4 Sustainable Development, State Sovereignty and International Justice

Andreas Føllesdal

4.1 INTRODUCTION

The right to development gained broad attention in the mid-1980s: the UN recognised a human right to development in 1986, and the World Commission on Environment and Development presented its conclusions regarding sustainable development in 1987.

The Commission, chaired by Gro Harlem Brundtland, declared that sustainable development is an overriding requirement for national and supranational institutions. We must promote ‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs’ (WCED, 1987:43). The Commission goes on to address conflicts between the claims of today’s poor and tomorrow's environment. To be sure, the environment often improves with the eradication of poverty: ‘Poverty reduces people’s capacity to use resources in a sustainable manner; it intensifies pressure on the environment’ (WCED, 1987:49). But sometimes these goals appear to conflict, and people have different views: citizens in richer countries give priority to conserving the environment rather than to promoting economic development in other states. On the other hand, the governments of China, Brazil and India and many developing countries claim that they must give priority to their economic development, above environmental considerations. The Commission holds that in conflicts between the basic needs of the world’s poor and environmental concerns, basic needs should be given priority.

Another area of conflict arises between environment, development and traditional conceptions of sovereignty. In exchange for accepting the Montreal Protocol’s requirement for removing ozone-damaging substances, developing countries have demanded economic support from other countries. Such claims may merely be requests for side-payments in the bargain, but they may perhaps also be well-founded claims within a more just world order: that there are international obligations of aid to alleviate conflicts between human rights and development.

The present chapter seeks to elaborate and justify these claims of priority of basic needs over environment and sovereignty. It also holds that development
strategies should secure the basic needs for today's poor through respecting human rights – if necessary at the expense of protecting the environment. Moreover, such development strategies may require international aid with ties, contrary to traditional conceptions of state sovereignty.

Some might claim that the concept of sustainable development is diluted by mixing it with considerations of global justice (for example, Amundsen et al., 1991:7). Two responses are in order. Firstly, if sustainable development is to serve not only as one of several conflicting ideals, but as an overriding requirement for legitimate regimes and national policies, the norm must be specified in a defensible way which warrants its priority. Not to do so leaves the application of the slogan open to intuitionist weighting, both in day-to-day politics and in administration and adjudication. Secondly, if sustainable development is indeed to be put forward as an overriding requirement, the argument presented here insists that such policies must secure the basic needs of all. It is inconsistent with the equal worth of all humans to advocate sustainable development to the detriment of individuals' survival, or to accept that people alive today should be sacrificed for the sake of future generations. This is unacceptable when there are alternatives – namely that existing inequitable regimes and social institutions must be changed.

Section 4.2 outlines aspects of a theory of justice providing a systematic perspective for addressing these concerns. Section 4.3 defends the Primacy of Human Rights for development strategies. Section 4.4 addresses the conflicts between human rights and development, while Section 4.5 discusses conflicts regarding human rights and sovereignty. Industrialised countries have obligations towards developing countries where necessary for ecologically justifiable development strategies that also respect human rights. But international aid need not be unconditional: it may be necessary to influence internal conditions in developing countries through economic pressure. Section 4.6 reflects on some principled objections against the Primacy of Human Rights. We consider an alternative, the Primacy of the Environment, sometimes argued by deep ecologists, which holds that environmental concerns should be of primary importance in the choice of development strategies, and if necessary at the expense of today's poor. A complete rebuttal of this view is beyond the scope of this chapter. The aim is rather to identify the issues of disagreement.

4.2 ON JUSTICE

Political authorities regulate, directly and indirectly, many of the factors that influence both our lives and those of future generations. The conflict between those starving today and the environment of tomorrow arises within specific