Economy, Friday, October 16, 1981

²⁸Herbert A. Simon, *UBI and the Flat Tax*, Boston Review, Oct/ Nov 2000 <http://bostonreview.mit.edu/BR25.5/simon.html> Boston Review.

consciousness of society to participate in the management and development of the processes by which society grows and learning to do so in harmony with the natural environment.

4 THE SIGNIFICANCE OF THE EDUCATION COMPONENT

"If all people are to be rulers, which is what democracy means, then all people must be educated as rulers; nine tenths of them cannot continue to be trained as slaves.... we are operating our schools as if most people were fit only for servile occupations, not for the obligations of free citizenship."

Robert Hutchins, PhD, prominent 20th century education leader and philosopher *The Conflict in Education*, 1952

4.1 THE PURPOSE OF THE EDUCATION COMPONENT OF A UI

The education component ensures that everyone will have the necessary knowledge and skills to understand the nature of the income and will be able to use the income in the most appropriate and effective way possible.

It is hoped that in the near future when people graduate from school they will not only be educated to appreciate, respect, and support the unique qualities of all people and the diversities that all cultures bring to a society but they themselves will be treated with the same appreciation and respect by their own government and the rest of society. They will be welcomed into their role of the shared sovereignty when they graduate or come of voting age with the resources to live and engage as equals in the governance of their country. At graduation, with their first pay cheque, the students will hear that their degree acknowledges that they have the requisite knowledge and skills to participate effectively in creating the society that they would most like to live in harmony with their natural environment. If they are feeling like they need more knowledge, they will have the resources and requisite skills to access it. If they wish to get more money they can work for a job that they feel is contributing positively to the wealth production of society, create their own job, pool their resources with friends and so on. In general all graduates and all people of voting age and older will be treated as if this is their society and not someone else's.

4.1.1 THE EDUCATION COMPONENT OF A UNIVERSAL INCOME HAPPENS NOW

The *International Bill of Human Rights* has helped to create a mandate for a human rights curriculum to be taught throughout the whole education system. This includes issues on economic rights. Likewise, the conventions on sustainability have also mandated into the school curriculum environmental and sustainability components that can be easily linked with the participation issues of a Universal Income System. Combined, these avenues have opened for all NGO's in these fields opportunities to get involved in curriculum development providing workshops for teachers, including in-service training, as well as avenues for selling and distributing resources to meet growing educational needs.

Recently, the Universal Income Trust has been involved in helping to integrate human/economic rights issues in NZ's school curriculum via the Ministry of Education's Curriculum Project Online for NZ schools. It is doing this as part of its ongoing responsibilities mandated in the *IBHR* with additional emphasis coming from the recent United Nations release of its *Concluding Observations of the Committee on Economic, Social and Cultural Rights: [towards] New Zealand*. 23/05/2003. E/C.12/1/Add.88: "36. The Committee encourages the State party to provide human rights education in schools at all levels and to raise awareness about human rights, in particular economic, social and cultural rights, among State officials and the judiciary."

To give an idea of the potentials that have opened up for bringing Universal Income Systems into the schools via the environmental science aspects of the curriculum the following is appended from the mandates established in Agenda 21:

4.1.1.1 Chapter 36 – Promoting education, public awareness and training [from Agenda 21]²⁹

INTRODUCTION

36.1. Education, raising of public awareness and training are linked to virtually all areas in Agenda/21, and even more closely to the ones on meeting basic needs, capacity-building, data and information, science, and the role of major groups. This chapter sets out broad proposals,

PROGRAMME AREAS

A. Reorienting Education Towards Sustainable Development

²⁹ *Agenda 21 – Promoting Education, Public Awareness and Training*, United Nations Environment Programme

BASIS FOR ACTION

36.3. Education, including formal education, public awareness and training should be recognized as a process by which human beings and societies can reach their fullest potential. Education is critical for promoting sustainable development and improving the capacity of the people to address environment and development issues. While basic education provides the underpinning for any environmental and development education, the latter needs to be incorporated as an essential part of learning. Both formal and non-formal education is indispensable to changing people's attitudes so that they have the capacity to assess and address their sustainable development concerns. It is also critical for achieving environmental and ethical awareness, values and attitudes, skills and behaviour consistent with sustainable development and for effective public participation in decision-making. To be effective, environment and development education should deal with the dynamics of both the physical/biological and socio-economic environment and human (which may include spiritual) development, should be integrated in all disciplines, and should employ formal and non-formal methods and effective means of communication.

ACTIVITIES

36.5. Recognizing that countries and regional and international organizations will develop their own priorities and schedules for implementation in accordance with their needs, policies and programmes, the following activities are proposed:

(a) All countries are encouraged to endorse the recommendations of the Jomtien Conference and strive to ensure its Framework for Action. This would encompass the preparation of national strategies and actions for meeting basic learning needs, universalizing access and promoting equity, broadening the means and scope of education, developing a supporting policy context, mobilizing resources and strengthening international cooperation to redress existing economic, social and gender disparities which interfere with these aims. Non-governmental organizations can make an important contribution in designing and implementing educational programmes and should be recognized;

(n) Governments should affirm the rights of indigenous peoples, by legislation if necessary, to use their experience and understanding of sustainable development to play a part in education and training;

It should be easy for educators to see the vast possibilities to “objectivise” the values and components of a Universal Income System to integrate within the guidelines specified in these conventions.

Once it is possible to understand the underpinning values and dynamics of a UI it is easy to break it down into simplified educational objectives for all ages. An example of a simple and useful teaching process type skill that could be taught in all teacher colleges and would have a powerful effect on education as a whole and for a UI in particular is as follows: training teachers how to teach to “see” the fact.

This involves a move to an overall reduction on the emphasis of teaching “facts to be known” opting more for “the vision that sees the fact”. In effect the teacher should teach how to “see”. This technique should be taught in teachers colleges as well as parenting classes. It can be easily taught in service training for teachers. For example: The setting is one of a typical early childhood class concerning a child hoarding toys that he or she doesn't need at the time. A teacher tells the child to give the toys up and share, via an expression of authority; however this does not teach that child or the children around him or her anything about hoarding or the value of sharing the resources. It tells them, “whoever has the most power gets what they want” and when they get bigger they can take what they want for themselves too. The teacher is bigger; bigger gets what you want. The experience is lost about the intrinsic sharing of resources for the common good and that one doesn't really lose anything by doing so. The opportunity for empathetically helping the child see how they could also gain friends and live in a more fun and harmonious environment is missed. These issues are often treated as “disciplinary problems” rather than what they truly are, “opportunities to educate”. Further, the assumption is that the “behaviour problem” person is the only one who hasn't learned how to share because the other ones are displaying the correct sharing behaviour. The fact is that many of the other children in the class are more than likely operating off the same power model that they learned from others with more power. Many are sharing, therefore, not because they see the inherent value in it but because they were told that is what you do. They are not “seeing” nor experiencing the intrinsic value of sharing as an experiential fact but only doing it as an act of obedience.

If one considers that the core of our brain development occurs by the age of eight years old and that thereafter we are simply deploying extensions of that development, it isn't hard to see the human species as largely overgrown eight year olds hoarding and squabbling over "who gets the toys" and generally unconscious of the harm that it causes.

The education for a Universal Income based society begins early.

5 CONCLUSION

In lieu of the New Zealand government's rather harsh turn for these past fifteen years or so, which has been mainly a backward step towards human rights and the sincere respect for the democratic sovereignty of the people, these laws and conventions have really helped to provide a practical tool for people to unite and start the process of rebuilding a new, stronger, and more sustainable society that is there to serve all the people.

As the education component is an essential part of what a Universal Income is, we are already able to enact and implement this part of the process. This is similar in experience to implementing a partial BI as a stepping-stone to realising a full BI in other countries.

For a Universal Income to happen beyond the duration of elected governments the values underlying it must be internalised in the population as a whole: people must own it. These developments in human rights laws and sustainability conventions have a powerful reinforcing effect on the people. People can see that others around the world are sharing similar values coming from all walks of life. Many have problems relating in interpersonal relationships and getting even the smallest groups to come to an agreement on an issue. It is highly inspiring to see that such large masses of people around the world can find powerful common ground issues and put them into action. It defies many people's "learned helpless" stereotypes about what the human race can achieve.

A Universal Income cannot really be imposed, but it must be realised within as being an integral part of living responsibly. Otherwise, if it is just a popular trend in academic or political circles it will fallout of popularity just as quick as US President Johnson's "war on poverty", Canada's Mincome experiment, and the popularity of the Social Credit movement.

Human rights supersede statute laws

Individual rights (as specified under international conventions) take precedence over statute laws of countries that have ratified the International Bill of Human Rights. This includes, as of 1993, common law countries such as Aotearoa NZ. Many government agencies (as well as the judiciary) are still unaware of these recent law changes. (See the 1998 law changes to the Social Security Act in NZ which have sanctioned the implementation of compulsory labour programmes.) It is up to individuals and groups to see to it that we educate our lawyers and government agencies about these changes.

New Zealand statute laws do not supersede basic universally recognised rights even in emergency situations.

According to a United Nations High Commissioner for Human Rights report, “Certain rights, therefore, may never be suspended or limited, even in emergency situations. These [include] the rights to life ...[and] freedom from enslavement or servitude....”³⁰ The Auckland District Law Society's report *Human Rights Law from Domestic and International Sources*, Section 5.37, states that under Article 27 of the Vienna Convention of Treaties, “...the national law of the State may not be relied on as a justification for failure to perform its obligations under an international treaty.” New Zealand “Work for dole” or compulsory labour programmes were initiated under “urgency through all stages.” This is an example of human rights breaches by the New Zealand government.

Under the Bangalore Principles, principles 7-9:

It is within the proper nature of the judicial process and well-established judicial functions for national courts to have regard to international obligations, which a country undertakes whether or not they have been incorporated into domestic law... However, where national law is clear and inconsistent with the international obligations of the State concerned, in 'common law' countries the national court is obliged to give effect to national law. In such cases the court should draw such inconsistencies to the attention of the appropriate authorities since the supremacy of national law in no way

³⁰United Nations High Commissioner for Human Rights Report, Fact Sheet No. 2 (Rev.1), *The International Bill of Human Rights*, <http://193.194.138.190/html/menu6/2/fs2.htm>.

mitigates a breach of an international legal obligation, which is undertaken by a country. ...It is essential to redress a situation where, by reason of traditional dimension, judges and practising lawyers are often unaware of the remarkable and comprehensive developments of statements of international human rights norms.

The 1993 High Level Judicial Colloquium in Bloemfontein, South Africa has reaffirmed the Bangalore Principles. Rt. Hon. Sir Robin Cooke, KBE, and President of the Court of Appeal represented New Zealand. Further, in the Bloemfontein statement, it was stated³¹:

...that it is during the times of public emergency that fundamental rights are most at risk and when courts must be vigilant in their protection.... In democratic societies fundamental human rights are more than just paper aspirations. They form part of the law. In a society ruled by law... all branches of government-the legislature and the executive, as well as the judiciary itself... must act in accordance with the law.

In 1978 the Prime Minister of NZ in his speech to ratify the two Human Rights Covenants said,³²

“We have regarded the two international covenants as legal documents of substantial value and importance...human rights has had a central place in our traditions...We have now completed a comprehensive review of our legislation and are satisfied that our laws are in compliance with the requirements of the two international covenants.”

The NZ Bill of Rights and the NZ Human Rights Act of 1993 refer to these covenants in their introduction as the basis of their existence.

The New Zealand Courts have also upheld international human rights laws:

- *Ankers v Attorney-General [1995] NZFLR 193*
- *Elika v Minister of Immigration [1996]1 NZLR 741*
- *Simpson v Attorney-General (Baigent's Case) [1994] 3 NZLR 677*

³¹F Joychild and M Roche, *Human Rights Law from Domestic and International Sources*, Auckland District Law Society, 13 February 1997.

³²Ibid.

Certain rights precede municipal laws:

*Noort [1992] 3 NZLR 260 “In approaching the bill of rights act it must be of cardinal importance to bear in mind the antecedents. The International Covenant on Civil and Political Rights speaks of inalienable rights derived from the inherent dignity of the human person. Internationally there is now general recognition that some human rights are fundamental and anterior to any municipal law...” (See *Mabo v Queensland (1988) 166 CLR 186, 217-218.*)³³*

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