

# The Negative Paradigm of Sustainable Development Is...

## I. Critical of Free Market Economics

Since the release of the Club of Rome's 1972 report entitled, *Limits to Growth*, self-styled development specialists and ideological environmentalists have endeavored to replace the post-WWII development paradigm which they disparagingly refer to as "frontier economics", suggesting the sense of unlimited resources that characterizes a society with an open frontier."<sup>1</sup>

Limits to Growth focused primarily on the negative social and environmental dimensions (problems) of economic development. It warned that the ever-expanding population in developing countries and the unrestricted exploitation of natural resources (renewable and nonrenewable) by developed countries to satisfy continued economic growth together would result in irreversible damage to the Earth's global ecosystems.

"[It] suggested that economic development and population growth were on a path that would eventually strain the earth's 'carrying capacity' (the total population that the earth's natural systems can support without undergoing degradation)."<sup>2</sup>

As a solution, the report advocated population (fertility) control and a slow-down of national and global economic growth.<sup>3</sup>

The negative *Limits to Growth* perspective was later incorporated into the 1987 Report of the World Commission on Environment and Development entitled, *Our Common Future*. The 'Brundtland Report', named after then Norwegian Prime Minister Gro Harlem Brundtland, posited the term 'sustainable development' as an alternative paradigm to the post-WWII social and economic order, which it criticized as promoting development that failed to reconcile present and future environmental and social needs. In effect,

"The sustainable development paradigm assumes the need for greater equity not only between wealthy and poor nations but also within societies and between generations (intergenerational equity)... [According to its proponents,]... future generations have an equal right to use the planet's resources."<sup>4</sup>

As a matter of environmental protection, consistent with Principle 4 of the Rio Declaration on Environment and Development,<sup>5</sup>

---

<sup>1</sup> See: Gareth Porter, Janet Brown and Pamela Chasek, *Global Environmental Politics* 3<sup>rd</sup> Ed. (©2000), at p. 22

<sup>2</sup> Id

<sup>3</sup> "...[S]ustainable development can only be pursued if population size and growth are in harmony with the changing productive potential of the ecosystem." World Commission on Environment and Development, excerpt from *Our Common Future* (Oxford University Press, Oxford, 1987), reproduced in The Globalization Reader, Frank J. Lechner and John Boli, Eds., at p. 380.

<sup>4</sup> Id.

<sup>5</sup> Principle 4 of the Rio Declaration on Environment and Development states that, "In order to achieve sustainable development, environmental protection shall constitute an integral part of the development

“The sustainable development paradigm emphasizes the need to redefine the term development. It posits that *economic growth cannot continue to take place at the expense of the earth’s natural capital (its stock of renewable and nonrenewable resources) and vital natural support systems such as the ozone layer and climate system. Instead, the world economy must learn to live off its ‘interest’*. That means radically more efficient energy use that is, reducing the amount of energy used per unit of gross national product and shifting from fossil fuels to greater reliance on renewable energy sources over the next several decades. It implies a rapid transition to sustainable systems of renewable natural resource management and stabilizing world population at the lowest possible level...*Highly industrialized countries such as the United States, which now uses a disproportionate share of the world’s environmental resources, are seen as pursuing economic growth that is inherently unsustainable, as are societies in which the distribution of land and other resources is grossly unequal...*” (emphasis added).<sup>6</sup>

Taking a decidedly **negative** tone against the ‘moral’ excesses of continued economic expansion and borderless commerce, advocates of this sustainable development paradigm

“presume[] that poverty, environmental degradation, disease and other [social] problems afflicting the world are predominantly caused by, and therefore are the responsibility of, wealthy countries.”<sup>7</sup> And, to remedy this problem, advocates call for the reexamination of “basic attitudes and values in industrialized countries regarding the unnecessary and wasteful aspects of their material abundance”.<sup>8</sup>

“[...P]eople in the rich world consume too great a proportion of the world's resources and emit too great a proportion of the world's pollution; they exploit people in the poor world by paying too little for coffee and bananas and by making them pay too much for pharmaceuticals. *The solution typically offered by those who follow this interpretation of 'sustainable development' is to impose outcome-oriented policies on people in wealthy countries: sweeping restrictions on the use of resources, wide-ranging interventions in the governance and behavior of multinational companies, and restrictions on international trade*” (emphasis added).<sup>9</sup>

In other words, this negative paradigm of sustainable development thus criticizes the perceived failings of free market capitalism and the shallow and misguided economic production and consumption (social) choices it encourages that are believed to pose significant risks both to human health and the environment.

“[C]ritics...see globalization as a juggernaut of untrammelled capitalism. They fear a world ruled by profit-seeking global corporations. They see economic interdependence [trade] as making countries more vulnerable to the destructive impact of market shifts. The *social fabric* – the ties between people all across the globe – is strained when winners in the global game become disconnected from losers. ‘By allowing market values to become all-important’, said George Soros, himself a significant player in world financial markets, in 1998, ‘*we actually narrow the space for moral judgment and undermine public morality...*Globalization has increased this aberration, because it has actually reduced the power of individual states to determine their destiny” (emphasis added).<sup>10</sup>

---

process and cannot be considered in isolation from it.” United Nations Conference on Environment and Development (1992).

<sup>6</sup> Id., at pp. 23 and 24.

<sup>7</sup> See: “Sustainable Development”, at:

([http://sdnetwork.net/page.php?instructions=page&page\\_id=195&nav\\_id=124](http://sdnetwork.net/page.php?instructions=page&page_id=195&nav_id=124)).

<sup>8</sup> *Global Environmental Politics* 3<sup>rd</sup> Ed., at p. 24.

<sup>9</sup> See: “Sustainable Development”, at:

([http://sdnetwork.net/page.php?instructions=page&page\\_id=195&nav\\_id=124](http://sdnetwork.net/page.php?instructions=page&page_id=195&nav_id=124)).

<sup>10</sup> *The Globalization Reader*, Frank J. Lechner and John Boli, Eds., at p. 7 (Blackwell Publishers © 2000).

It therefore seeks to lessen global production and consumption of ‘material things’, to require that the things we already have and the waste they and our daily economic activities create are utilized and disposed of in an environment-friendly manner. This is a problem faced both by the developed world and by the developing world.

Hence, this negative paradigm of sustainable development endeavors to redefine and govern the economic life of global society by altering national and individual production and consumption habits. As advocates of this sustainable development paradigm argue,

“The new paradigm points to the failure of markets to encourage the sustainable use of natural resources. Prices should reflect the real costs to society of producing and consuming a given resource, but conventional free-market economic policies systematically under-price or ignore natural resources. Public policies that do not correct for such market failure encourage over consumption and thus the more rapid depletion of renewable resources and the degradation of environmental services (...the conserving or restorative functions of nature, such as the conversion of carbon dioxide to oxygen by plants and the cleansing of water by wetlands)” (emphasis added).<sup>11</sup>

“This viewpoint [thus] suggests, although not always explicitly, the need to impose some limits on total worldwide consumption.”<sup>12</sup> “Sustainable global development requires that those who are more affluent adopt lifestyles within the planet’s ecological means – in their use of energy, for example.”<sup>13</sup>

## II. Critical of Risk-Based Science and Economic Cost-Benefit Analysis

Proponents of this negative sustainable development paradigm have collectively decided that the best way to achieve sustainable development is through broad and stringent regulation and product standardization that has extraterritorial impact. In effect, they advocate that “*centralized control* over the use of resources is necessary in order to prevent humans from depleting the stock of resources below a level that would enable people in the future from living in as pleasant manner as the current generation” (emphasis added).<sup>14</sup> And they have determined that the most efficient way to secure such centralized control is through establishment of an international treaty and regulatory regime that is binding on all nations and premised on an evolving European non-scientific touchstone known as the *Precautionary Principle*.

---

<sup>11</sup> *Global Environmental Politics* 3<sup>rd</sup> Ed., at p. 24.

<sup>12</sup> *Id.*, at p. 23.

<sup>13</sup> World Commission on Environment and Development, excerpt from *Our Common Future* (Oxford University Press, Oxford, 1987), reproduced in *The Globalization Reader*, Frank J. Lechner and John Boli, Eds., at p. 380.

<sup>14</sup> See: “Sustainable Development”, at:

([http://sdnetwork.net/page.php?instructions=page&page\\_id=195&nav\\_id=124](http://sdnetwork.net/page.php?instructions=page&page_id=195&nav_id=124) ).

The precautionary principle is essentially a ‘better safe than sorry’, risk-averse, social and political philosophy that has already assumed the status of regional law within the European Community. The precautionary principle focuses on intrinsic hazards rather than actual risks. It has been increasingly employed by regulators to identify and manage uncertain future risks to the global environment and human health and safety (EHS) that are potentially posed by modern agricultural and industrial activities and processes, substances, products and technological innovations. It favors banning or severely restricting certain substances, products and activities if it is merely *possible* that they or the processes used for their manufacture, formulation or assembly *might, sometime in the uncertain distant future, cause potentially serious health or environmental harm*. The precautionary principle is intended to serve both as a brake on current global economic development and as a catharsis to reform global societal production and consumption habits so that they become ‘sustainable’.

Pursuant to the precautionary principle, national government regulators need not prove objectively through empirical *scientific risk assessment* and actual human or environmental exposure data gathered from the field that a particular substance, product or activity is *likely to cause actual harm* within a specific period of time to a specifically identified group, population or ecosystem. Rather than focus on *actual risks*, precautionary principle advocates have argued that it is adequate to shortcut this scientific process and rely on *hazard assessment*. In other words, it is enough to simply identify a product or substance’s *inherently dangerous characteristics or intrinsically hazardous qualities* and to rely upon administratively created ‘risk profiles’ (presumptions of harm) categorizing broad classes of products or substances bearing similar ‘hazardous’ characteristics and qualities.

In addition, national and regional regulators who employ the precautionary principle have dismissed the need to undertake an economic cost/benefit analysis that is required by the Sanitary and Phytosanitary (SPS) and Technical Barriers to Trade (TBT) Agreements of the World Trade Organization (WTO) as a safeguard to ensure an equitable balancing of important societal interests, including those of industry. In sum,

“The Commission proposes that...*sustainable development [s]trategy...focus on a small number of problems which pose severe or irreversible threats to the future well-being of European Society: global warming...and climate change; severe threats to public health [e.g.]...antibiotic resistant strains of some diseases, longer term effects of the many hazardous chemicals currently in everyday use, increasing threats to food safety...loss of biodiversity...Many of the challenges to sustainability require global action to solve them...To achieve sustainable development requires changes in the way policy is made...Sustainable development should become the central objective of all sectors and policies...To assess proposals systematically better information is needed... However, in line with the precautionary principle, lack of [scientific] knowledge must not become an excuse for lack of action or for ill-considered action” (emphasis added).<sup>15</sup>*

### III. Critical of the WTO Agreements

---

<sup>15</sup> “Communication from the Commission – A Sustainable Europe for a Better World: A European Union Strategy for Sustainable Development (Commission’s Proposal to the Gothenburg European Council)”, COM (2001) 264 final (5/15/01), at pp. 2-6.

Proponents of the negative paradigm of sustainable development also endeavor to reform the WTO institutions and to further inject highly subjective social and political considerations into international trade law.

“The EU wants a new WTO Round to have a strong environmental component so that trade and environment issues can be addressed and resolved...Trade and environment policies can enhance sustainable development...The EU wants a new Round to be especially attentive to areas where boosting trade can help sustainable development, for instance by producing environmentally-friendly goods...*The EU believes it is better to encourage sustainable production by providing greater market access for sustainably-produced goods, for instance, through...eco-labels which help consumers identify environmentally-friendly products...Policy makers apply the precautionary principle when scientific evidence regarding assessment of a risk to the environment or health is incomplete or contradictory*, though action is in the public interest...*Sometimes the potential risk is so great that we simply cannot wait until all scientists agree before acting*. The EU wants to ensure that WTO rules do not stop its members from taking *precautionary measures*” (emphasis added).<sup>16</sup>

“...[T]he WTO must be reformed...Its rulebook needs to be rewritten and civil society more closely involved so that environmental and social concerns can be considered alongside trade and development issues...In the EU’s view...a new round of WTO negotiations should...address a number of civil society concerns, by clarifying WTO rules on trade and the environmental agreements, labeling, public health and the *application of the precautionary principle*” (emphasis added).<sup>17</sup>

#### IV. Critical of Developing Country Economic Development Efforts

Lastly, proponents of this negative sustainable development paradigm evoke an earlier European colonial era by seeking to control how sovereign developing countries utilize and dispose of their natural resources. “The paradigm recognizes that developing countries must meet the basic needs of the poor in ways that do not deplete the countries’ natural resources.”<sup>18</sup> In effect, it assumes that “the interests of developing countries are better understood and managed by the developed world,”<sup>19</sup> and it endeavors to define for developing countries precisely how they should regulate against EHS risks and promote national economic growth and a higher quality of life for their citizens.

---

<sup>16</sup> Id.

<sup>17</sup> “Trade: Removing Barriers, Spreading Growth –The European Union: A Global Player”, The European Commission Delegation to Lithuania, at: ([http://www.eudel.lt/en/eu\\_global\\_player/trade.htm](http://www.eudel.lt/en/eu_global_player/trade.htm) ).

<sup>18</sup> Id., at p. 24.

<sup>19</sup> See: “Waste”, Sustainable Development Network, at: (<http://www.sdnetwork.net/waste.htm> ).