

# The Right to Development of Developing Countries: An Argument against Environmental Protection?

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**Abstract.** This paper assesses the problem of the possible tension between development and environmental protection, especially for developing countries. Some leaders of these countries like Jacob Zuma claim for example that poor countries should only join the fight against climate change if it does not compromise their economic development, thus suggesting that environmental protection is more often than not an obstacle to economic development. I argue that this argument is if not misleading, at least incomplete because it does not take the diversity of environmental protection seriously and reduces development to economic development. In fact, some aspects of environmental protection may clearly clash with some kinds of economic development. In that line, when countries are still very poor, their economic development should take priority over some ecological-friendly policies. But this is only one side of the truth. The other side of the truth is that some ecologically-friendly policies can also make poor countries richer, more democratic and fairer.

**Key words:** developing countries, economic development, human development, environment, Dutch disease.

Future generations have the right to a safe environment<sup>2</sup>. This right imposes on current generations the moral obligation to protect nature. This can be done in various ways: mitigating climate change, setting up national parks, limiting natural resource exploitation, etc. (Gosseries, 1998). If this right is legitimate, the moral obligation that it imposes on current generations in poor countries may clash with their human right to development where development is understood as improvement in living conditions. This may happen when development is measured in terms of growth. For example, if growth implies production, and if production implies pollution, reducing pollution as an obligation towards future generations will also limit production and therefore undermine poor countries' right to development as growth. Viewed like this, ecologically-friendly policies would be economically prejudicial and detrimental to the worse-off. However, not only do ecologically-friendly policies undermine development if it is understood as production or growth, but they also clash with human development measured in terms of human rights protection. For example, in the name of the protection of nature, it happens that indigenous people are kicked off their lands to enable national parks to be created or healthy food becomes inaccessible for the poorest by increasing environmental standards.

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2] For further information on how to protect future generations, see Science and Environmental Health Network and The International Human Rights Clinic at Harvard Law School, 2008.

From this perspective, ecologically-friendly policies can exacerbate inequalities and violate the human rights of poor people.

For these reasons, developing countries could argue that they are not concerned with intergenerational obligations when these are linked to strong environmental protection because they are too poor. In other terms, they could say that their right to development should always win when it clashes with future generations' rights to a safe environment. This argument can even be strengthened by some considerations about duties towards future generations. For example, poor countries could say that they are still on Rawls's accumulation phase, during which they have no duty to preserve a safe environment for future generations (Rawls 1971). This argumentative stance leads me to ask the following question: is the right to development a legitimate excuse against the environmental obligations of poor countries towards future generations? I will advance two claims. First, development is unachieved where nature remains unprotected. We should take different aspects of development and diverse approaches of environmental protection seriously. If some may clash, others go hand in hand. Second, some environmental-virtuous policies may be good both for economic and human development. Development can benefit from ecologically-friendly policies. Poverty cannot stand as a *general* excuse for environmental laxity at least because poor countries and the poor in general are always the primary victims of environmental laxity. The development of poor countries remains unachieved whenever nature is not protected.

To address these issues, this paper will be divided in three sections. Section I defines and justifies the right of poor countries to development. Section II examines cases where some considerations for development clash with some aspects of the protection of the environment. Section III deals with cases where human and economic development can benefit from some aspects of environmental protection.

## I. ASSESSING POOR COUNTRIES' RIGHT TO DEVELOPMENT

Development means improving people's well-being. Well-being incorporates both primary goods and fundamental human rights. For poor countries, the human right to development implies the right to improve the material living conditions of their citizens (economic development) and the right to improve the protection of their human rights (human development). An authentic approach to development necessarily combines these two aspects.

Let us first consider development as improvement in material living conditions. The right of poor countries to development is usually expressed in terms of economic development as a fight against poverty. Development can be viewed as the right of these countries if not to become rich, at least to emerge from poverty. This interpretation of development is clearly endorsed by many international conventions.

In the preamble of the *Declaration of Human Right to Development* of 1986, development is defined as

a comprehensive economic, social, cultural and political process, which aims at the constant improvement in the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom.

The way development supposes a constant improvement in well-being also appears in Article 1(1) that stipulates:

States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement in the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and their fair distribution of the benefits resulting therefrom.

What emerges from these international instruments is primarily the idea that development is understood as a *continuous* improvement in living conditions. For economists, the improvement in living conditions covers *material* living conditions. Development goes hand in hand with growth and with the increase in people's income. That is why, for economists, economic growth is the vector par excellence of development. Economists use GDP or GNP as instruments to measure the welfare of a country. In most countries, the poverty level is indexed to growth. Economists then consider that when a country has a sufficient level of economic growth, this allows a reduction in unemployment and poverty. In the absence of significant growth, job destruction also leads to an increase in poverty. That is why economic development implies the fight against poverty. When the income or the GDP or GNP is below a certain threshold, countries are recognized as poor. Fighting against poverty is therefore intrinsically linked to development.

There is no doubt that poor countries should fight against poverty. Poverty, or deprivation of basic needs, is morally wrong. First, poverty undermines economic survival insofar as it deprives poor people of essential needs for their biological lives. Poverty means lack of food, water and social security, exposure to diseases, inability to access health care, and so on. In this sense, poverty is simply a human drama (Singer 1972) and poor countries have to fight it. Second, poverty also undermines social survival as it makes poor people and states more vulnerable to corruption or exploitation. In this sense, poverty is simply a social evil. Third, poverty undermines political involvement since it leads poor people and states to be regarded respectively as second-class citizens or countries. Poverty means lacking a voice and making political participation impossible both inside countries and at the global level. It strongly undermines people's self-esteem. In this sense, poverty is incompatible with the setting up of a just society (Rawls 1971; Pogge 2008). When someone is poor, development should necessarily mean an improvement in living conditions. Nobody would dispute the idea that it is legitimate for those who live below the poverty line to substantially improve their living conditions. This is particularly true for poor individuals and for poor states. As argued by Lars Löfquist "people who face very low living standards because of circumstances beyond their control have a right to some improvement." (Löfquist 2011, 252)

However, if it is legitimate for these reasons to fight against poverty and if the UN instruments are right to include the improvement in material living conditions as an important part of development, one can wonder about the term “continuous” which is linked to the improvement in material conditions, especially if development is considered as a human right. It is problematic to consider the right to development as the right to a never-ending improvement in material living conditions. The main reason is that this approach of the right to economic development is built on a conception of development which is if not erroneous, at least partial. This conception is the mark of a liberal and productive economy long emphasized in Western societies. More and more economists agree today that economic development cannot simply be measured in terms of economic growth. The natural resources that feed this model of development are being gradually depleted. Some economists even argue that economic development should go hand in hand with de-growth today when necessary if we are to ensure the durability of the planet, or the durability of the human race (Georgescu-Roegen 1979; Kallis 2011). Development is therefore not necessarily linked with growth.

Another reason why economic development should not be considered as a *continuous* improvement in material living conditions comes from the fact that the improvement in well-being does not only cover material living conditions, but also fundamental rights and both may clash. Improving material conditions of life is legitimate but not enough to satisfy the well-being of individuals or states. This means that economic growth is a necessary but not a sufficient condition for development. Well-being is certainly impossible unless people have basic needs or primary goods. However, if people have basic needs and comfortable income, but lack fundamental rights, there are good reasons to believe that their development is only partial. If development was reducible to a continuous improvement in primary goods, it could be detrimental to the protection of many other rights. Therefore, development implies not only economic growth but also human improvement. With this in mind, some economists like Amartya Sen (1999) argue for human development. In *Development as freedom*, he proposes the Human Development Index (HDI) as another instrument to measure development of states. This HDI takes into account, beyond the increase in people’s incomes, the ways their choices are expanded and their fundamental rights protected. The work of Amartya Sen is so important that the HDI has become an instrument that is used by UN agencies to assess the level of development of countries. Some UN documents endorse this interpretation of development. Article 1 stipulates:

The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in person and to contribute to economic, social, cultural and political development, in which all the human rights and fundamental freedoms can be fully realized and benefit from this development.

In addition, the United Nation Program for Development (UNPD) says that one of the main aims of development

is to expand the range of choices available to people, that can make development more democratic and participatory. These choices should include opportunities for access to income and employment, education and health care and a clean environment without danger. The individual must also have the opportunity to participate fully in community decisions and to enjoy human, economic and political freedoms.

The right of poor countries to development is also justified if we consider development as a fight against the deprivation of basic freedom and as the improvement in human rights protection that also includes respect for the sovereignty of poor countries. First, freedom is a fundamental right because it is part of human dignity. There is no development where human dignity is ignored. The preamble of the UN Declaration of Human Rights stipulates that human beings are born free and equal. Second, freedom is useful to social inclusion because it allows the recognition of the equality of all and the legitimate struggle against inequality and all forms of discrimination. Third, freedom is a necessary condition for democracy and as such is a factor of political inclusion. Fourth, as Amartya Sen rightly put it, freedom is both a means and an end of development and social justice (Sen 1979). We therefore have good reasons to promote freedom and to fight all forms of deprivation of basic freedom as a condition of development.

If we look at development as the improvement in human rights protection of poor countries, economic development should be limited or completed by human development. In this perspective, the human right to economic development, claimed most of the time by the leaders of poor countries, should not be considered as an absolute right. It should be limited when necessary to some other fundamental rights. That is why, since the right to development should be limited like all the other rights by some other considerations, it must therefore be interpreted not as a right to a *continuous* improvement in living conditions and well-being, but a right to a *sufficientarian* improvement in well-being. Economic development is only morally relevant if it leads to sustainable growth (Brundtland 1987) or de-growth. As Löfquist rightly puts it:

There is no need to claim that we have a right to an ever-increasing improvement. It is enough to claim that every person should have a right to reach a certain minimum level of well-being; an idea that is more in line with the Declaration of 1948, which stresses that we only have a right to an adequate standard of living. (Löfquist 2011, 259)

The right to development of poor countries is a right to fight against basic needs deprivation (poverty) and to fight against the deprivation of basic freedoms. Poor states therefore have the moral obligation to improve the living conditions of their citizens and to improve the protection of their fundamental rights. While performing these duties, poor countries could be confronted with demanding environmental constraints and face some dilemmas. On one hand, when development is associated with sufficientarian economic growth, the tension with environmental protection will stem from the opportunity cost for the poor and loss of competitive advantage for poor nations. Since significant economic growth for poor countries requires an increase in the minimum energy consumption,

and since increasing energy consumption means an increasing use of natural resources and increasing pollution, reducing pollution will also reduce energy and access to natural resources, and this could affect the fight against poverty. And in a context of international competition, reducing energy consumption and therefore pollution for poor countries may become suicidal for economic development. On the other hand, when development is associated with an improvement in basic freedoms, protecting nature may exacerbate inequalities between rich and poor. Encouraging ecologically-friendly policies in poor states that lead to organic food or national conservation, will certainly be good for the protection of nature, but may increase inequality in terms of accessibility to organic food and violate poor people's fundamental rights by kicking them off their lands. In these circumstances, development may appear to be incompatible with environmental protection. Is it possible to solve these dilemmas in poor states? Is development truly incompatible with intergenerational duties to protect nature?

## II. DOES DEVELOPMENT REALLY CLASH WITH STRONG ENVIRONMENTAL PROTECTION?

Based on the Environmental Kuznets Curve hypothesis, some scholars have argued that economic development always clashes with the protection of nature when countries are still very poor. (Soumyananda 2004) But we should be careful about the relationship between poverty and environmental protection. If we consider development as a fight against poverty, the relationship between poverty and the environment can go in both directions. We can look at the impact of the poor on the environment. It seems, then, that a context of poverty is unfavorable for environmental protection either because of the level of poverty of the poor or because of their level of education. When people or countries are extremely poor, environmental awareness always remains weaker than the struggle for economic growth. This is also part of the Environmental Kuznets curve hypothesis. We can also look at the impact of the environment on the poor. Even if it is evident that poor people and states are the first victims of a lack of environmental protection, it is not always true that they are the first to benefit from demanding environmental standards. Since this relationship appears more complex than expected, let us assess it by asking two questions.

The first question can be formulated as follows: given that economic growth is very difficult today without a significant use of fossil fuels responsible for most greenhouse gas emissions, can we say that in order to produce in large quantities as part of the right to economic growth, developing countries must necessarily pollute too much? The Environmental Kuznets Curve hypothesis seems to support the idea that the economic development of poor countries cannot be compatible with strong environmental protection when they are still very poor. According to this hypothesis, in the medium term, economic growth necessarily clashes with environmental protection. But, in the long-term, once the country has reached a certain level of economic sufficiency, development in its human aspect for example become very difficult without strong

ecological concern. Therefore, for very poor countries, sustainable growth will seriously clash with environmental protection. Producing will be synonymous with polluting. This hypothesis is an adaptation of the work of Kuznets in “Economic Growth and Income Inequality” to environmental issues. For Simon Kuznets, when countries are very poor, they prioritize investments in infrastructure and natural capital. It is only when they have reached a sufficient level of economic development that investment in human capital, or what we may call human development, becomes the priority instead of infrastructure or natural capital (Kuznets 1955).

The role of inequality in Simon Kuznets’s hypothesis is that of the environment in the Environmental Kuznets Curve hypothesis. In a context of scarce economic resources, countries invest as a priority in everything that can bring growth. In this context, poor countries have few resources to devote both to satisfying the basic needs of people and at the same time protecting the environment. Protecting the environment can be costly at two levels. If protecting nature means saving an ecosystem or a rare animal species, and if doing so will need public funding, it would be difficult to explain prioritizing the ecosystem or a river while people are still starving. A good example of this is Lake Chad<sup>3</sup>. We simply cannot use scarce financial resources to protect rare species or ecosystems instead of addressing basic human needs - except if we consider non-human beings as moral persons - the fight against poverty in poor countries certainly clashes with the fight for environmental protection. In an indirect way, protecting nature may imply limiting access to natural resources. But natural resources represent an important – if not the unique – source of funds for some developing countries. Not using or selling trees will certainly be good for the environment, but bad for poor people and countries. The example of the Congo Basin, the second most important forest reserve in the world, illustrates that tension. It plays a role in regulating pollution by absorbing greenhouse gases. But it also represents an important economic opportunity for the poor countries, because of the fiscal resources provided by timber companies which exploit the forest. Protecting the Congo Basin, by ending the exploitation of its trees, would mean giving up an important source of funds in countries that do not already have enough. Since it would be unacceptable to let people starve or neglect their care when countries could sell trees to satisfy these critical needs, the fight against poverty will once again face high non-compliance with demanding environmental standards.

To explain why in poor countries ecological concern can only be secondary in the fight against the imperative of poverty, some additional arguments can be marshalled

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3] The example of Lake Chad is quite instructive in this regard. Lake Chad is essential to twenty million people from Chad, Cameroon, Nigeria and Niger, which are adjacent to it. If it disappears, the consequences will be dramatic at the environmental and economic level. To save Lake Chad, several million dollars are needed. Even if they could benefit later, these poor countries surrounding Lake Chad currently have few financial resources to devote the same amount to the environmental emergency that the disappearance of Lake Chad represents and to the basic needs in terms of the education and health of their poorest populations.

here. The first refers to psychology and connects ecological awareness with the level of poverty. When basic needs of poor people or states are not met, then all other considerations are secondary<sup>4</sup>. Therefore, we can deduce the empirical claim that the desire for some economic growth that will fill basic needs will always be stronger than environmental awareness in poor countries. The second relates environmental awareness to education. Environmental awareness is generally proportional to people's educational level. The more educated people are, the better they are aware of the risks of environmental degradation<sup>5</sup>. The argument of the correlation between environmental awareness and education level is similar to the correlation between the level of education of women and the number of children in family planning policies. It is not always true, but more often than not, well educated women generally have fewer children. Thus, education can play an important role in the emergence of an ecological conscience, partly necessary for environmental protection. However, education itself requires substantial financial resources in terms of infrastructure and recruitment of qualified staff. But these resources are already insufficient in poor countries. Poor countries are trapped by the egg and chicken syndrome. The lack of financial resources prevents states from educating all their citizens, and it impacts the ecological awareness of individuals negatively and leads poor countries to have lax environmental policies. Therefore where the level of education is also low, because of the lack of financial resources, it will be difficult to educate people and to protect nature at the same time.

When we look carefully at the Environmental Kuznets curve assumptions, those who argue for it do not say that development necessarily clashes with environmental protection, but simply argue that in a context of severe poverty, as is the case for most developing countries, it is almost impossible to fight against poverty and protect the environment at the same time. As part of production, pollution becomes a necessary condition of the survival of the poor. Poor countries simply cannot give the same priority to environmentally virtuous policies and those promoting economic growth. They necessarily sacrifice the former to the latter.

Another worry concerns international competition that may affect the desire of poor countries to protect nature. The idea that strong environmental protection would be economically suicidal emerges, as we can see, from the failure of the recent international

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4] *In Poor Economics. A radical rethinking of the way to fight global poverty*, Abhijit V. Banerjee and Esther Duflo thinks otherwise. They show how poor people may be concerned by some other needs when they do not have enough to eat or are preoccupied with their health. But saying that someone in Morocco who does not have enough to eat but buys a television may be controversial. First, if he can buy a television, it means that he necessarily has enough to buy his food, since food is cheaper than television. Second, if someone can buy a television, it means that he has the choice between sacrificing maybe his food for a period to improve his leisure. Leisure is also part of well-being. But, in extreme poverty, it is quite impossible to buy a television or even to have a choice between less food in the short term and leisure in the long term. When in extreme poverty, people cannot prioritize their needs.

5] This is not always true. For example, we know that rich countries are responsible for the most significant part of anthropogenic emissions and therefore pollute more than poor countries.



climate conferences. Being environmentally virtuous, many think in poor countries, will lead them not to be economically competitive in the absence of a global agreement. Poor countries need investors to generate growth and to fight against poverty. That is why, in most poor countries, it is estimated that economic competitiveness necessarily goes together with lax environmental laws, since the poor countries that tried to be environmentally virtuous would face competition from other less virtuous poor countries. And this will be detrimental both to economic growth and for environmental protection. The issue of competition impacting significantly on the competitiveness of states is even more crucial for the environment since nature is a shared resource. A state which tries to be environmentally virtuous will suffer from the harmful consequences on nature of non-virtuous states as well. In this regard, a poor and environmentally virtuous country will face a double jeopardy: losing ground on economic competitiveness vis-à-vis the others states, but also sharing the burden of adverse effects of a damaged environment. Therefore, we can acknowledge that international economic competition has made the situation more complex for poor countries. Poor countries wishing really to protect the environment are exposed to the risk of unfair competition, both among themselves and between them and developed countries. It is extremely difficult or quite impossible in that context for poor countries to deal with strong environmental protection.

But, if what has been said is true, this would lead to some normative impasses. One would probably be to justify an absolute right for poor countries to pollute as much as the rich on the grounds that their poverty is morally unacceptable. Since development is the reduction of poverty, then all that can be done to achieve this aim will be legitimate. In other words, the end justifies the means. This point of view appears to be highly problematic, as Miller (2008) rightly pointed out. However, if the right to development cannot always justify a right to pollute, at least because poor countries should mitigate climate change or limit exploitation of some natural resources as part of their moral obligations towards future generations, or because this can seriously jeopardize life on the planet and compromise their own development, does that mean they should give up their right to some economic growth? Can we reduce this tension?

There are at least two possible ways to reduce these tensions that cannot be solved completely and to show that, even for poor countries, legitimate aspiration for economic growth should not necessarily be opposed to environmental protection. First, in a normative sense, the tension can be reduced if we distinguish between subsistence pollution and luxury pollution, as Henry Shue (1993) suggests and considers that subsistence pollution is indispensable for economic development. Subsistence pollution symbolizes the inevitable degradation of nature for survival needs. These are inescapable emissions without which human life will degrade dramatically. Not all negative consequences for nature or on future generations constitute a wrongful harm. (Gosseries 2004, 43) Environmental degradation is not necessarily problematic as not all inequalities are necessarily unjust. Even if some emissions negatively impact nature, they are not necessarily harmful when they are essential to every person's life. Subsistence emissions

are emissions poor countries cannot simply do without. On the other side, luxury emissions are those which are not indispensable to the individual's survival, those that could be reduced without endangering significantly their standard of living or without falling under the threshold level. The former are essential and therefore compatible with economic growth and the second are not essential and are therefore incompatible with sustainable economic growth. With this distinction in mind, the right to development of poor countries that leads to a certain economic growth up to a threshold of sufficiency could go hand in hand with some environmental laxity. Since not all environmental laxity is morally problematic, the normative tension between economic development and nature protection can be reduced. However, the problem with Shue's normative distinction between subsistence and luxury emission is that it is very difficult to establish. It seems difficult to reduce or to solve this type of tension by using an imprecise device, even if one understands its moral sense.

Second, this tension can also be resolved if we can find a fair deal or a just agreement between rich and poor countries. We must think of a compromise between rich and poor countries if we don't want international economic competition to be detrimental to poor countries which cannot simply push up their environmental awareness since they need foreign investments to increase economic growth and well-being. This is legitimate. Knowing this, the most important effort for the protection of the environment must come specifically from rich countries, not from poor ones. Since the environment is common property, at least when it comes to the atmosphere, there is a need for shared responsibility to protect the environment. Rich countries must take the largest share. Rich countries have the moral obligation to significantly reduce their emissions, implement economic degrowth and fund initiatives that will help poor countries to use more and cleaner energy in order to emerge from poverty. Henry Shue makes a relevant claim when he says:

The need to reduce emissions, not merely to stabilize them at an already historically high level, is only part of the bad news for the industrial countries. The other part is that the CO<sub>2</sub> emission of most countries that contain a large percentage of the human population will be rising for some time. I believe that the emissions from these poor, economically less-developed countries also ought to rise insofar as this rise is necessary to provide a minimally decent standard of living for their now impoverished people. This is, of course, already a (very weak) judgment about what is fair: namely, that those living in desperate poverty ought not to be required to restrain their emissions, thereby remaining in poverty, in order that those living in luxury should not have to restrain their emissions. Anyone who cannot see that it would be unfair to require sacrifices will not find anything else said in this article convincing, because I rely throughout on a common sense of elementary fairness. Any strategy of maintaining affluence for some people by keeping other people at or below subsistence is, I take it, patently unfair because so extraordinarily unequal – intolerably unequal. (Shue 1993, 42)

To summarize, it should be said that economic growth clashes with environmental concern in developing countries, even if the distinction between subsistence pollution and luxury pollution can reduce that tension at a normative level. And being ecologically

virtuous may lead to economic suicide for developing countries. International agreements on climate change, for example, must take seriously the fact that fairness morally obliges rich countries to take the lion's share and help poor countries to find alternative means to enjoy a sufficientarian economic growth. Economic development as sustainable development appears to be compatible with subsistence pollution, but not with luxury pollution. Since developing countries have the right to economic growth, they also have the right to pollute. But their right to pollute would be limited to what is necessary to emerge from poverty insofar as they are being helped by rich countries. But this conclusion must be relativized at least because poor people and poor countries are the most vulnerable to failure to protect nature. This leads us to the second question.

The second question can be formulated as follows: given that the poor are the primary victims of environmental degradation, can we say that strong environmental demands necessarily benefit them? Many facts show that the poor are the first to suffer from a lack of environmental protection. For example, it is in areas where poor and vulnerable people live that states tend to be less demanding in terms of compliance with demanding environmental standards. Most of the time, when companies are looking for sites to dump toxic waste, it is to those inhabited mostly by the poor and vulnerable they look first. That is what happened with the Probo Koala case<sup>6</sup> in which many toxic chemicals were dumped in poor neighborhoods of Abidjan in 2006 by the Dutch company Trafigura Beheer BV (Denoiseux 2010). One could also mention the case of Nedlog Technology Group Inc. Of Arvada, Colorado who in 1980 offered \$ 25 million to the President of Sierra Leone Shiaka Stevens to be allowed to fly toxic waste from the USA into his country (Richards 1980). Exporting hazards to developing countries has been part of the Western multinational agenda (Shue, 1981). When the environment deteriorates sharply, the fate of the poor is worse than the rich. On the other hand, even when all of a given population is seriously affected by environmental degradation, it appears that the poor have fewer financial resources than the rich to deal with the situation, either for access to care, or to leave an uninhabitable area, as happened in Fukushima. Even when an entire population is affected by the consequences of a lack of strong environmental protection, there would still be unequal access to health care, housing, etc. between rich and poor. And this is not good for development understood as human development. It seems therefore as if development will remain unachieved without protection of environment. Development is not achieved when the focus lies merely on economic development and where human development is neglected and vice versa. Given the foregoing hypothesis, one may think that protecting the environment so strongly will primarily benefit the poor. However, this is not always the case. Contrary to what one may think, many cases show that strong environmental protection worsens the purchasing power of the poor while increasing inequality. Two examples are sufficient to illustrate that: the Conservation Refugees issue and that of organic food.

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6] See Riendeau 2012.

If strong protection of the environment, on the one hand, means creating great national parks, it may violate the fundamental rights of indigenous peoples. Protecting nature can indeed strongly destabilize the lifestyle of some populations. This is what happened recently in Kenya, where in order to combat abusive and uncontrolled logging in the Mau forest, government authorities decided to deport everyone, against their will, including the Ogiek communities who had been living there for centuries (Calas 2009). This type of attitude of the Kenyan government has led to the phenomenon of Conservation Refugees, forcefully highlighted in recent years by Mark Dowie in *Conservation Refugees: The Hundred-Year Conflict between Global Conservation and Native Peoples* (2009). The Conservation Refugees are native or indigenous, poor and vulnerable people forcibly displaced by their own governments, without any financial compensation, in order to create areas of conservation, biodiversity reserves or national parks. Their number is now estimated at more than 14 million in Africa alone. But if these projects to protect nature may have the appearance of being environmentally virtuous, it is clear that the consequences are harmful and unfair to poor and indigenous populations whose human rights are ignored in favor of economic interests, or as Mark Dowie said to serve the whims of some apparently pro-environmental Western civil society. Although one might imagine that national reserves can earn foreign exchange through tourism, thus contributing to economic development of a country and thus reducing inequalities, it seems clear that these examples are typical cases where strict environmental policies are not favorable to the most vulnerable people and their fundamental rights. If a pro-environmental policy, on the other hand concerns the implementation of environmental standards in terms of organic food, it may also serve to increase inequalities and lower the purchasing power of the poor. It is today the case with organic food, high quality food and less polluted to the extent that some toxic chemicals are not used to produce it and therefore better than non-organic food for well-being and health. But if this food is less polluted than its non-organic counterpart, it is also more expensive and therefore more inaccessible to the poor. Protecting the environment that way can lead to less polluted food, but may worsen the situation of the poor.

If the poor are the first to suffer from environmental degradation, they are not necessarily also the first to benefit from pro-environmental policies. So when we think about the relationship between the environment, poverty and inequality, it is important to note that even if a substantial degradation of the environment is always detrimental to the poor, this does not mean that every strict pro-environmental policy will automatically be favorable to them. In this sense, a pro-environmental policy that would make development possible must not worsen the economic situation of the poor, or increase inequality, unless increasing inequality would benefit the worst-off (Rawls 1971). An example of this type of pro-environmental policies that directly benefit the poor while decreasing inequalities is the Green Belt Movement initiative of Wangari Maathai, a movement that is strongly involved in reforestation in Kenya while at the same time allowing many women to be

employed. It was thanks to this initiative that Wangari Maathai won the Nobel Peace Prize.

On the whole, protecting the environment can have two opposite impacts on the poor: if it is synonymous with reducing pollution and neutralizing its harmful consequences, then it can be good for the poor. If it stands for the establishment of national parks or building standards for the production of organic food then the risk of increasing inequality and poverty may be even greater. Therefore, it is essential, whenever possible, to favor environmental policies that improve the situation of the most vulnerable and poor. Without this constant attention to the plight of the most disadvantaged in the choice of certain ways of protecting environment, development in human as well as economic aspects would simply be unachieved and will necessarily clash with ecological concerns. For development to be completely possible in a pro-environmental context, protecting nature should always adapt to the fight against poverty and to the protection of basic freedoms.

To summarize, the tension between development and environmental protection comes more often than not from the fact that we do not make a clear distinction between two approaches of development (economic and human) and do not take the diversity of the way of protecting the nature seriously. More often than not, African leaders talk of economic development and not of human development. When they talk of environmental protection, they do not make a clear distinction between reducing pollution and reducing the exploitation of their natural resources. If it is true that some conceptions of development may clash with some aspect of environmental protection, it is also true that other approaches of development cannot be achieved without ecological-friendly policies.

### III. CAN DEVELOPMENT BENEFIT FROM DEMANDING ENVIRONMENTAL STANDARDS?

One question to ask is whether strengthening environmental policies can avoid worsening the plight of the poor, another whether it can substantially improve it. If development and environment can collide in many ways in developing countries, we must not forget that the protection of the environment can also be a real opportunity to improve both the economic growth and fair institutions. In that perspective, the right to development can become an argument in favor of demanding environmental standards, especially in many developing countries which are poor economically but rich in natural resources. Hence this question: knowing that the political system has a greater impact on economic growth than the natural resources of a country, can any strong environmental protection that would consist in a poor country in restricting access to its natural resources improve the quality of the political system and then be beneficial for economic and human development?

To explore this possibility, it is important to use the idea of the paradox of plenty, better known under the terms of either the “resource curse” or the “Dutch disease.” According to this paradox, countries with significant natural resources are curiously often those who

are least competitive and poorer in economic terms, and politically the most unstable and authoritarian. If the example of the Netherlands who gave their name to this syndrome attests to the fact that this empirical hypothesis may in part be true in rich countries too, it is the poor countries which are most exposed to this reality. The case of the Democratic Republic of Congo is by far the most challenging. Although one of the richest countries in natural resources, it remains economically one of the poorest countries in the world and, in human terms, one of the countries where human rights are the most violated.

This resource curse hypothesis shows how strong some aspects of environmental protection would be both beneficial to the environment, political institutions and economic growth. For this to happen, there must be a strong link between some aspects of environmental protection and limitation of access to natural resources, and between this limitation and the political system, and finally between the political system and economic growth. Let us examine each of these links.

First, what about the link between protecting the environment and limiting access to natural resources? Protecting nature, as we have said, can have many aspects (Gosseries 2008). One of them is limiting access to natural resources. If the exploitation of natural resources that contributes to our survival is inevitable, excessive exploitation of natural resources can in turn become a threat to our survival. Hans Jonas (1990) has shown the danger for humanity of the negative impact on the environment and the abusive exploitation of natural resources. This danger is twofold. On one hand, the exploitation of certain resources causes an immediate impact on the environment. For example, extensive use of trees or wood not only deprives the world of essential oxygen through the transformation of CO<sub>2</sub>, but also contributes to the degradation of soils. On the other hand, exploiting natural resources may indirectly impact environment in a worse way. This is the case for most fossil fuels, especially oil. The use of oil generates significant greenhouse gas emissions that are the main threat to the ozone layer and primarily responsible for global warming that threatens the planet. Many experts (King 2005) therefore believe that strong environmental policies require reducing our dependence on natural resources and limiting the exploitation and consumption of oil and trees. So there is a clear link between environmental protection and limitation of access to natural resources. In other words, using less oil means emitting less greenhouse gases into the atmosphere; using less logging means increasing the capacity to absorb greenhouses gases. In both cases, limiting our adverse impact on nature to what is necessary for a sustainable economy is necessarily good for the environment.

Second, what about the link between limiting access to natural resources and political institutions? To explain this relationship, one might ask the following question: how can we understand that such countries as Nigeria, Sierra Leone, Saudi Arabia and Angola, very rich in natural resources, are far poorer than countries such as Japan, South Korea, Taiwan, Hong Kong or Singapore extremely poor in natural resources? For Mehlum Halvor, Karl Moene and Ragnar Torvik (2006), the answer lies in the quality of political institutions. They show that nations rich in natural resources have a different

fate depending on whether their political institutions use or redistribute resource rents for those who produce wealth or in favor of what they call unproductive grabbers:

The distinction we make is between producers friendly institutions, where rent-seeking and production are complementary activities, and grabber friendly institutions, where rent-seeking and production are competing activities. Grabber friendly institutions therefore easily divert scarce entrepreneurial resources out of production and into unproductive activities as a result of natural abundance. With grabber friendly institutions there are gains from specialization in various sort of unproductive influence activities, while there are extra cost of production activities due to discretionary power and favoritism. Typical feature of grabber friendly institutions are a weak rule of law and a high risk of expropriation, malfunctioning bureaucracy and corruption in the government". (Mehlum, Moene & Torvik 2006, 2-3)

In countries like Nigeria or Saudi Arabia, the state is simply not democratic or fair. And that is why, even though they are rich in natural resources, economic and human development is less important than in Japan or Hong Kong. This approach is also shared by many economists such as Humphreys, Sachs and Stiglitz (2007) that emphasize the political foundations of the paradox of plenty (Wright & Czelusta 2004).

Third, what about the link between democracy, fair institutions and economic growth? Jeffrey Sachs asserts that countries which are victims of the resource curse are those where the economy is mostly based on funds from natural resources and are de facto unable to be funded through taxes. In recalling the assumption that the political system is more crucial for development than natural resources, he shows the combination of two factors that will necessarily have positive effects if a country reduces its dependence vis-à-vis natural resources. To escape the curse, a poor country needs to diversify its sources of income. In other words, it must cease to derive most of its revenue from oil and mining resources or forestry. Indeed, in most countries that have very few natural resources, it is through taxation that states fund public policies. In countries rich in natural resources, the state will tend to count on its natural resources to fund public policies and will not have a direct interest in taxing people. This will have at least two adverse consequences. First, citizens, when they have no tax burden or only a light one, are less concerned about the management of their contributions. The second is that those who benefit significantly from oil and mining revenues, including government leaders, will try at all cost to maintain their privileges which will lead to neutralizing any attempt to challenge their practices. To maintain their privileges, governments of rent-seeking states tend then to strengthen the armed forces in order to maintain their own populations in poverty and dependence. It is in partly why, as Wantchekon shows (2000), these countries rich in natural resources are generally also the most authoritarian ones.

On the other side, countries poor in natural resources will be forced to rely on taxes paid by the labor of their citizens, and this will necessarily introduce a new type of relationship between citizens and leaders. In this context, provisionally restricting access to natural resources will force the state to raise taxes and thus depend on its citizens and not on its resources. This has two potential positive consequences. First, at the economic

level, the state will increase economic growth by diversifying its economy. It will therefore escape the economic difficulties faced by states which rely primarily on natural resources. A high dependence on natural resources usually leads to a lack of attention to other sectors of the economy, making it less competitive. This attitude can affect the exchange rate between currencies and depreciate the competitiveness of a state in the international market. This is what happened with the Netherlands as opposed to Norway. But a state that depends only on its natural resources and does not diversify its economy will also be more vulnerable to instability and volatility of the international prices of natural resources. On the political side, raising tax will encourage more transparency and democracy. In fact, by raising taxes, the state will depend on its citizens who will suddenly be more vigilant about how their taxes are being used. By shifting the dependence from natural resources to citizens, this will also change the relationship between rulers and citizens. The rulers will be forced to demonstrate accountability on the way money is spent and this will compel them to be transparent, but they will also need the adherence of citizens and this will foster the emergence of democracy. This is how economic and human development could benefit from strong protection of the environment.

To strengthen this argument, we can also mention what Amartya Sen said about the impact of political institutions in economic growth. In his famous book *Poverty and Famine*, Sen argues that fair and democratic political institutions are more important for the development of a country than its natural resources, a fact well-illustrated by what happened with famines in Bengal. Famines were not caused by a lack of food, but by the fact that people did not have equal access to some basic capabilities. A context of abundance can be beneficial to all only if there are fair and democratic institutions that can ensure the just distribution of income. In this sense, economic development primarily depends on the just and democratic character of the institutions and is secondary to other resources.

What emerges from these different links is that the development of poor countries can benefit from some ecologically-friendly policies. If a poor country restricts its access to natural resources, it strongly protects the environment either by stopping the exploitation of trees that help regulate pollution or by stopping the exploitation of oil that helps reduce pollution. By reducing logging and oil exploitation, it would be obliged to diversify its economy and to count on taxes paid by citizens. Being less dependent on its resources will be good for economy and being more dependent on its citizens will increase transparency and democracy. Democratic management of natural resources will be used optimally and distributed fairly. It is only in that context that environmental virtuous policies will contribute both to the fight against the deprivation in terms of basic needs and rights.

#### IV. CONCLUSION

This paper defends three claims. First, the right to development of poor countries should be understood as the right to fight against poverty through sustainable economic



growth (economic development) and to fight for the protection of basic freedoms through the establishment of just and democratic institutions (human development). In the words of Amartya Sen, people who live in material abundance but who lack basic freedoms cannot be considered developed (Sen 1999). Second, the right to development of poor countries can clash with strong environmental standards if we do not take the diversity of the protection of nature and different approaches of development seriously. Third, unlike the poor countries leaders' argument against strong environmental policies which is only partially right, the other part of the truth is that the right to development of poor countries can be strengthened by environmental considerations. The limitation of access to natural resources can positively impact on the type of regime and contribute to economic and human development. Therefore, even if it actually happens that the right to development in poor countries may justify non-compliance with stringent environmental standards when they endanger the lives of the poor and violate the human rights of the most vulnerable, we must never forget that on closer inspection, strong environmental protection could make poor countries richer, democratic, and fairer.

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