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The Right to Development

A Study of its Influence on International Development Policy under New Labour

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Abstract

This thesis will examine how the emerging concept of the right to development in international human rights has influenced the policy and practice of New Labour with regards to their international development work. It will focus on some of the main aspects which the right to development incorporates, such as partnerships and participation, and will examine how these principles have been established in the work of DFID. Its aim is to assess whether the changes in recent development policy and practice, under New Labour, have been the result of the creation of a right to development, or whether the corresponding changes in theory and practice can be attributed to other factors.

It will explore the existing literature on the right to development, the historical changes in British development policy, the incorporation of participatory and partnership methods into the work of DFID, and the relationship between security and the right to development.

The thesis will conclude with an assessment of the extent to which the changes in policy and practice under New Labour can be attributed to the emerging concept of a right to development, and its corresponding codification in the United Nations Declaration on the Right to Development, and offer suggestions of the effect that these findings may have on the concept.

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Introduction

This thesis will examine how the emerging concept of the right to development in international human rights has influenced the policy and practice of New Labour with regards to their international development work. It will focus on some of the main aspects which the right to development incorporates, such as partnerships and participation, and will examine how these principles have been established in the work of DFID. Its aim is to assess whether the changes in recent development policy and practice, under New Labour, have been the result of the creation of a right to development, or whether the corresponding changes in theory and practice can be attributed to other factors.

In order to establish the relationship between the right to development and UK practice, chapter one will firstly examine the context in which the right has developed and will highlight the theoretical and practical challenges with which it is faced. In doing so, the place of the right to development within the literature will be brought to light, thus noting the gaps that exist in the literature into which this thesis will fit. The emerging practice of other states with regards to the right to development will also be discussed, as too will the recommendations for implementation given by the Independent Expert on the right to development, as an indicator of the changes and patterns that we can expect to see in UK policy.

Before a full assessment of the relationship between the right to development and changes to UK policy can be undertaken however, it is necessary first of all to establish that changes have in fact occurred under New Labour. This will be done in chapter two, which discusses the historical practices in British development policy and the differences and similarities that these practices have with the current approach to development. The chapter will look in particular at the White Papers of 1965, 1973 and 1997 which serve to highlight both the underlying aims of policy makers and the way in which aid was to be administered.

Having established that changes have occurred under New Labour, and discussed what these changes were, chapters three and four will proceed to look at the incorporation of the main principles of the right to development into the work of DFID. Chapter three will concentrate on the issue of partnerships, discussing its relationship with conditionality, the general context in which it operates, and finally its incorporation into DFID's development programmes. Chapter four will continue in a similar way, looking firstly at the place of participation within development theory, and how it is understood by the international community. The chapter will then examine how New Labour is pursuing their goals by incorporating into their work participatory methods of development, and highlight the extent to which this method too helps to further the right to development project. In both chapters three and four an analysis of the effect that the incorporation of these two principles have had on development programmes will be made, looking at the theoretical and practical challenges that have arisen, as well as the successes that have been achieved since their incorporation into development policy and projects.

Chapter five will look finally at the relationship between the right to development and contemporary security concerns, focusing predominantly on the issue of terrorism. The chapter will establish whether security considerations have been the principle force behind changes to British development policy, rather than the inception of the right to development within the international community. The use of aid in the pursuit of foreign policy aims will come under discussion, alongside an examination of the effect that the September 11th attacks have had on both the pattern of aid giving and of development policy. The potential links between poverty and terrorism will also be discussed, as will the policy implications that such academic findings may have. Chapter five highlights the essential role that the right to development has in security considerations. Yet the discussion also emphasises the significant challenges that the right to development now faces and the potential for it to become obsolete if current security policy continue unchanged.

The thesis concludes with an assessment of the extent to which the changes in policy and practice under New Labour can be attributed to the emerging concept of a right to development, and its corresponding codification in the United Nations Declaration on the Right to Development, and suggestions are offered on the affect that these findings may have on the concept. The final hypothesis suggests that while obvious changes have occurred in British development policy, changes that appear to be based on those principles found in the Declaration on the Right to Development, they do not in fact stem from the Declaration on the Right to Development or from the notion of a right to development itself. It appears that, due to the lack of attention that the right to development receives in policy papers, the influencing factor on British development policy has instead been the same theories and ideas that led to the initial conception of a right to development. I argue however that, with emerging state practice that incorporates such similar principles, difficulties that are inherent in the Declaration can be addressed, and thus become a firm guideline for successful future development policy in which the right to development can be realised.

This research rests upon academic articles, government documents, and reports from newspapers, the United Nation and international NGOs. Both primary and secondary sources were examined in order to determine the main causes of those changes noted in the development policy and practice under New Labour. Using primary sources, such as government policy papers and DFID reports, ensured the accuracy of information about projects that had been undertaken and were currently being planned by the Department for International Development. They also provided, through the language they used, a good insight into the relationship with, and place of, human rights and the right to development within the development projects. Ministerial comments contained in these documents, on the aims of current development projects, were especially useful in assessing the motives behind the methods that were being introduced for project implementation. By relying upon a number of sources, from Government documents, to academic writings, newspaper

articles and records of personal experiences, the accuracy of the information provided was improved and a good overview of the opinions of all involved in the development process could be established. Thus, all of the relevant information needed to make a judgement about DFID's policy and practice, and the influence of the right to development, was available in primary and secondary sources. Textual analysis became therefore, the most effective research method for this particular area of research.

Chapter 1

The Right to Development in Existing Literature: Debates, Challenges and Recommendations

The right to development is embedded within many contestable theoretical positions. It relies on very specific understandings of human rights and economic theory, both of which have come under serious debate and challenge. The concept of a right to development itself has received sceptical responses, from both governments and commentators.

Therefore to understand the context in which development policy operates, and the practical and theoretical challenges it faces, this chapter will examine the different theoretical positions, and highlight the gaps that exist in the literature into which this research will fit.

Historical, Theoretical, and Practical Challenges

Statements such as that by President Roosevelt in his State of the Union Address 1944, in which he argued that true individual freedom was not possible without economic security and independence, show that those ideas that are at the centre of arguments on the right to development were at the core of the post war human rights movement.¹ Yet the development of this idea faced problems from the ideological and political split brought on by the Cold War. The end of post-war solidarity saw rights codified into two separate treaties, one for civil and political rights and the other for economic, social and cultural rights, instead of the unified covenant that was envisaged. What the right to development as conceived now in the Declaration does, is to unify these two sets of rights, and highlight how they are an indivisible and

¹ A. Sengupta. 'Realizing the Right to Development', *Development and Change* Vol. 31, No. 3 (2000) pp.553-578. p.553

interrelated set of human rights.² Thus, when viewed historically, the right to development can be understood as part of the natural progression of human rights theory, and can actually be seen as the eventual fulfilment of the original desires of human rights pioneers such as the Roosevelts.³

It is to this human rights grounding for the right to development that we should firstly turn for, as Forsythe in particular highlights, disputes about the origin and nature of human rights have not been settled, the notion of human rights is a contested one even amongst Western philosophers.⁴ He says:

*For Edmund Burke, the concept of human right was a monstrous fiction. For Jeremy Bentham, it was absurd to base human rights on natural rights because "Natural rights is nonsense...nonsense upon stilts." The contemporary philosopher Alasdair MacIntyre tells us there are no such things as human rights; they are similar to witches and unicorns and other figments of our imagination.*⁵

Forsythe continues in such a way demonstrating numerous questions that surround human rights, such as whether rights belong to the collective or the individual, whether certain rights are more fundamental than others, and whether rights can be economic, social and cultural as well as civil and political. He argues that every notion advanced with regards to human rights is a 'contested concept.'⁶

The disputes between the Western philosophical positions have laid the foundations for critical schools of thought. As Dower recognises, the most challenging of these

² Sengupta, *Realising the Right to Development* p.555

³ For a further discussion on the historical context of the right to development see Orford, in Alston's *People's Rights* 2001, and Sano, 2000

⁴ Forsythe, D.P. *Human Rights In International Relations*. 2nd Edition (Cambridge, Cambridge University Press, 2006) p.29

⁵ Forsythe, *Human Rights In International Relations* p.29

⁶ Forsythe, *Human Rights In International Relations* p.30-31

positions for a theory of universal human rights is the relativist view which contends that moral values are relative to cultures or societies. From this point of view, any overlap in values between cultures is not an indication of the existence of universal values but a reflection that two cultures are responding to similar needs in similar ways.⁷ This viewpoint is singled out as being especially problematic because, as will shortly be discussed, it is a position that is widely held and which often influences policy making. Dower criticises this viewpoint however, and makes a convincing case as to why this theory does not hold. He says, firstly, that this view portrays society to be a monolithic whole, thus, from this stance no sense can be made of minority views which see a cultural practice as being wrong. Secondly he says that this view provides no principled basis for interaction with other societies,⁸ yet living in a globalized world where the transfer of culture and ideas is a common part of our existence, we know that different societies can, and do interact with each other every day. Dower furthers this argument by recognising the fact that, for many people the significant communities to which they belong are ones of shared concern that cross national borders and are not defined in terms of territorial space.⁹ He also says that, within territorial boundaries, diversity in practices between cultures does not necessarily negate the idea of a universal set of values; it merely suggests that there can be different expressions of core values.¹⁰

One concern that does remain though is the challenging view that the human rights agenda is an attempt to impose the values of a particular culture onto the rest of the world. This has, Dower says, the implication that those advocating the specific set of moral values believe them to be superior to those of other peoples.¹¹ As Falk argues, this critical discourse is especially persuasive in postcolonial circumstances, as the promotion of universal human rights can be understood as primarily another pretext

⁷ Dower, N. *An Introduction to Global Citizenship* (Edinburgh, Edinburgh University Press, 2003) p.124

⁸ Dower, *An Introduction to Global Citizenship* p.126

⁹ Dower, *An Introduction to Global Citizenship* p.127

¹⁰ Dower, *An Introduction to Global Citizenship* p.126

¹¹ Dower, *An Introduction to Global Citizenship* p.128

for continued neo-colonial intervention.¹² A response to this challenge can also be made though. Many writers argue there are values that are common to the culture and teaching of different societies and religions. As Tomuschat notes:

*...Michael Walzer rightly speaks of a 'minimal and universal moral code' which is accepted on a worldwide level without any objections. This minimal code comprises, in his view, the prohibition of murder, of slavery, torture and genocide. In fact, in no country of the world do public authorities claim to be allowed to deal with the life, the freedom, and the physical integrity of citizens according to their arbitrary pleasure.*¹³

Brown believes that the human rights regime has not been effective, because of the unwillingness of rights activists to recognise these philosophical and cultural problems associated with their position.¹⁴ However, arguments within the literature suggest that it has been the practice of states that has been the challenge for universal human rights, and not just the contentions about the philosophical foundations of the idea. As Forsythe says, the dominance of the Western powers in international relations has meant that these states have been in a position to either advance or impede the application of human rights.¹⁵ Yet with what Forsythe sees as a widespread practice of realist foreign policy, the lack of commitment to human rights by the Western powers also acts as a challenge to the notion of human rights itself. Human rights become a foreign policy tool, used only when it affects states' own interests, thus undermining the ideas on which human rights is built; such as that of

¹² Falk, R.A. *Human Rights Horizons: Pursuit of Justice in a Globalizing World* (London, New York, Routledge, 2000) p.40

¹³ Tomuschat, C. *Human Rights: Between Idealism and Realism* (Oxford, Oxford University Press, 2003) p.81. For further discussion on; Relativism see Perry 1997, the philosophical foundations of rights see Raphael 1967; for more rights critiques see Campbell 2006; and for different cultural viewpoints on human rights see Brems, 2001

¹⁴ Brown, C. 'Universal Human Rights: A Critique' in Dunne, T. and Wheeler, N.J, *Human Rights In Global Politics* (Cambridge, Cambridge University Press, 1999) pp.103-124, p.121

¹⁵ Forsythe, *Human Rights In International Relations* p.35

the inviolability of humans.¹⁶ It also makes impossible the task of spreading human rights to all nations, when those leading the cause systematically abuse human rights themselves. A brief examination of the human rights record of Britain and the USA highlights this fundamental challenge to human rights. The USA continues to oppose international treaties that are designed to protect the rights of its citizens, such as the Convention on the Rights of the Child. Additionally, Forsythe says, the USA has found it increasingly difficult to play the role of leader in human rights after the 2001 September 11th attacks.¹⁷ Curtis emphasises this in his work with reference to the Red Cross Report (May 2004), which accuses US forces of brutality during custody, physical and psychological coercion during interrogation, and disproportionate force that resulted in death of prisoners in many of their detention centres.¹⁸ Similar accusations have been made with regards to Britain, over the detention of suspects in Belmarsh prison under new anti-terror laws. Amnesty International made reports of inadequate healthcare and restricted access to legal advice for inmates and the conditions within the prison were said to be cruel, inhumane and degrading.¹⁹

Similar realist attitudes, which prioritise national interests over human rights, can also be noted in the United Nation Security Council which, on many occasions has failed to take action on situations of violence when the major states did not see their narrow interests threatened. For example in the case of Somalia most of the military personnel were removed from the country when eighteen US rangers were murdered, despite the ongoing violence and need for assistance. This event also caused Washington to block the deployment of UN forces to Rwanda regardless of overwhelming evidence of the genocide. Thus, there is a significant and worrying gap between the resolutions and statements by states endorsing human rights, and the political will to make these statements effective.²⁰

¹⁶ Forsythe, *Human Rights In International Relations* p.36,51

¹⁷ Forsythe, *Human Rights In International Relations* p.48

¹⁸ Curtis, M. *Unpeople: Britain's Secret Human Rights Abuses* (London, Vintage, 2004)p.20

¹⁹ See D. Winterman, BBC News. 2004/10/06

<http://news.bbc.co.uk/go/pr/fr/-/1/hi/magazine/3714864.stm>

²⁰ Forsythe, *Human Rights in International Relations* p.60-63. This concern will be discussed further

Both the theoretical debates and the practice of states show the difficulties in establishing a set of universal human right norms. The existence of evidence within the literature, such as human rights abuses in the West, demonstrates how the case for universal human rights is weakened, and so too therefore is the foundational basis of the right to development. This raises many questions that will be discussed further in the course of the thesis. For example do the theoretical challenges to human rights prevent their application in state policy? If governments accept the idea regardless of the continuing theoretical debates, does the challenge to rights instead come from competing state concerns such as security? Do these challenges and the evidence of human rights violations render the idea of human rights obsolete? If not, do situations such as the war on terror suggest that some rights are suspended in order to fulfil others? If yes where does this leave our hopes for a right to development (considering especially the notion that this right acts as a unifying and integrating mechanism of other human rights)?

A New Economic Theory

While the concept of a right to development clearly grew out of the post-war human right movement, subsequent changes in economic theory have also had a significant impact on the way in which development is understood, and how the right has been formulated. As Udombana says 'with the adoption of the Declaration on the Right to Development, the international community questioned for the first time the idea that that the primary objective of economic activity was to improve economic and financial indicators.'²¹ To gain a deeper understanding of the theoretical issues that lie behind the right to development therefore, we must look beyond the literature on human rights to that on economic theory. The most influential writings for development thinking and policy, written from an economic perspective, have been

in chapter five.

²¹ Udombana, N.J. 'The Third World and the Right to Development: Agenda for the Next Millennium' *Human Rights Quarterly* Vol. 22, No. 3 (2000) p.770

those by Amartya Sen, who forms a new approach to development that expands our traditional understanding of the development process and whose work has had a great bearing upon the formation of the concept of the right to development. It is therefore both useful and necessary to look further at what Sen has achieved, and what limitations his work may have.

Sen critiques formal economics which, in judging the states and interests of people, has not, he says, been interested in the plurality of conditions and situations that exist but instead uses one simple measure of a person's interest and its fulfilment; that measure being one of utility. This argues Sen, takes too narrow a view of human beings and therefore, while acting as the foundation of formal economics, significantly impoverishes the scope and reach of economic theory.²² One of the central reasons for Sen's rejection of the Utilitarian approach to economics is the fact that a person can be ill and undernourished, for example, and still be high-up on the scale of happiness and desire fulfilment if she/he has learnt to have realistic desires, given her/his situation, and takes pleasure in the small things that come to her/him in life. Under this approach the physical conditions of a person, no matter how bad, do not enter into the evaluation of personal well-being, yet the mental attitude of the person cannot remove the fact of her/his deprivation.²³ Sen, in identifying an alternative approach, moves the focus away from utility and onto the capability to function, that is, what a person can do/be.²⁴ He distinguishes firstly between two ways of seeing a person's interests and their fulfilment: *well being* (which is concerned with a person's achievement) and *advantage* (which refers to the real opportunities that a person has, compared especially with others.)²⁵ In order to get a

²² Sen, A. *Commodities and Capabilities* (North-Holland, Amsterdam: New York: Oxford, Elsevier Science Publishers B.V, 1985) p.2-4

²³ Sen, *Commodities and Capabilities*, pp.20,29

²⁴ Sen, *Commodities and Capabilities*, preface

²⁵ Sen, *Commodities and Capabilities*, p.5. Sen emphasises that opportunity in this evaluation should not be defined in a limited way. He says, when considering for example whether the doors of a school are open to John, that we must also take into consideration factors such as whether John could actually attend that school because of a physical disability, or whether he is financially able to go to that school. (p.5)

true idea of the well being of a person, Sen argues, we have to look at the functionings of the person, what that person manages to do/be with the commodities and characteristics at her command.²⁶

It is possible to understand, when following Sen's reasoning, why an assessment of a person's characteristics is vital to understanding their functionings, and why merely taking into account utility or the amounts of commodities at someone's dispense is insufficient. He claims that the conversion of commodity characteristics into functionings depends on a variety of factors, personal and social, for example their age, body size, or position in the family/society.²⁷ Sen emphasises that the quality of life that a person enjoys does not come down only to what she/he manages to achieve, but also has to entail a consideration of the options that she/he has had the opportunity of choosing from. To hold this view, Sen says, is to believe that the 'good life' is partly a life of genuine choice.²⁸

What then is the significance of this theory for issues of international development?

Crocker argues that what Sen has developed is an original normative outlook for the improvement of economic theory that can address the ethical and conceptual failings whose existence can be seen in international concerns such as global hunger and severe deprivations.²⁹ This outlook, Crocker says, is based on the 'innovative and promising "capability ethic"' and on the belief that development (as theory and practice) should be defined with reference to what humans can/ should be and do. For Sen, then, development is the enhancement of human functionings, and the expansion of capabilities in order to achieve these functionings.³⁰ A correct approach to development, for Sen, must be based on an ethical foundation that is 'internalist',

²⁶ Sen, *Commodities and Capabilities*, p.10

²⁷ Sen, *Commodities and Capabilities*, pp. 25,26

²⁸ Sen, *Commodities and Capabilities*, p.69,70

²⁹ Crocker, D.A, 'Functioning and Capability: The Foundations of Sen's and Nussbaum's Development Ethic' in *Political Theory*, Vol. 20, No. 4 (November, 1992), pp. 584-612 p584

³⁰ Crocker, 'Functioning and Capability' pp.585-586

that is, based within human experience.³¹ The foundation he chooses therefore is the ethical space of human functionings and capabilities, the things he believes to be intrinsically valuable to human beings.³² Development, for Sen, is thus concerned with enhancing the lives we lead and the freedoms we enjoy.³³ For Sen, substantive freedom is crucial. He argues that it is:

*...a principle determinant of individual initiative and social effectiveness. Greater freedom enhances the ability of people to help themselves and also to influence the world, and these matters are central to the process of development.*³⁴

In recognising that freedom enhances the ability for people to help themselves Sen can address the question of responsibility that is often raised with regards to development. It is possible, Sen says, to view development as both ethically problematic and defeatist. He too admits there is no substitute for individual responsibility, yet his theory shows that exercising responsibility is contingent on other factors such as personal, environmental and social circumstances. His central message in response to these criticisms is that responsibility requires freedom. Development that increases the freedom of people is therefore a means to ensure individual responsibility; it is not something that undermines it.³⁵ Freedom understood in this way is also, therefore, both a means to and an end of development and, as Sen notes, the effectiveness of freedom as an instrument of development lies in the fact that different freedoms interrelate with one another. In the expansion of one type of freedom, others too can be greatly enhanced. Those which Sen highlights as interrelating especially with each other are political freedoms, economic facilities, social opportunities, transparency guarantees, and protective security.³⁶ The fact that

³¹ Crocker, 'Functioning and Capability' p.588

³² Crocker, 'Functioning and Capability' p.590

³³ Sen, A, *Development as Freedom*. (Oxford, Oxford University Press, 1999) p.14

³⁴ Sen, *Development as Freedom* p.18

³⁵ Sen, *Development as Freedom* pp.283-284

³⁶ Sen, *Development as Freedom* pp.37, 38

Sen highlights the interrelation between different types of freedom is especially important for international development for, as he notes himself, understanding the process of development in this way helps to dispel the dominant belief that 'human development' (for example the expansion of education and health care) is a luxury that only richer countries can afford.³⁷

In rethinking our understanding of development in terms of freedom, Sen's theory also changes our understandings of related concepts, such as poverty. Poverty is seen by Sen as the deprivation of basic capabilities, rather than in terms of lowness of income. ³⁸

What the capability perspective does in poverty analysis is to enhance the understanding of the nature and causes of poverty and deprivation by shifting primary attention away from means (and one particular means that is usually given exclusive attention, viz., income) to ends that people have reason to pursue, and, correspondingly to the freedoms to be able to satisfy these ends...deprivations are seen at a more fundamental level.³⁹

In doing this Sen is showing that antipoverty policy cannot solely be focused on the reduction of income poverty.⁴⁰ Thus our understanding of poverty has much the same effect as a new understanding of development and paves the way for a more effective international development policy.

I would argue however, that Sen bases some of his ideas on essentially contestable notions. For example Sen challenges the argument advanced by others that economic development may be harmful to a nation because it has the potential to destroy

³⁷ Sen, *Development as Freedom* p.41

³⁸ Sen, *Development as Freedom* p.87

³⁹ Sen, *Development as Freedom* p.90

⁴⁰ Sen, *Development as Freedom* p.92

cultural heritage and traditions. He argues that if losing tradition is the only way to overcome poverty, then that is a choice that all those directly affected must make. He sees the only conflict lying between an insistence by authorities that traditions must be followed and, what he calls the basic value of people to be allowed to decide freely what traditions they wish, or do not wish, to follow.⁴¹ In an attempt to explain how this conflict can be resolved, Sen again emphasises the importance of education and democracy, vehicles through which people can make their own informed decisions about their futures.⁴² Although this argument is useful in reiterating the importance of having a broad basis for development (i.e. the benefits that can be made from education and political freedom) I would argue that Sen dismisses too easily the importance of culture and traditions. Theorists specialising in cultural rights, such as Kymlicka, can convincingly challenge Sen's apparent understanding of the mutability of culture on which he relies in this part of his theory. Kymlicka would argue the importance of cultural history, practices and traditions towards a person's well being, and highlight the difficulty that exists in changing/leaving cultural groups even if the choice exists.⁴³ These are arguments that Sen seems to have overlooked and therefore, in my opinion, is a potential problem in the acceptability of his theory.

I do believe however that Sen makes a more convincing response to claims that portray development as a form of Western imperialism. He does this through an exposition of similar developmental ideas contained in the writings of Islamic and Asian traditions, which to some extent may rectify the aforementioned problems.⁴⁴ This highlights the potential for his theory to be accepted across nations and within different traditions. As Crocker says '[Sen's] work helps us to understand how moral inquiry can cut across cultural and national boundaries and contribute to the

⁴¹ Sen, *Development as Freedom* pp.31-32

⁴² Sen, *Development as Freedom* p.242

⁴³ See for example 'The Rights of Minority Cultures: Reply to Kukathas' *Political Theory*, Vol. 20, No. 1 Feb 1992 pp.140-146

⁴⁴ Sen, *Development as Freedom* p.233

forging of a global ethic.⁴⁵ Sen himself argues throughout his writing that a positive aspect of his theory is that it does not create restrictions with regards to its application.

*Capability reflects a freedom to choose between alternative lives...and its value need not be derived from one particular 'comprehensive doctrine' demanding one specific way of living.*⁴⁶

Sen recognises problems, such as those highlighted above, that exist in framing development in terms of human rights and therefore concentrates his efforts on a slightly different approach, that is, continuing to appeal to the idea of development as freedom. He says:

'While we may be able to manage well enough with the language of freedom rather than of rights...The language of rights can supplement that of freedom.'⁴⁷ Thus it may appear that in using Sen's theory to underpin the right to development, the problems with human rights theory which is also central to the right, may be overcome. However, I do not believe that freedom can be separated from human rights in the way that Sen attempts to do so. Human rights are often discussed in terms of guaranteeing freedoms in a way which requires the removal of obstacles that may prevent people from exercising that freedom. The way in which Sen discusses development is to see it in terms of creating the conditions that will give people the freedom to be the people they choose to be/ to live a life that they value. Can this really be said to be different from the human rights approach? Even if we accept Sen's argument his construction of freedom leaves us facing the same criticisms that face the human rights approach to development. Even though Sen sees importance in people taking responsibility for their own development, policy and aid are required to create the circumstances in which people can take responsibility, corresponding

⁴⁵ Crocker, 'Functioning and Capability' p.586

⁴⁶ Quoted in Crocker, 'Functioning and Capability' p. 597

⁴⁷ Sen, *Development as Freedom* p. 231

duties still remain. Sen, in changing the approach we take to development, has not in my opinion overcome the problems faced by other development theorists.

Yet Sen's theory does broaden the perspective in which we think about development and it is this broader foundation that holds great potential for creating an effective development policy.⁴⁸ Sen has succeeded in taking our understanding of development beyond its traditional economic foundations, and has thus given us a greater insight into the needs and potentials for human life. Despite concerns that remain with regards to Sen's theory, it is these aspects of his work that, in my opinion, make it of fundamental importance to international development.

A Controversial Concept for the International Community

It could be argued that what Sen presents us with is a workable guide for policy, yet his theory has been built upon further and adapted by the United Nations in their mission to gain acceptance for the notion of development as a right. As it is in this context that states recognise rights and duties that exist in international society, we must also look at the literature that focuses specifically on the right to development, as constructed by the United Nations. Thus, having recognised that the right to development is both supported and challenged by economic and human rights discourse, as the literature discussed above shows, it is important to also acknowledge that within the literature on the right to development itself, we are presented with many issues of concern that have surrounded the idea since its conception. These writings therefore also play an important role in highlighting the issues that may influence the understanding that state actors have of the right and thus, have the potential to affect the way policy is devised and implemented.

As Marks says, the right to development as a concept, and the Declaration itself has been controversial since its beginning because of the perception by First World

⁴⁸ Sen, *Development as Freedom* pp.295, 297

countries that the right represented a challenge to the prevailing economic order by newly independent countries, who were attempting to advance the idea of a New International Economic Order (NIEO) through the United Nations System. The initial reaction to the idea of a right to development by the West therefore, was one of caution and hostility. Despite the fact that Western delegations, during the drafting of the Declaration, made certain that the right would not lead to renewed efforts to enforce the NIEO, political obstacles to realising the right continued to exist.⁴⁹ As Marks says, the voting patterns in the UN illustrate the politics surrounding the Declaration on the Right to Development (RTD), and the way in which the US has influenced the voting behaviour of other member states:

In 2001 at the Commission on Human Rights, most European countries voted for the Resolution on the RTD, although the United States and Japan voted against it and the United Kingdom, the Republic of Korea, and Canada abstained. From the March-April session...to the September-December session of the General Assembly the voting had shifted and 123 voted in favour, four against...with forty-four abstentions. Among the abstaining countries were the principal donors: Australia, Austria, Belgium, France, Germany, Norway, Sweden, and the U.K, who had agreed to the resolution in 2000.⁵⁰

The fact that the major donor countries abstained from voting is a cause of concern when we consider the emphasis put on the need for international cooperation in the RTD. It also gives further fuel to what has been called the 'coherence critique', which draws its argument from the ambiguities of the RTD with regards to whom the duty to fulfil the right will rest with. This argument sees rights as entitlements that require correlative duties. Sen resists the claim, Sengupta says, by referring to Kant's theory of 'imperfect obligation' which preposess that claims need not necessarily

⁴⁹ Marks, S. *Obstacles To The Right To Development*
http://www.hsph.harvard.edu/fxbcenter/FXBC_WP17--Marks.pdf p.2

⁵⁰ Marks, S. 'The Human Right to Development: Between Rhetoric and Reality' *Harvard Human Rights Journal* Vol. 17 (2004) p. 141

require one individual to fulfil that right, but can instead be addressed generally to anyone who may be in a position to help.⁵¹

Sengupta notes that the criticism of justiciability also arises from this problem of obligations though. He refers to the work of Stephen Marks who writes that obligations to promote and provide are general commitments to pursue a certain policy, or achieve certain results and are therefore not justiciable. With regards to these commitments, if the state does not fulfil its commitment, immediate individual remedies through the courts are not available.⁵² This is related to a view that Sengupta says exists especially among lawyers of the positivist school, who argue that rights which are not legally enforceable cannot be regarded as human rights. This raises considerable problems when we take into account that a significant aspect of the right to development will revolve around general commitments such as these, and as already noted, depends on policies that aim at a certain result and are pursued via a process that enables the fulfilment of rights and fundamental freedoms. As Sengupta argues though, this view confuses human rights with legal rights, 'human rights precede the law and are not derived from law but from the concept of human dignity.'⁵³ However, Marks would go so far as to argue that these *are* legal obligations, for he says that states are required to take steps 'in the direction of sound progressive realization of the right.' At the very least, as Sengupta argues, even when the right to development is based upon 'imperfect obligations,' programmes of action can still be specified in which all parties (but especially the states in the international community) have clear roles in advancing the right. These roles can, he claims, be translated into obligations with provisions for corrective action and enforceable remedies if the obligations are not fulfilled.⁵⁴

Whether or not Marks' interpretation is accepted, the hopes for seeing the right to

⁵¹ Sengupta, A. 'The Human Right to Development', *Oxford Development Studies*, Vol. 32, No.2 (2004.) pp.179-197, p.10

⁵² Sengupta, A. 'On the Theory and Practice of the Right to Development', *Human Rights Quarterly* Vol. 24, No. 4 (2002) pp.837-889, p.856-857

⁵³ Sengupta, 'Realising the Right to Development' p.558

⁵⁴ Sengupta, 'On the Theory and Practice of the Right to Development' p.857

development as a human right are not considerably hindered by this argument. As Sengupta says the absence of an individual complaints mechanism under the international Covenant on Economic, Social and Cultural Rights has not prevented these rights from being recognised as human rights.⁵⁵ He also suggests that although having legally enforceable rights is desirable, other factors can help assist the fulfilment of the right to development, such as peer pressure, democratic persuasion and the commitment of civil society.⁵⁶

One concern that should also be noted is that, as Andreassen says, in order to define a human right to development one has to have an understanding of what development is. The difficulty that he recognises is that the concept is continuous flux, with alternative interpretations coming to the forefront over time.⁵⁷ This concern is especially prominent when we consider that those involved in policy recommendations in this area, such as Sengupta whose work I will shortly turn to in more detail, may overlook the fact that states enter into such obligations with different understandings of the underlying principles, and therefore very different ideas about what it is they are committing themselves to do. Sengupta especially, sees his work as beginning from a point where all represented governments at the 1993 Vienna Convention who adopted the Vienna Declaration and programme of action are obliged to treat the Right to Development as a human right in their dealings and transactions, regardless of whether or not they believe it is a human right, or what their understanding of development and rights actually is.⁵⁸

Orford also touches upon this concern by noting Alston's argument that the Declaration was the result of conflicting perspectives of its drafters. Alston sees this

⁵⁵ Sengupta, 'Realising the Right to Development' p.558

⁵⁶ Sengupta, 'Realising the Right to Development' p.559

⁵⁷ Andreassen, B.A. 'Shifting Notions of Development- Implications for the Right to Development?' in *The Right to Development: Reflections on the First Four Reports of the Independent Expert on the Right to Development* Edited by Franciscans International (Geneva, Franciscans International, 2003) pp.24-33, pp.24-25

⁵⁸ Sengupta, 'Realising the Right to Development' p.557

ambiguity as being a strength as it enables the concept to be interpreted and applied with flexibility, which he sees as being indispensable in the area of development. As Charlsworth argues though, the Declaration encompasses only one model of development, that is, a highly contested, purely economic one that is referring to westernisation.⁵⁹ On this account, I would disagree with Charlsworth for, as previously noted, the right to development has been founded on economic ideas such as those by Sen, which takes a very broad understanding of development. However, when looking at case studies of the practical implementation of the right to development, we should bear in mind that the countries involved may not all be acting with the same understanding of development.

Another contentious issue arising from the right to development is that of who is to be understood as the beneficiary of development rights. Udombana argues that, although the United Nations General Assembly resolution shows an understanding that both states and individuals enjoy the right to development, it is possible to view the right to development as a collective right. He highlights this view in two ways, firstly by considering 'the right to development as an aggregate of the social, economic and cultural rights of all the individuals constituting a collectivity.' Secondly he says the right could be seen as the economic dimension of the right to self-determination, which would mean that the primary responsibility for development and human rights would rest with the nations themselves.⁶⁰ This argument could thus have a significant impact on the way that the right is fulfilled, and on international actors' understanding of where responsibility for the right lies.⁶¹ However, although we should keep this concern in mind, when dealing with policy that is being implemented to fulfil obligations laid down by the RTD it is safe to assume that the parties will be acting with the understanding laid down by the declaration, that is, the beneficiaries are individuals and states.

⁵⁹ Both quoted in Orford, A. 'Globalization and the Right to Development' in Alston, P. *People's Rights* (Oxford, Oxford University Press, 2001) pp.127-184, p.145

⁶⁰ Udombana, *The Third World and the Right to Development* p.770

⁶¹ See Orford for further discussion

A huge concern that remains to be discussed is the fact that, as Orford notes, the right to development continues to be absent from international institutions, such as the World Bank, the WTO and the IMF, whose work has a major effect on development issues.⁶² Structural adjustment conditions are attached to the World Bank and IMF resources, which require countries to adopt certain policies, including foreign investment deregulation, privatisation, cuts to government spending on health and education (a condition which glaringly goes against the aims of a right to development), and the lowering of minimum wages.⁶³ Other writers have also touched on this challenge to the right to development:

*SAPs [IMF dictated Structural Adjustment programmes] have...worsened the economic circumstance of developing countries...[they] have placed an intolerable burden on the poorest populations of the developing world...Countries of the Third World, therefore, should be wary of adopting policies that are not consistent with their own agendas.*⁶⁴

As Orford says, the policies of these institutions clearly violate the right to development. The conditions which they impose on countries mean that citizens cannot participate in the development process, and are therefore prevented from choosing forms of economic and social arrangements that differ from the models chosen by the IMF and World Bank.⁶⁵ Yet, despite the obvious influence that these institutions have on the development process, they continue to deny that human rights are an area with which they should concern themselves.⁶⁶ A possible solution to this challenge would be for those countries, which are committed to the right to development, to use their voting powers within these institutions to influence the

⁶² Orford, 'Globalization and the Right to Development' p.135

⁶³ Orford, 'Globalization and the Right to Development' p.151

⁶⁴ Udombana, *The Third World and the Right to Development* p.778

⁶⁵ Orford, 'Globalization and the Right to Development' p.152

⁶⁶ Orford, 'Globalization and the Right to Development' p.157

policy. However, with the U.S. who has been seen to oppose the idea of a right to development, maintaining a strong influence within the IMF and World Bank it is doubtful whether this solution will be effective in any significant way.⁶⁷ Having examined the position of DFID with regards to the right to development, chapter four will discuss this issue in more depth, exploring the relationship that exists between Britain and the World Bank, and examining the effect that this relationship has on British development policy.

While acknowledging the fact that conceptual concerns still exist and challenges to the realisation of the right are inherent in the practices of institutions such as the World Bank and the IMF, we must also recognise the fact that the obligations placed on states to realise the right must still be fulfilled, even in the face of these challenges. Therefore, in order to assess how successful Britain has been in meeting the challenges and fulfilling its obligations it is useful to look at both the current experiences of other states, and the proposals offered as a practical guide for implementation, keeping in mind the questions of whether a successful model for the RTD to be implemented actually has been found, and to what extent these models differ from the way in which development policy is traditionally constructed and implemented (i.e. should we expect to see a significant difference in British development policy.)

Prospects for Implementation

Within the existing literature the main source of guidance for state policy making comes from the reports and articles written by Arjun Sengupta, the United Nations Independent Expert on the Right to Development.

Sengupta argues that a textual analysis of the RTD, studied alongside the discussions held during the preparation of the Declaration, highlights four clear propositions of

⁶⁷ For a discussion on other possible, but potentially unrealistic means by which to put pressure on international economic institutions, see Barsh, 1991

the Declaration:

- a) The right to development is a human right
- b) The human right to development is a right to a particular process of development in which all human rights and fundamental freedoms can be realised
- c) Exercising these rights with freedom implies the free, effective and full participation of all the individuals involved in the decision making process. The process must therefore be transparent and accountable, and individuals must have equal opportunity of access to the resources for development and receive fair distribution of the benefits of development.
- d) The rights confer unequivocal obligation on duty-holders: individuals in the community, states at the national level, and states at the international level.⁶⁸

Sengupta emphasises that the outcome of a process, and the process itself can not be seen as the same thing. He argues that, with regards to the right to development, both the outcome and the process are human rights. This needs to be emphasised because, as he argues, a country can develop by many different processes, for example, through industrialisation, or sharp increase in GDP. However if processes of growth, such as these, are associated with violations of rights than they cannot be considered as fulfilling the human right to development. The process of development, Sengupta says, must be centred on the concepts of equity and justice; the entire population must see an improvement in their well-being.⁶⁹ He suggests five principles that would constitute a process that is consistent with human rights standards: equity, non-discrimination, participation, accountability, and transparency.⁷⁰ These principles will be especially useful as a guide in chapters three and four, which discuss new approaches and methods to development that DFID has introduced, for examining how closely DFID is working to a right to development model.

⁶⁸ Sengupta, A. *The Right to Development as a Human Right*
http://www.hsph.harvard.edu/fxbcenter/FXBC_WP7--sengupta.pdf pp. 4-5

⁶⁹ Sengupta, 'On the Theory and Practice of the Right to Development' p.848

⁷⁰ Sengupta, 'The Human Right to Development' p.181

Sengupta recognises that the right to development is built upon the traditional idea of the importance of the growth of income and output which provides the basis for the expansion of resources and therefore of the opportunities for development. He recognises that for improvements to be sustained, and for all rights to be realised, then the resources base of a country must expand to cover GDP, technology and institutions.⁷¹ He notes though that, in rethinking the traditional approach within the context of human rights, the right now has to be realised in a way that ensures that the fundamental freedoms of the individuals are expanded. He argues this within the context of Sen's work by emphasising, as Sen himself does, that these freedoms should be seen as both the primary role and the principle end of development, they have both a constitutive and an instrumental role within the process.⁷² The fact that the process itself can be seen as a human right, and considering that, in unifying the two covenants, the right to development has succeeded in making human rights interrelated and interdependent, ensures that the process of development within a country will not lead to abuse of other rights. As Sengupta says therefore:

*...the right to development can improve only when at least one right is improved and none are violated. Since the component rights are all civil, political, economic, social, and cultural rights, if any of these rights are violated the whole right to development is violated.*⁷³

In all of his articles Sengupta proceeds to look in further detail at the issue of international cooperation.

...when realising the right to development is seen not as realising a few rights in isolation but as implementing all or most rights in a planned manner in tandem with an appropriately high and sustainable growth of the economy and change in its

⁷¹ Sengupta, 'On the Theory and Practice of the Right to Development' p.874

⁷² Sengupta, *The Right to Development as a Human Right* p.14

⁷³ Sengupta, 'The Human Right to Development' p.183

*structure, the importance of international cooperation becomes even more evident.*⁷⁴

I believe that Sengupta rightly places absolute importance on international cooperation, not only because of the complex planning needed for development policies in a globalized world where the actions of states will affect all, but also because of the obligation that states have agreed to in supplying the resources needed for these development programmes.

This is an important aspect of Sengupta's articles because it helps us to see the possibilities for implementation of the right to development, and address the criticism that is often formulated with reference to resource constraints. Critics argue that such social and economic rights cannot be enforced because of the lack of resources available. Sengupta argues though, that the existence of rights and the process to implement them should not depend on resource availability. The main issue is effective use of the resources available, both those within the state and in the international community.⁷⁵ Sengupta discusses, therefore, the alternative means by which the states in the international community can assist each other to ensure the right to development is implemented. The argument he presents first and foremost is that developing countries which are short of resources require a significant transfer of resources from industrial countries as well as debt relief, commodity price stabilisation or preferential access to markets.⁷⁶ Sengupta sees ODA (official development assistance) as having continued importance in ensuring the right to development as it can be used to finance activities that have high social returns, such as education and health. Therefore when assessing programmes for the implementation of the right to development Sengupta argues that it would be beneficial for the volume of ODA to increase and to remain the most important instrument of international cooperation.⁷⁷ Sengupta also calls for the use of

⁷⁴ Sengupta, 'On the Theory and Practice of the Right to Development' p.855

⁷⁵ Sengupta, 'On the Theory and Practice of the Right to Development' p.864-865

⁷⁶ Sengupta, 'On the Theory and Practice of the Right to Development' p.877

⁷⁷ Sengupta, 'On the Theory and Practice of the Right to Development' p.879-880

development compacts, conditions on aid that are imposed only with the consent of the developing countries, a 'compact' that is based on mutual commitment to fulfilling conditions for implementing development programmes. They can, he says, be an effective instrument for realising the right to development.⁷⁸

Responses to Sengupta's recommendations are also existent in the literature and are extremely useful in highlighting the potential problems in his approach, and offering alternative ways for implementing the right to development. One concern that arises from an evaluation of Sengupta's argument is his recommendation of a 'three rights approach'. In arguing that food, health and education are the most basic rights, and therefore should be the first to be fulfilled in situations where resources for development are scarce, he creates a hierarchy of rights thus undermining a principle claim of the right to development; that all rights are interdependent and equal. Andreassen encapsulates this concern, saying:

Although this may be a well-founded strategy for practical reasons, focus on these three subsistence rights should acknowledge that the realisation of these basic rights requires the interrelationship of other rights, particularly political rights and non-discrimination. A major challenge of the rights based approach to development is to take rights together and to explore their instrumental interrelationship in a process of change.⁷⁹

The literature does, on the other hand, show evidence of support for the basic needs approach. As Udombana argues one of the central concerns of economic planning should be the satisfaction of basic needs for, without these, democracy, stability and peace cannot survive.⁸⁰ If we can, as Andreassen suggests, accept that for practical reasons this approach needs to be adopted then more concerns arise, such as who

⁷⁸ Sengupta, 'On the Theory and Practice of the Right to Development' p.880

⁷⁹ Andreassen, 'Shifting Notions of Development...' p.31

⁸⁰ Udombana, 'The Third World and the Right to Development' p.774

decides which rights are to be implemented first? As we have already seen, the right to development can be understood as the eventual fulfilment of the original desires of human rights pioneers such as the Roosevelts, that is the unification of civil and political, with economic, social and cultural rights into one unified and interdependent set of rights. If certain rights are given priority over others, and states are given the power to implement policies that favour some aspects of development over others, then there arises the fear that we may return to a similar situation that was observed during the Cold War, where fundamental rights are denied at the hands of the state. It appears therefore, that in taking this stance Sengupta is undermining the very cause he is fighting for. As the case studies discussed later in the chapter will also show, development policy, in order to be effective, cannot and must not prioritise some rights over others, as this leads to further social, political, and economic problems. Hence I believe that this aspect of Sengupta's argument ought to be rejected, and advocate that development policy makers in the future learn from the experiences of other states.

Another criticism that arises in the literature is that by Osmani who highlights that problems exist with trying to formulate the right to development as the right to a process of development. He says that Sengupta bases his argument on the consideration that different processes would lead to different outcomes of the magnitude and the distribution of development, and as the RTD aims at the equitable enjoyment of the benefits of development by all, then only the process that leads to this outcome will be acceptable. He also notes that another consideration on which Sengupta basis his argument, is that some processes may lead to the desired economic rights but only by violating other civil and political rights, so again only a process that ensures all rights are fulfilled is plausible in the rights approach to development.⁸¹ Osmani, in his critique, not only raises our attention to this concern but also responds in a way that removes the problematic aspect from Sengupta's

⁸¹ Osmani, S. 'Some Thoughts on the Right to Development' in *The Right to Development: Reflections on the First Four Reports of the Independent Expert on the Right to Development* Edited by Franciscans International (Geneva, Franciscans International, 2003) pp.34-45, pp.35-36

proposal, without diminishing the importance of equitable outcomes, and the enjoyment of all rights in the process of development. He says that, with regards to Sengupta's first consideration, the process is only instrumentally valuable. He recognises that what is important for Sengupta is equity and sustainability, but these are the outcome to which the process leads. Therefore we could define the right to development as to include equity and sustainability in the space of outcomes but not processes.⁸² With reference to the second consideration, Osmani argues that again it is adequate to define the right to development in the space of outcomes, by saying that political and civil rights are as much a part of the outcome as socio-economic rights.⁸³ He argues that '...since disagreements are almost bound to occur in the choice in the process leading to an agreed outcome, it would be a mistake...to proclaim the right to a process that is of purely instrumental value.'⁸⁴

Although alternative approaches aimed at rectifying the problems in Sengupta's argument may be useful for states wishing to find an effective policy for implementing the right to development, there is the concern that the proliferation of ideas could potentially intensify the problem that each state may have a different understanding of what the right to development actually entails.⁸⁵ As Sfeir-Younis recognises, too many interpretations concerning how best to implement the right to development limits that ability to reach a wider and politically stronger consensus.⁸⁶

⁸² Osmani, 'Some Thoughts on the Right to Development' p.36

⁸³ Osmani, 'Some Thoughts on the Right to Development' p.37

⁸⁴ Osmani, 'Some Thoughts on the Right to Development' p.37

⁸⁵ Another critique of Sengupta's work comes from Sfeir-Younis, who attempts to put greater emphasis back on the importance of the economic elements of development. He makes some useful and interesting points which suggest that Sengupta has overlooked the extent to which his proposals require fundamental changes to existing power structures and value systems. These, Sfeir-Younis argues are things that will take generations to change, thus he concludes that Sengupta's proposals, if implemented, would be less effective than policy based on economic and financial considerations. This argument resorts to a more traditional approach to development. Although this article does raise some important critical points with regards to Sengupta's, we must take into account the fact that Sfeir-Younis is responding on behalf of the World Bank and therefore his argument is tainted by a very specific and political agenda.

⁸⁶ Sfeir-Younis, A. 'The Right to Development: The Political Economy of Implementation' in *The Right to Development: Reflections on the First Four Reports of the Independent Expert on the Right to Development* Edited by Franciscans International (Geneva, Franciscans International, 2003) pp.7-19, p.8

However, the majority of writers do converge on some central recommendations, and recognise them as being essential in the development process, such as overcoming technological dependence, fighting corruption, and removing obstacles to democracy.⁸⁷ Given the consensus around these principles it will also be useful to bear these in mind, again in chapters three and four especially, to see how DFID is incorporating the central ideas into their development work. It will also be necessary however, to consider the extent to which principles such as these were already present in British development projects, in order to truly assess the change that has occurred with regards to development thinking and policy responses.

Evolving State Practice

Despite the theoretical challenges that the right to development faces, and the concerns noted with regards to the United Nations recommendations writers such as Marks have noted that in recent years both national and international agencies have increased their support of making human rights a genuine component of development and within states, RTD-friendly programmes have begun to emerge. For example, he says, in 2000 a project was presented by a UK delegation and a representative of Rwanda that was close to Sengupta's notion of a development compact.⁸⁸ This particular project is a manifestation of the move towards partnership methods which incorporate many of the central ideas of the right to development, a method which will be discussed further in chapter three. Evidence given in the literature such as this suggests that not only have workable ideas been found for the right to development to be incorporated in development policy, but also that these ideas have been accepted and are beginning to be implemented in Britain. Marks also argues however that there is a distinct absence of policies at both the national and international level that suggests anything more than simply a rhetorical commitment to the idea. 'World summits and conferences' he says, 'tend to make a single mention of the RTD in the

⁸⁷ See for example Udombana, and Sano

⁸⁸ Marks, *Obstacles To The Right To Development* p.5

declaration, but neglect it in the plan of action.’⁸⁹

In order to both assess how true claims such as this are, and to gain some indication of what changes we might expect to see in British policy and how these changes may have affected the countries to which the policy is directed, it is also useful to look further at the literature on other states’ experiences of implementing the RTD. The evidence provided in this area of the literature will also help us to consider whether the emerging theory on the right to development has been successfully translated into the policy of states, and therefore whether we should expect to see changes in the policy making and implementation under the New Labour government. It will also give some indication of whether concerns which expressed that countries may have differing understandings of development are justified.

Hamm says at the national level many countries have expressed willingness to implement policy formulated along the right to development guidelines. These countries have included Denmark, Australia, Germany and the United Kingdom.⁹⁰ Evidence provided in the literature confirms that this willingness is not purely rhetorical. The Danish government for example has begun to implement policies that reflect the recommendations given by the Independent Expert. A new initiative launched by the government, ‘A Global Deal’ was proposed as an agreement between developed and developing countries, and was based on mutual obligations in the process of development.⁹¹ This strongly resembles the idea of ‘development compacts’ advocated by the Independent Expert. Similar evidence within the literature with regards to Australia also suggests that a human rights approach to development is being adopted (for example the Human Rights Council of Australia

⁸⁹ Marks, *Obstacles To The Right To Development* p.13,15,

⁹⁰ Hamm, B.I. ‘A Human Rights Approach to Development’ *Human Rights Quarterly* Vol. 23, No. 4 (2001) pp.1005-1031, p.1011

⁹¹ Jensen, T. ‘The Right to Development: Escaping Poverty through Development and Education’ in *The Right to Development: Reflections on the First Four Reports of the Independent Expert on the Right to Development* Edited by Franciscans International (Geneva, Franciscans International, 2003) pp.72-81, p.80

published in 1995 a document entitled *The Rights Way to Development: Human Rights Approach to Development Assistance*.⁹²

Studies into the current development policy of the U.S. also provide us with some interesting facts. As has already been mentioned, the U.S. has consistently opposed the notion of a right to development; however analysis of recent U.S. programmes for funding development incorporates the central ideas of the RTD, without acknowledging any connection with it.⁹³ Marks notes that in March 2002 President Bush introduced an idea that resembled both the concept of the RTD and the recommended development compact, before proposing a \$5 billion annual increase in Overseas Development Assistance through a new Millennium Challenge account (MCA), to be given to governments who were committed to good governance, the health and education of their people, and social and economic policies that foster enterprise.⁹⁴ This may be indicative of the fact that the change in development theory has been successful in changing the policy approach of governments, and that the opposition of the U.S. to the RTD can be attributed to a stance against the Declaration rather than to the underlying ideas. However it should also be noted, Marks says, that:

*the concern for human rights and investment in the people does not appear to guide other U.S. programs to finance development, whereas other countries apply international human rights standards to the full range of development-related decision-making...*⁹⁵

Looking at the approach of the U.S, due to the close relationship that it has with Britain, may be particularly indicative of the trends we might expect to see in British

⁹² See Sano, H.O, 'Development and Human Rights: The Necessary, but Partial Integration of Human Rights and Development' *Human Rights Quarterly* Vol. 22, No. 3 (2000) pp.734-752, p.734

⁹³ Marks, 'The Human Right to Development...' p.140

⁹⁴ Marks, 'The Human Right to Development...' p.156-157

⁹⁵ Marks, 'The Human Right to Development...' p.166

development policy in recent years. For example, it may be the case that little mention of a right to development appears in policy papers, yet is incorporated into the projects themselves. This is a point that will be discussed throughout the rest of the thesis. Thus, by raising our attention to the processes and changes in other donor countries, the existing literature has provided points of examination for later discussions in the thesis.

Even with a change to the development policy approach of the donor countries however, it must be noted that much of the success of development policy also relies on the actions of the receiving states. As Sen comments, when we analyse the fast economic progress of East Asian, and Southeast Asian economies it becomes clear that the openness of the economies was not the only factor that led to such rapid economic transition, but also the groundwork that was laid by positive social changes in health care and education.⁹⁶ The lack of social reform to accompany economic growth has been one of the factors that have led to the failure of development policies in India despite the promising articles of the Constitution that prioritise the provision of food, primary education, and primary health.⁹⁷ As Kurian says:

*On the basis of [the East-Asian] experience it can be safely concluded that India's failure to universalize literacy has been a major constraint in achieving widespread economic development even after deregulation and trade liberalization in the early nineties.*⁹⁸

Thus, the role that recipient governments play in the development process has also become an important issue in development projects. The extent to which this had

⁹⁶ Sen, *Development as Freedom*.p.259

⁹⁷ See Kurian, N.J. 'The Relevance of the Independent Expert's Reports on the Right to Development for India' in *The Right to Development: Reflections on the First Four Reports of the Independent Expert on the Right to Development* Edited by Franciscans International (Geneva, Franciscans International, 2003) pp.62-71, p.69

⁹⁸ Kurian, 'The Relevance of the Independent Expert's Reports...' p.67

been recognised and addressed by DFID will also be looked at in chapter three. As noted above, the development compact recommended by the independent expert creates a role for recipient governments to play, and has been incorporated into the partnership approach of DFID. The impact that this approach has had on the success of development projects will therefore be examined, and will give some indication of the difference that the right to development and its central principles have on development processes.

However the case study literature also includes references to the experiences of development in Sri Lanka, where problems have occurred in the development process there despite the fact that many of the essential elements of the right to development such as access to health care, primary education, and adequate nutrition, underpinned by a democratic political system, had all been realised in the period following independence.⁹⁹ In this case the social progress that was achieved resulted in a rapid population growth which imposed an unbearable strain on an economy that was growing too slowly. As Gunatilleke highlights, the Sri Lanka study reinforces, as does the study of India and China that social, political, economic and cultural rights are an indivisible whole, and no set of rights can be neglected in pursuit of others.¹⁰⁰

The case studies demonstrate therefore, the difficult but absolute necessity of developing all rights simultaneously, in order to achieve the outcomes that the right to development seeks. The difficulties experienced reinforce the fact that cooperation is absolutely essential between donor states, and recipient countries, and between recipient governments and their citizens. They also prove though that the right to development can be translated into workable development programmes, and that these programmes have the potential to significantly improve the freedoms and capabilities of all. Thus the thesis will examine the relationships that DFID has

⁹⁹ Gunatilleke, G. 'The Right to Development in Sri Lanka' in Sengupta, A. Negi, A. and Basu M *Reflections on the Right to Development* (London, Sage Publications, 2005) pp.155-207, p.155

¹⁰⁰ Gunatilleke, 'The Right to Development in Sri Lanka' p.156

managed to establish between themselves, recipient governments and citizens, and will evaluate the extent to which these relationships have improved the freedoms and capabilities of those at the centre of the development process.

Conclusion

As the literature has shown, there exist many theoretical positions and evidence of practice that can both support and challenge the notion of a right to development. Yet one final challenge not yet discussed is presented in the literature. Marks argues that a serious obstacle to the realisation of the right to development is ignorance that, despite improvements in the conceptual understanding of the right, ensues from the lack of empirical knowledge of the actual and potential applications of RTD.¹⁰¹ It is clear therefore, that a gap exists and is recognised within the existing literature on the right to development. This thesis fits into the gap that has been highlighted, by taking as its focus a case study into the actual applications of the RTD within Britain's development policy.

My examination of the existing literature on the changes in development theory raises questions such as: how successful has this change in theory been in terms of affecting the way in which state actors understand development? Has there been a similar shift in thinking in the Labour government? Is there any evidence in policy that the British Government has moved away from the traditional understanding of development in purely economic terms, to one which centres around the human being and fundamental freedoms? If state practice doesn't suggest a change what implications does this have for the theory? The evidence presented in these chapters will determine what effect I think the practice will have on the theory. If British policy does reflect the changing theory on development, then my thesis will contribute to the literature that already exists which confirms that practice of states supports the theory. If however the evidence suggests otherwise then my conclusion will address

¹⁰¹ Marks, *Obstacles To The Right To Development* p.6

if and how this will impact on theory. The following chapters will therefore address these questions that arise out of a study of the existing literature.

By comparing policy practice to proposed models of implementation that have been discussed in this chapter my thesis, through an examination of how useful the recommendations have been in directing British policy, will also be acting as a critique of the processes recommended and therefore add to the existing critiques I have located in the literature.

My thesis will also add to the existing literature by taking broader issues such as the war on terror and assessing the impact of these situations on a much narrower issue; the right to development. This will not only show the wider impact that security policy has, but also highlight to what extent the right to development is valued and prioritised when national interests come into conflict with international obligations.

Chapter 2

Historical Changes in British Development Policy and Their Relationship with Current Practice

Chapter 1 raised many questions about the possible implications that a theory of a right to development may have on British development policy. This chapter will pick up on some of these questions and begin to examine the historical developments in the British aid programme, looking at changes in the way it has been administered, and the underlying aims of policy makers with regards to overseas aid. Therefore, keeping in mind the following questions, which will continue to be addressed in later chapters, I will discuss the ways in which development policy has previously been discussed and constructed in Britain in order to assess whether there has been a shift in development thinking within Labour, and thus whether the change in theory at the international level has affected the making of policy at state level. Having looked at the historical position of development administration in Britain, and what these changes meant for development policy, it will be possible to assess whether the changes we see under New Labour are responses to changes in development theory, or whether established patterns of administration were being followed; patterns that have little effect on the policy approach itself.

How successful has this change in theory been in terms of affecting the way in which state actors understand development? Has there been a similar shift in thinking in the Labour Government? Is there any evidence in policy that the British Government has moved away from the traditional understanding of development in purely economic terms, to one which centres on the human being and fundamental freedoms?

Previous British Governments: Their Policies and Practice

When we compare the recent institutional and policy changes that have taken place

under the New Labour government, there seems to be a clear difference between their approach and that of the Conservative government which preceded it. As will be discussed in more detail below, New Labour has adopted an approach where aid policy is focused on poverty reduction, partnerships, and policy coherence, and is administrated from a ministry, the Department for International Development, dedicated solely to issues of international development. In contrast to this, development policy and aid administration under the Conservatives came within the remit of the Foreign and Commonwealth Office (FCO). This, as Sutton says, had the effect of binding the Overseas Development Administration (ODA) more closely to the FCO in terms of policy,¹ and as Hewitt also says, implicit in the incorporation of the ODA into the FCO is an attempt to identify more closely development with foreign policy aims.² However, the use of aid for foreign policy aims was not only suggested by the institutional arrangements. During their 1979-97 term of office, Conservative Ministers also emphasised in ministerial statements, the intention to give greater priority to political, industrial and commercial considerations within the aid programme, alongside the programme's basic developmental objectives.³

As well as using aid in the pursuit of self-interested goals, Hewitt also draws our attention to a significant and damaging change for the British aid programme that was implemented under the Conservative Government; the termination of the official Development Education Fund. The Fund had been set up in order to provide a source of education for the general public in relation to issues affecting the economic and social development of the world's least developed countries. With the ending of the Fund all public programmes of development education were abandoned despite the fact that a recent government survey had identified it as necessary, when taking into consideration public attitudes towards the Third World.⁴ A further indication of the

¹ Hewitt, A. and Sutton, M. 'Taking Stock: Three Years of Conservative Aid Policy' *ODI Review* No. 1 (1982) pp.20-37, pp.24-25

² Hewitt, A. and Sutton, M. 'British Aid: A Change of Direction' *ODI Review* No. 1 (1980) pp.1-10. p.5

³ Sutton, 'Taking Stock...' p.26

⁴ Hewitt, 'British Aid: A change of direction' pp.7-8

extent to which the Conservative's approach affected development work is, as Barder notes, the reduction of British staff who were working on contract to developing countries, from 16,000 in the mid-1960s to almost none in 1990.⁵

Clarke illustrates the fact that, in being responsible for all stages of the aid programmes, the ODA geographical desks needed to be in close contact with the appropriate desks in the diplomatic wing. Considering this it can be seen that, from an organisational point of view, incorporating the ODA into the FCO was entirely logical. Clarke continues by arguing that the case for making the Overseas Development Ministry separate from the Foreign and Commonwealth office was a political one. Just as the arrangement under the Conservatives for dealing with development policy institutionalised the idea that foreign aid was an explicit instrument of foreign policy, the argument for a separate ministry emphasises the contrary notion, that this arrangement will increase the political profile of aid and thus attract more resources for aid programmes. 'It would also', he says, 'institutionalise the notion that aid is primarily for the benefit of the recipient country.'⁶

Thus, it was this latter notion of development that was the driving force behind the institutional changes that were implemented under Wilson's Labour government 1964-70. In 1965 the first Overseas Development Ministry was created and the government produced the influential White Paper *Overseas Development: The Work of the New Ministry*. The themes in this Paper have continuously emerged in the development work of later Labour governments, and reflect to some extent those contained in the 1997 White Paper. The main aim of the government, as stated at the beginning of the 1965 White Paper, was to provide the people in developing countries with the material opportunities to enable them to use their talents to

⁵ Barder, O. *Reforming Development Assistance: Lessons from the UK Experience* Working Paper Number 70 (Center for Global Development, 2005) pp.10-11

⁶ Clarke, M. *British External Policy Making Since the 1990s* (London, Macmillan Press, 1992) p.83

transform their lives into full and happy ones. Thus the objective of the aid programme, the government stated, was to raise living standards through the promotion of social and economic development. The basis of the policies was therefore a moral one.⁷

The government highlighted within the 1965 White Paper a recognition that problems arise when the responsibility and control over development policy rests within a number of different departments, hence the setting up of a new and separate ministry. It says:

*The concentration of responsibility in the hands of one Minister enables us to work out a coherent aid policy and to adapt the distribution of our aid to that philosophy...Our aid programme must be administered in harmony with the policies of all the departments concerned with our economic and overseas affairs.*⁸

This is extremely similar to the pursuit of policy consistency by New Labour, which once in power, sought to create a more 'joined-up' government by which all department would work together with a consistency of policy aim across all departments. There was also a move in the 1965 Paper towards the untying of British aid. Although this practice was not abolished in these reforms, the Government expressed recognition that: 'The tying of aid often reduces its effective value to the recipient and the ideal solution would be a general untying by all donors.'⁹ Thus with this statement, we see the beginnings of the development practices that exist today under New Labour.

Another aspect of this Paper, which we can recognise in the work of later

⁷ Ministry of Overseas Development. *Overseas Development: The Work of The New Ministry* (London, Her Majesty's Stationary Office, 1965) paras 1 and 2

⁸ *The Work of the New Ministry* paras 70 and 74.

⁹ *The Work of the New Ministry* para 67

governments, is the need for co-operation between different parties in the aid programme, especially with other donor countries and with the recipient countries.¹⁰ This again mirrors the New Labour move towards building partnerships, which they set out in the 1997 White Paper. What we can see therefore, is that much of the grounding that underlies New Labour development policy had been set down by preceding Labour governments. As the examples above has shown, many of the essential elements of the 1997 White Paper can also be found at the core of previous White Papers on development.

Although the development administration had reverted back to the control of the FCO under Heath's government (1970-1974), with a change of government in February 1974 the Overseas Development Administration once again became a ministry separate from the FCO yet at the time, as Jones says, it was unclear what difference this institutional change would make to British aid policy. The 1974 Labour Party Manifesto had given no details on aid policy beyond a commitment of the 0.7% official development assistance target, however an earlier statement in 'Labour's Programme for Britain' 1973, had made detailed proposals which included increased aid to projects in countries which were geared to helping the poorest members of society, as well as an increase in aid to the poorest countries in general.¹¹

Their major development policies were soon set out though, once back in office, in another important White Paper for development '*The Changing Emphasis of Britain's Aid Policies: More Help for the Poorest.*' As Barder says, the Government, in this paper, proposed significant changes to aid policy. Emphasis was placed on increasing bilateral aid to the poorest countries, and ensuring that programmes of development within these countries were orientated towards the poorest groups within those societies, just as the pre-election statements had suggested. As an overall guide, the driving principle was that aid should be allocated

¹⁰ *The Work of the New Ministry* para 86

¹¹ Jones, D.B. 'Developments in British Aid' *ODI Review* No. 1 (1974) p.66

to have both a long term and the greatest effect possible on alleviating poverty.¹² The emphasis that was placed on the poorest members in the poorest countries is something that New Labour policy also continues. However, as will be noted in more detail below, the focus on the alleviation of poverty is diminished under New Labour in favour for policies that will have a longer effect, that is, the eradication of poverty.

From this evidence it could generally be assumed that Labour governments were more committed than the Conservative party to using aid for the development of the poorest countries. They had explicitly stated this as their aim, and had made appropriate institutional changes in order to fulfil it. Yet critics have maintained that the institutional changes carried out under the two Labour governments made very little difference to British aid policy. As White argues:

...a closer examination of the historical record [on British aid policy]...shows that, rhetoric aside, there has been far more continuity than change in British aid throughout the years, regardless of which party has held the reins of power. A central element in this continuity has been the important role political, economic and commercial considerations have played in constraining the aid programme.¹³

One reason for this continuity may be, as Sutton notes, that the Conservatives were limited in which new policies they could introduce. The extent of this limitation is realised when we take into account the obligation placed on the Conservative government to preserve the existing commitments to place greater emphasis on the poorest countries and on the poorest people in development aid, obligations that had been introduced by their predecessors, as well as continuing their inherited long-term international pledges.¹⁴ However, policy continuity cannot be attributed purely to the

¹² In Barder, *Reforming Development Assistance* p.8

¹³ White, H. 'British Aid and the White Paper on International Development: Dressing a Wolf in Sheep's Clothing in the Emperor's New Clothes?' *Journal of International Development* Vol, 10, No. 2 (1998) pp.151-166. p.152

¹⁴ Hewitt and Sutton, 'Taking Stock: Three Years of Conservative Aid Policy' p.28

constraints on the Conservative Government. Rather, we must recognise that in many respects, Labour actively pursued policies that were extremely similar to those of the Conservatives. These were generally policies aimed at the benefit of Britain above the developmental purposes of the aid programme. As White explains, even under Wilson's government aid was disproportionately affected by expenditure cuts in 1965, and in 1972 Seers and Streeten, who had headed the Economic Planning Staff at ODM, stated that the poor performance of aid had been due to Labour's political priorities rather than economic difficulties. Additionally, in 1968 it was proposed, although not implemented by a cabinet committee (which included Wilson himself), that all aid should be tied to the purchase of British goods. A similar policy resurfaced under Labour again in 1977, with the creation of the Aid and Trade Provision (ATP), through which aid was linked to non-concessional export credits and tied to the procurement of British goods and services.¹⁵ ATP, White says, highlights the Labour government's willingness to use aid as a tool in their relations with the UK business community.¹⁶ This policy, although introduced by the Labour, was also used by the Conservatives who, on their return to government, removed the 5% upper limit on ATP.¹⁷

However, with regards to the future direction of the British aid programme, one of the most significant and more positive developments was in 1973, Jones argues, with the establishment of the House of Commons Select Committee on Overseas Development, which was to consider and report on UK assistance for overseas development. In its reports the committee made recommendations that highlighted a more generous approach to UK aid than even the new government might be ready to accept. There was however no binding element to Committee recommendations in order to make the government follow the advice.¹⁸

¹⁵ White, 'British Aid and the White Paper on International Development' pp.153-154

¹⁶ White, 'British Aid and the White Paper on International Development' pp.154-155

¹⁷ Hewitt, 'British Aid: A change of direction' p.5

¹⁸ Jones, 'Developments in British Aid' pp.67-69

A New Approach for New Labour?

It is concerning that many argue that very little difference was made to the way UK aid policy was implemented under the two different governments when we begin to consider both the similarities in the White Papers on development and statements, such as those noted by Jones, made by the Labour party before their 1974 victory and those made by New Labour in the run up to the 1997 election. The 1997 manifesto promised that a higher priority will be given to combating global poverty and underdevelopment, with a shift in aid resources to help the poorest people in the poorest countries, a promise that, as noted above, was also made by both Wilson's and Callaghan's Labour governments.

The 1997 White Paper, *Eliminating World Poverty: A Challenge for the 21st Century* addressed New Labour's main policy changes in four sections. The first of these sections highlighted the refocusing of development policy towards the aim of the elimination of poverty. The second focused on the new concept of partnerships, that is, working with other actors in development in order to achieve the eradication of poverty. The third section of the White Paper highlighted an aim to ensure the consistency of policies. As Barder explains, this aspect of the agenda was based on the idea of a 'joined-up' government, which had developed from New Labour's realisation that many social problems, such as drug addiction and crime, could not be resolved by any one department on its own.¹⁹ Instead all departments would have to work together. In the White Paper the Government applied this theory to development also, thus tackling the problem that has been experienced by previous governments whose different ministries had competing aims. The final section stated the aim to increase public understanding of the need for international development, returning to a policy that had been pursued by Labour in the past but abandoned under the Conservatives.

¹⁹ Barder, *Reforming Development Assistance* p.11

Having recognised the similarities between the recent reforms and those of past governments it should be asked whether the changes that we see occurring under New Labour are really that different from the promises and reforms already witnessed under previous Labour governments. Blair argued at the beginning of the 1997 Manifesto that New Labour policy is different from that of earlier Labour governments:

*In each area of policy a new and distinctive approach has been mapped out, one that differs both from the solutions of the old left and those of the Conservative right... We recognise that the policies of 1997 cannot be those of 1947 or 1967.*²⁰

The insistence by Blair that their approach is unique may indeed be accurate. As Slater and Bell argue, it appears that the New Labour approach is neither a product of previous Labour or Conservative positions but, rather, a combination of the changing official development discourse and ideas that have grown out of 'Third Way politics', that is, a position between state interventionism, and the minimalist state (two extremes that have both been deemed ineffective when it comes to tackling poverty.)²¹ Yet critics have been hard in their assessment of New Labour's 1997 White Paper. It is argued that the three main objectives of the paper; poverty reduction, partnerships, and policy consistency have all been tried before and have each, to a great extent, failed.²² One reason for this failure by previous Labour governments, Lambe argues, stems from the fact that the 1965 White Paper laid down broad objectives and motives behind British aid, yet failed to specify how this was to be achieved.²³ Although it could be argued that New Labour is in a position to examine the previous attempts at these policies and learn from the failures of their

²⁰ Blair, T. *New Labour, Because Britain Deserves Better*. The 1997 Party Manifesto. Available at: <http://www.psr.keele.ac.uk/area/uk/man/lab97.htm>

²¹ Slater, D. and Bell, M. 'Aid and the Geopolitics of the Post-Colonial: Critical Reflections on New Labour's Overseas Development Strategy' in *Development and Change* Vol. 33, No. 2 (2002) pp. 335-360, p343

²² White, 'British Aid and the White Paper on International Development' p.161

²³ Lambe, J. 'British Development Policies' *ODI Review* No. 3 (1969) pp.40-55. p.49

predecessors, a major concern rests on the fact that the 1997 White Paper also lacks sufficient detail on how the policy objectives are going to be implemented. '...the White paper is at the level of broad policy statements, rather than on detail on the implications for the implementation of the British aid programme of these new policies.'²⁴ Burnell also comments on the vagueness of the White Paper saying that it focuses on 'sustainable development', but within the text this term is used with a variety of meanings.²⁵ He continues by saying that the same is true of the White Paper's section on partnerships, which argues that aid recipients need to take ownership of aid programmes:

*...just like sustainable development, our understanding of what ownership means, of precisely who or what should be the owners, and how best to operationalise the goal in practice are relatively underdeveloped and are contested.*²⁶

However, as Labour MP, Tony Worthington contended, the establishment of DFID has so far had the effect of making aid and development policy more principled and focused.²⁷

Surprisingly, scepticism of what one might consider to be the more promising aspects of the proposed policies also exists. As White says with regards to the recommended 'partnerships':

...the aid community has long been prone to political correctness in its terminology and previous attempts to re-label the donor-recipient relationship (e.g. the renaming

²⁴ White, 'British Aid and the White Paper on International Development' p.164

²⁵ Burnell, P. 'Britain's New Government, New White Paper, New Aid? Eliminating World Poverty: A Challenge for the 21st Century' *Third World Quarterly* Vol.19, No.4 (1998) pp.787-802. p.788

²⁶ Burnell, 'Britain's New Government, New White Paper, New Aid?' p.790

²⁷ The United Kingdom Parliament, Debate 10th December 2003, pt 23 (House of Commons Hansard Debates) <http://www.publications.parliament.uk/pa/cm200304/cmhansrd/vo031210/debtex/31210-23.htm>

*of DACs annual report from Development Assistance to Development Co-operation) have done nothing to change the inherently one-sided nature of the aid relationship.*²⁸

Burnell takes further contention with the list of potential partners that the White Paper provides. He argues that such an extensive list, which includes recipient states, civil societies, other donor governments, NGOs, multilateral financial institutions, as well as British businesses, succeeds only in devaluing the concept of partnerships, for it merely suggests that every entity has the potential to become a partner.²⁹

In response to these concerns we can turn to evidence that suggests, to the contrary, that New Labour's approach towards development policy is not only different from its predecessors, but has also been successful. One such example is the passing of the 2002 International Development Act. The Act states that every development assistance project/ programme must by law further sustainable development, or promote the welfare of the people and be likely to contribute to the reduction of poverty; this should be the single aim of all aid spending. The Act therefore also made it illegal for UK aid to be tied to the use of British goods and services.³⁰ Binding these ideas within the law is a significant development for this area of policy. As we have seen, the previous Labour governments promised such approaches yet, without being bound to them by law, could and did continue to follow traditional aid programmes that furthered national interests rather than promoting the development of the poorer nations.

The setting up of DFID has also been successful in contrast to previous attempts by Labour governments to place development work in the hands of a separate ministry. Past failures can be attributed to conflicts of interests between departments. As Lambe notes, the 1964 Ministry of Overseas Development had to battle against

²⁸ White, 'British Aid and the White Paper on International Development' p.160

²⁹ Burnell, 'Britain's New Government, New White Paper, New Aid?' p.790

³⁰ Barber, *Reforming Development Assistance* p.17

attempts by the FCO and the Board of Trade to distort the central objective of aid, that is, to promote social and economic development.³¹ Evidence suggests though, that New Labour has been successful with its policy of producing a 'joined-up' government, and therefore DFID should be free from pressures from other departments. For example the cooperation of departments can be seen in the establishment of the Global Conflict Prevention Pool, and the Africa Conflict Prevention Pool, both of which drew upon the resources and expertise of the Ministry of Defence, the Foreign Office, and the Department for International Development.³² The Secretary of State has also insisted that the White Paper is a government document which reflects an agreement between all ministries.³³ However, many are sceptical at how long this co-operation between departments will last. Burnell for example argues:

*DFID's ability to punch above its weight within the government will partly depend on the extent to which its concerns are shared by the FCO and coincide with its stated commitment to a 'more ethical foreign policy', and also on how far ministers...in other departments...can pursue complementary objectives in such international and multilateral forums such as the EU...without knowingly jeopardising their own policy goals.*³⁴

Considering this, we may yet see a return to inter-departmental disputes, whose resolutions may be at the expense of the new development approach.

As Lambe highlights though, the influence that DFID has within government will depend a great deal on the leadership within it, and on the position of other senior ministers towards development policy.

³¹ Lambe, J. 'The Future of the overseas Development Ministry' *ODI Review* No. 3 (1969) pp.56-62. p.56

³² Barder, *Reforming Development Assistance* p.16

³³ Burnell, 'Britain's New Government, New White Paper, New Aid?' p.791

³⁴ Burnell, 'Britain's New Government, New White Paper, New Aid?' p.792

*There is only one factor which is common to all countries in which the aid administration is working in a favourable environment...a strong governmental leadership, and a political commitment, at the highest level, to the developmental objectives of aid.*³⁵

Lambe believes therefore that the failure of previous Labour reforms with regards to aid policy was not due to political or public opinion, neither, he says, was it due to a flaw in the new structures for aid administration. Rather the failures came down to the priorities of the political leaders of both the Government and opposition.³⁶ Clare Short certainly provided strong leadership. Writers such as Hewitt believe that, due to Short's leadership and the example she has set for other foreign leaders, international development is now a major concern for presidents and government leaders, in a way that it has never been before.³⁷

However, as Burnell notes, the first Minister of Overseas Development, Barbara Castle, was also a strong leader, yet after her departure the influence of the new ministry quickly declined and by 1967 the cabinet seat was removed by the Labour government itself.³⁸ However, as a 2005 study for the Canadian Government concluded: 'Ten years ago, DFID was considered a middle-of-the-pack development agency. Today it is considered the best in the world.'³⁹ With such a renowned international reputation it is unlikely that even a change in the leadership at DFID will lead to a decline in the ministry's influence and respect within the Government.

Burnell argues that the change in vocabulary used at the level of policy, as is seen in the 1997 White Paper, will also make a positive difference. He says that moving away from terms such as aid, and assistance, makes the new approach less patronising and will therefore make for more productive dialogue between Britain

³⁵ Lambe, *The Future of the Overseas Development Ministry* pp. 58-59

³⁶ Lambe, *The Future of the Overseas Development Ministry* p.59

³⁷ Hewitt, *Beyond Poverty* p.291

³⁸ Burnell, 'Britain's New Government, New White Paper, New Aid?' p.792

³⁹ In Barber, *Reforming Development Assistance* p.3

and the recipient countries. The idea of 'partnerships' is thus also likely to be more successful.⁴⁰ However, changes in vocabulary will have little difference unless traditional approaches to development are challenged at a deeper, more fundamental level. Slater and Bell argue that 'both White Papers endorse the prevailing view concerning the centrality of economic growth and foreign investment in the elimination of world poverty.' Thus, they say, the focus on economic liberalism as a means of tackling poverty remains both central and unchallenged, and New Labour, in making neo-liberal globalisation and the reduction of poverty seemingly compatible, dismisses the very fact that the two are in conflict and pose serious challenges for development.⁴¹

We should also acknowledge that, despite the positive changes and strengths already noted, the new approach taken by New Labour does not reflect an entirely selfless position on development. As Barber says, one motivation for the establishment of a separate department was to increase the attention that is paid to the UK's long term strategic interests, and ensure that these were not side-lined by short term pressures. In particular it was and, with the emergence of international issues such as transnational terrorism, continues to be recognised that the UK's security interests are related to the reduction in poverty and inequality, and the improvement of governance in developing countries.⁴² Yet as Burnell highlights, the White Paper's commitment to grants and the cancellation of debts owed to the UK, as well as the urge it gives to other donor countries for multilateral debt relief for the most heavily indebted poor countries, does highlight the government's commitment to development even when it comes with a real financial cost to Britain.⁴³

⁴⁰ Burnell, 'Britain's New Government, New White Paper, New Aid?' p.789

⁴¹ Slater and Bell, 'Aid and the Geopolitics of the Post-Colonial...' pp.352-354

⁴² Barber, *Reforming Development Assistance* p.23

⁴³ Burnell, 'Britain's New Government, New White Paper, New Aid?' p.791

New Labour: Raising the Status of Development Policy

It can be concluded at this point that New Labour has implemented a more successful development policy than previous Labour governments. Although the fundamental ideas behind the policies can be seen as a progression of the work begun by earlier ministers, such as the commitment to helping the world's poorest in the poorest countries, New Labour has, with strong leadership and commitment to its values, raised the status of development policy, not only within the British Parliament, but in development administrations around the world.

However, we need to look further, beyond leadership and drive, at why New Labour in particular has been more successful than other Labour Governments despite the similarities that were commented on above.

Hamm argues that one fundamental change in the development approach by New Labour is that it exists within a human rights framework. This approach to development, he says, does not guarantee more success but it does cause significant changes in development policy and administration to occur.⁴⁴ Hamm says that, if taking human rights as the framework for development policy, the whole perspective of the programme changes from a moral commitment into the realm of legal claims. Aspects of development such as the provision of adequate food, education and health care can no longer be seen as acts of charity but as the right of each individual to have his/her basic needs met. This approach helps development policy to move away from the interests of both the donor country and the ruling class of the receiving country because human rights are in principle beyond such interests.⁴⁵ This may be the reason for the discontinuation of certain development policies that promoted national interests, such as the tying of aid. A human rights framework, Hamm notes, also changes the policy dialogue between the donors and recipient state.⁴⁶ It causes both participants to have obligations in the aid giving process, and the recipients to

⁴⁴ Hamm, B.I. 'A Human Rights Approach to Development' *Human Rights Quarterly* Vol. 23, No. 4 (2001) pp.1005-1031, pp.1011-1012

⁴⁵ Hamm, 'A Human Rights Approach to Development' p.1014

⁴⁶ Hamm, 'A Human Rights Approach to Development' p.1012

become more involved and thus more likely to take control of the programmes within their country. However, as Piron says, DFID frequently neglects to use the language of human rights in its policy, and when it does human rights are viewed as being purely instrumental, that is, they are a means to achieving development rather than the end process of development. The focus continues to be placed on the eradication of poverty rather than on the securing of human rights.⁴⁷

The adoption of a human rights approach to development, although influenced by an internationally changing notion of development, does not indicate that the changes are related to the right to development. Hamm argues that the right to development is different from and cannot replace a human rights approach to development because of the vagueness that surrounds the notion, the lack of consensus that the right has, and because of the lack of a legal obligation in the international treaty.⁴⁸ Has there been therefore any effect on New Labour development policy that can be attributed to the idea of a right to development?

Marks argues that reference to a right to development is notably lacking in the policy and practice of states at both the national and international level, despite the presence of many of the RTD's fundamental principles such as participation, transparency, non-discrimination and accountability, and this is true of New Labour's approach to development.⁴⁹ As Piron highlights, certain policies, such as the 'partnership approach' to development, that are emphasised in the White Paper, although consistent with the current interpretation of the Right to Development, do not specifically place human rights at the centre of the development process.⁵⁰ DFID has not built its new approach upon the ideas contained in the RTD, Piron remarks, and

⁴⁷ Piron, L.H. *The Right to Development: A Review of the Current State of the Debate for the Department for International Development* (London, Overseas Development Institute, 2002) p.39 http://www.odi.uk/rights/publications/right_to_dev.pdf

⁴⁸ Hamm, 'A Human Rights Approach to Development' p.1010

⁴⁹ Marks, S. 'The Human Right to Development: Between Rhetoric and Reality' *Harvard Human Rights Journal* Vol. 17 (2004) pp.137-168, p.152

⁵⁰ Piron, *The Right to Development* p.5

any mention of a right to development is notably missing from the two White Papers that they have produced.⁵¹ Instead, DFID bases its approach to development on two premises: (i) a moral duty to alleviate poverty, and (ii) self-interest that comes from the recognition of the interdependence of the world.⁵² For example, as noted above, after the recent terrorist attacks the Government realises that it is in our national interest to help eradicate poverty which is seen as one cause of the proliferation of terrorist movements, a point which will be discussed further in chapter 5.

Despite the fact that DFID does not base its policy on a right to development, Piron maintains that current DFID policy and practice, because of the emphasis within it that is placed on poverty eradication, aid-effectiveness, and partnerships, could act as an example for other nations where disagreements over the right to development still exist in the international forum.⁵³ This potential role for DFID is especially likely when we consider, as Piron does, the way in which British development policy is evolving. In policy papers, such as the Country Strategy Papers, there is an increased use of the language of human rights. Also, the DFID office in Peru is funding a pilot project on the RTD with the Independent Expert on the Right to Development.⁵⁴

As Killick says, thinking on development has changed in many ways, and these changes have had an effect on the way aid policies are now constructed. For example the view of development on which policy is based is more multi-dimensional than it has previously been. Social aspects, governance, and quality-of-life are all seen as a central part of development alongside the more traditional economic focus.⁵⁵ New Labour has certainly been influenced by these changes in development thinking as its broader approach to development highlights.

⁵¹ Piron, *The Right to Development* p.34

⁵² Piron, *The Right to Development* p.35

⁵³ Piron, *The Right to Development* pp.35-36

⁵⁴ Piron, *The Right to Development* pp.39-40

⁵⁵ Killick, T. 'Policy Autonomy and the History of British Aid to Africa' *Development Policy Review* Vol. 23, No. 6 (2005) pp.665-681. p.697

It appears that, while to some extent the changes in British development policy are due to the Government building upon the work of previous governments and learning from their failures, a change in theory at the international level has also had an affect on the policy process in Britain. State actors now have a broader understanding of what development entails, an understanding such as that developed by Sen, and have demonstrated in recent policy outlines, such as in the White Papers, that they have moved away from a purely economic understanding of development to one that takes into account human rights and fundamental freedoms. As Barder says:

As with most successful revolutions, the changes [made by New Labour] succeeded in part because they found resonance in a long evolution of thinking and in part because they...were in line with a new international mood that while increases in aid were an important part of the development agenda, it was essential also to pay attention to the broader set of policies that affect developing countries.⁵⁶

Also, as we have seen, there is some indication that human rights are taking a more prominent role within development policy. To what extent human rights theory has actually impacted on development programmes will have to be studied through the implementation of policies, for as some critics suggest, many governments, although committed to rights, avoid specific reference to it in their policies in order to avoid legal obligations being placed upon themselves.⁵⁷ Thus in order to address the questions raised in chapter 1 further, the following chapters will turn to look at the implementation of UK development policy.

⁵⁶ Barder, *Reforming Development Assistance* p.30

⁵⁷ e.g. see Piron, *The Right to Development*

Chapter 3

From Conditionality to Partnerships: A New Approach for Ensuring Effective Aid

The New Labour approach to development is one which, as Chapter 2 highlighted, focuses on the elimination of poverty and seeks therefore to make aid more effective. What New Labour recognised, having learnt from the experience of previous administrations, is that tied aid is ineffective, and that a human rights approach to development cannot focus on the interests of the donor but must be geared towards the needs of the recipient country. Thus it would appear that the traditional approach of making aid conditional to meet the needs and interests of the donor has been abandoned. Conditions do still exist in bilateral development relationships however, although phrased within the mutual responsibilities of development partnerships, and the Independent Expert's recommendations for development 'compacts'.

Chapter 3 therefore, will focus on the issue of conditionality, considering this aspect of aid policy that has been both historically used by states in their international development practice, and has been examined by the Independent Expert on the Right to Development who sees it as having a continued role within a right to development approach to aid. The chapter will firstly examine conditionality and the notion of partnerships in a general context, highlighting theoretical and practical challenges that partnerships face, and principles that are central to the idea. It will then turn to look more specifically at the approach of New Labour. When considering the issue of conditionality and the part that it plays in New Labour's development policy some questions that I will bear in mind are: is aid given to the poorest countries which are most in need of development regardless of the governmental system within the country? Has Britain's new policy approach been to reward good governments with aid, and to punish bad governments by withholding assistance? How does this fit

with their human rights approach to development? To what extent are British interests still promoted through bilateral relationships? Has a system been found to ensure that the mutual obligations in the development process are carried out? By looking at how conditionality now operates in development relationships the questions raised in chapter 1 and 2 will continue to underlie the discussion.

Conditionality Within a Rights Based Approach

It was argued in the previous chapter that a human rights approach to development, which many governments are now claiming to be following, should ensure that development policy is no longer based on the specific interests of the donor countries or of the ruling class in the recipient state.¹ However, as Sengupta says, donors should still have a legitimate concern over the effectiveness of the aid they are providing to developing nations in furthering the objectives of development² and, as chapter two also suggested, governments that pursue a human rights approach to development don't necessarily adopt a selfless position within development relationships but continue also to secure their own interests. It could be argued that, a factor which contributes to this control that donor governments attempt to wield over their development aid is the extent to which foreign aid is needed and depended on by recipient countries for their development process. As Sengupta notes, official development assistance (ODA) can be used to finance projects that have a high social return, such as health and education development, and can be used at the discretion of the public authorities without being constrained by market returns. From this aspect he believes that it would be beneficial if the amount of development assistance and foreign aid should increase, yet Sengupta also recognises that this means that flows of ODA will continue to depend on the motivations of the donor governments.³ Thus, the issue of conditionality will remain a concern in the development process,

¹ Hamm, B. I. 'A Human Rights Approach to Development' *Human Rights Quarterly* Vol. 23, No. 4 (2001) pp.1005-1031, p.1014

² Sengupta, A. 'On the Theory and Practice of the Right to Development' *Human Rights Quarterly* Vol. 24, No. 4 (2002) pp.837-889, p.880

³ Sengupta, 'On the Theory and Practice of the Right to Development' pp.879-880

especially if the amount of aid provided by donor countries is to grow. However, Sengupta does see a place for the continued use of conditionality within a rights approach to development, one which ensures that both the interests of donors, and the need to create a more balanced donor/recipient relationship are addressed, whilst remaining in keeping with the 'spirit' of a rights based approach.

*When imposed without the willing consent of the recipient, conditionalities go against the spirit of the rights approach to development. But if they form part of an understanding and are perceived as a 'compact' based on the mutual commitment to fulfilling conditions for implementing programmes, they can become an effective instrument for realising the right to development.*⁴

Piron notes that many countries are not comfortable with the concept of development compacts as they believe that it merely duplicates and even undermines existing partnerships in current international development cooperation.⁵ However, Sengupta, in his fifth Report as Independent expert, actually compares the idea of development compacts to existing arrangements, highlighting that his aim is to use the current approaches to development relationships while moving the focus onto human rights and creating a stronger position for monitoring mechanisms within the process.⁶ As well as improving current relationships in these two respects, Sengupta argues that the use of development compacts can also overcome the problems with conditionality that were highlighted in the previous chapter, problems which New Labour, among many governments, have come to recognise. These problems are predominantly associated with the failure of development programmes that were imposed with conditions because of the lack of commitment to, and ownership, of the programme.

⁴ Sengupta, A. 'Realizing the Right to Development' *Development and Change* Vol. 31, No. 3 (2000) pp.553-578, p.572

⁵ Piron, L.H. 'Are "Development Compacts" Required to Realise the Right to Development?' in *The Right to Development: Reflections on the First Four Reports of the Independent Expert on the Right to Development* Edited by Franciscans International (Geneva, Franciscans International, 2003) pp.46-61, p.46

⁶ In Piron, 'Are "Development Compacts" Required...' p.47

by the recipient government.⁷

Yet, as already noted, Sengupta does not move away from the idea of conditionality but incorporates the concept into his recommendations for development compacts, and does so in a manner which could potentially lead to significant conditions being placed on recipient governments. He conceives a human rights approach to development as including participation, transparency and accountability, aspects which tend to be linked, as we will see, to specific forms of political organisation.

...proponents of the right to development also must take a serious note of the implication of the human rights approach to development...[such an approach] would imply...effective participation of all individuals in the decision-making and the execution of the process of development, which would necessarily require transparency and accountability of all activities...⁸

Imposing Requirements of Good Governance

Sengupta himself recognises that in order for such participation by individuals in the development process to be possible, and to ensure that government decisions have been based on the genuine choice of the public, programmes must be developed either in the context of a participatory process of consultation with beneficiaries, or within the democratic forum of the state.⁹

Although we should recognise that this participatory method of development is also helping individuals to overcome poverty in the broadest sense, as was discussed by Sen, and as Sengupta himself highlights in his recommendations, Sengupta has

⁷ Sengupta, 'On the Theory and Practice of the Right to Development' pp.881

⁸ Sengupta, A. *The Right to Development as a Human Right*. Available at http://www.hsph.harvard.edu/fxbcenter/FXBC_WP7--sengupta.pdf p.12

⁹ Sengupta, 'On the Theory and Practice of the Right to Development' p.867

departed from Sen's work quite dramatically, and those theories which initially broadened our understanding of development. He notes that Sen describes poverty as being more than a low level of income; it is also the deprivation of basic capabilities that give individuals an expanded choice or freedom to be/do that which they value.¹⁰ Thus, by ensuring that individuals can exercise choice in the development process it can be argued that their freedom to choose the sort of life they want to live is being upheld. However, it was argued by Sen, as discussed in chapter one, that 'capability reflects a freedom to choose between alternative lives...and its value need not be derived from one particular 'comprehensive doctrine' demanding one specific way of living.'¹¹

As Piron also argues, Sengupta's model for development does not consider what should be done in poor policy environments or in countries where the human rights of its citizens are not respected. Piron also highlights what could be seen as a naïve aspect of the Independent Expert's recommendations. She contends that international development assistance continues to be related to the foreign policy of developed countries, as well as their historical relations. 'Politics', she says, 'cannot be simply "wished away".'¹² As the previous chapter argues though, the politics of development *is* changing, among both state governments and theorists alike. Both have also begun to question the effectiveness of conditionality.

The idea of development 'compacts', which Sengupta emphasises the need for in his recommendations, is not a new concept, showing that development relationships have already been evolving. The concept is one that has been developing since the 1980s, beginning with the Norwegian Foreign Minister, Stoltenberg, and followed quickly by development economists and the UNDP's *Human Development Reports*. Like Sengupta, other theorists and government leaders intended that the proposed

¹⁰ Sengupta, 'On the Theory and Practice of the Right to Development' pp.885

¹¹ Quoted in Crocker, D.A. 'Functioning and Capability: The Foundations of Sen's and Nussbaum's Development Ethic' in *Political Theory*, Vol. 20, No. 4 (November, 1992), pp. 584-612, p.597

¹² Piron, 'Are "Development Compacts" Required...' p.57

development programmes of developing countries and their efforts should be supported by donors through a clear commitment to providing the necessary assistance. Thus it is later suggested by OECD governments that a Development Commission should be formed in order that continued dialogue between donors and recipients would be possible.¹³ Another factor which contributed dramatically to the change in attitude towards conditionality was the publishing in 1998, by the World Bank, of the influential report *'Assessing Aid: What Works, What Doesn't and Why'*. This report agreed that development aid could reduce poverty and encourage economic growth, however it also argued that this was only possible within developing countries that had a system of 'good governance', as the World Bank understood this, countries with 'good' economic policies and strong institutions.¹⁴

As Hermes and Lensink note, this report sent out a strong message to policy makers around the world when it concluded that development aid should be allocated by selecting recipient countries according to their policy environment,¹⁵ and this message seems to have taken root. As donor governments stated in a 1994 OECD-DAC document *DAC Orientations on Development and Good Governance*:

*It has become increasingly apparent that there is a vital connection between open, democratic and accountable systems of governance and respect for human rights, and the ability to achieve sustained economic and social development...This connection is so fundamental that participatory development and good governance must be central concerns in the allocation and design of development assistance.*¹⁶

Killick and Healey believe that donors, through the aid that they give, do have the ability to improve domestic institutions within the recipient countries, and help to

¹³ Sengupta, 'Realizing the Right to Development' p.572

¹⁴ Hermes, N. and Lensink, R. 'Changing the Conditions for Development Aid: A New Paradigm?' in Hermes, N. and Lensink, R. (eds) *Changing the Conditions for Development Aid: A New Paradigm?* (London, Portland, Frank Cass Publishers, 2001) pp.1-16, p.1

¹⁵ Hermes and Lensink, 'Changing the Conditions for Development Aid: A New Paradigm?' p.4

¹⁶ Quoted in Neumayer, E. *The Pattern of Aid Giving: The Impact of Good Governance on Development Assistance* (London and New York, Routledge, 2003) p.10

reform the political system to make it more accountable and responsive to the needs of the poor within the countries.¹⁷ Yet as they also recognise, this level is impossible in countries where the government is hostile to reform, as will often be the case where those in power benefit from the existing system no matter how corrupt it is. Therefore, the implication, they argue, is for donor governments to use selectivity in their choice of governments to assist.¹⁸ It is arguments such as these that suggest that the World Bank's promotion of the use of selectivity has been successful among many theorists, thus adding the incentive and pressure on donor governments to support and apply this model in their dealings with recipient countries.

Critics of the report, such as Guillaumont and Chauvet, have argued that, although it may be useful to base aid on the success of recipient government policies and institutions, measurements of performance must take into account the impact of external and climatic factors on the policy outcomes.¹⁹ This is important to bear in mind when we come to examine the practical implications of this method as the main concern of this argument is that governments will be punished for poor policy environments that are a product of situations that are out of their control. Yet what is also interesting is that these critics do not seem to be objecting to the actual concept of selectivity, their concern rests with the application of the theory.

This perceived change in focus, from conditionality to selectivity, has not passed undisputed though. As Pronk argues, the consequence of imposing a requirement of good governance removes the incentive built into conditionality for countries to improve on their governance and, more worryingly, prevents countries from receiving development assistance that could be used in programmes that will improve the quality of governance. He rightly asks whether 'policy improvement and better governance should not be seen as pre-conditions for development and for

¹⁷ Healey, and Killick, 'Using Aid to Reduce Poverty', in Tarp. F. (ed) *Foreign Aid and Development* (London, New York, Routledge, 2000) pp.223-246, pp.228-229

¹⁸ Healey and Killick, 'Using Aid to Reduce Poverty' p.243

¹⁹ Hermes and Lensink, 'Changing the Conditions for Development Aid: A New Paradigm?' p.7

development aid, but also as development objectives themselves.²⁰

Hermes and Lensink share a similar concern, and argue that development aid should be directed to those countries which demonstrate efforts to develop good policies, and not those who have already succeeded in achieving such policies. They conclude therefore that aid should be given to those who show willingness for reform but lack capacity.²¹ As Hamm has also noted, a human rights approach to development should imply that ODA will be given primarily to those countries where basic rights are most endangered in order to support institution-building that will make governments accountable and enforce the rule of law.²² This argument suggests that governments that claim to follow a human rights approach to development cannot also support a method of selectivity as, generally speaking, those countries with good governance in place, and which express commitment to development goals will rarely be the countries in which systematic and wide spread abuse of citizens rights are occurring. It must therefore be asked whether these two positions, both of which have found support in the practice of donor governments, can be reconciled. One attempt to do just this is offered by Killick and Healey who argue that working with the recipient government is not the only possibility to ensure 'local ownership' and the successful implementation of development programmes. They suggest that, depending on the political environment within the country, donors should also be able to work with different areas of civil society, local government agencies who may be closer to the needs of the poor, and charities and NGOs who are likely to use a participatory approach in the execution of their programmes (an approach that will be discussed in more detail in the next chapter).²³

A second concern, which is highlighted by Doornbos, returns us to the problem of universality. As with the arguments against development as a human right which, as

²⁰ In Hout, W. 'Aid as a Catalyst: Comments and Debate (II): Good Governance and Aid: Selectivity Criteria in Development Assistance' *Development and Change* Vol. 33, No. 3 (2000) pp.511-527, pp.511-512

²¹ Hermes and Lensink, 'Changing the Conditions for Development Aid: A New Paradigm?' p.14

²² Hamm, 'A Human Rights Approach to Development' p.1031

²³ Healey and Killick, 'Using Aid to Reduce Poverty' pp.231-232

discussed in chapter one, criticised the notion because of the lack of an established set of universal rights and values, many have argued that the notion of 'good governance' that is being applied as a selection criteria is far from having universal acceptance.²⁴ As Doornbos says:

*...standards of 'good governance' in principle are conceivable within different socio-cultural and political contexts...Rather, donor standards are likely to be derived from the way donors are used to perceive and handle the world around them, that is, from their own particular- and cultural- perspective, even though this may be presented as having 'universal' value.*²⁵

The argument, he says, therefore becomes about the form of government instead of focusing on the important aspects of substance and practice. Many governments in developing countries have argued this point. For example Uganda, which struggled to gain recognition for an alternative to multi-party systems, argued that this form of political organisation had evolved in Western experience and was not the only form of 'good governance' or the only route towards a democratic political process.²⁶

It should also be noted that even among Western governments and scholars there has not been agreement on what constitutes good governance. For example, the UNDP sees good governance as participatory, equitable, and promoting the rule of law,²⁷ where as theorists such as Neumayer conceive good governance as being a democratic system that respects human rights, keeps to a non-excessive military expenditure, and has efficient public sector management.²⁸ It should be questioned

²⁴ Doornbos, M. 'Good Governance': The Rise and Decline of policy Metaphor?' in Hermes, N. and Lensink, R. (eds) *Changing the Conditions for Development Aid: A New Paradigm?* (London, Portland, Frank Cass Publishers, 2001) pp.93-108, p.99

²⁵ Doornbos, 'Good Governance' ...' p.99

²⁶ Doornbos, 'Good Governance' ...' pp.100-101

²⁷ Hamm, 'A Human Rights Approach to Development' p.1021

²⁸ Neumayer, *The Pattern of Aid Giving...* p.1

therefore whether good governance can really be applied as a selection criteria if no accepted and universal definition can be found. Concerns surrounding this increase when we consider that many academics list good governance as an essential element of a rights based approach to development. Hamm for example stresses that the fundamental characteristics are non-discrimination, participation and good governance, especially the rule of law.²⁹ As Neumayer says though, development debates have focused on good governance regardless of the problems with definition for two reasons. Firstly, as already noted, good governance has an instrumental value in that the effectiveness of aid is dependent on it, and secondly because good governance is a goal that is worthy to achieve in and of itself, for example it ensures that citizens have their rights protected, protection from the law and good public services.³⁰ As the UN Economic and Social Council report says, looking at the definitions given with regards to good governance there is a concern among both academics and governments that donor expectations may be too excessive, especially in relation to how quickly they expect national systems to be reformed. It is argued therefore that “good enough’ governance may be a more appropriate objective.’³¹

Discrepancies over the meaning of good governance may be irrelevant though, as some academics such as Doornbos argue that, although the notion of good governance may be seen by some donors as a criterion for selection of aid recipients, the term is little more than a figure of speech that will not have a significant practical consequence.³² This argument can be supported by the work of Alesina and Dollar who investigate what factors influence the choice of donor governments when deciding which countries to give aid to. They conclude that:

²⁹ Hamm, ‘A Human Rights Approach to Development’ p.1030

³⁰ Neumayer, *The Pattern of Aid Giving...* p.8

³¹ United Nations Economic and Social Council. *The Right to Development: Study on Existing Bilateral and Multilateral Programmes and Policies for Development Partnership* (2004) E/CN.4/Sub.2/2004/15

<http://daccessdds.un.org/doc/UNDOC/GEN/G04/156/36/PFD/G0415636.pdf?OpenElement> p.10

³² Doornbos, “Good Governance’ ...’ p.107

*Factors such as colonial past and voting patterns in the United Nations explain more of the distribution of aid than the political institutions or economic policy of the recipients...a non-democratic former colony gets about twice as much aid as the democratic non-colony.*³³

However, different stances are taken by different recipient countries in relation to good governance. Their findings show that the Nordic donors especially, respond to good institutions of the receiving government and openness whereas other donors, mainly France, give to former colonies and countries of political alliance with little regard for poverty levels or political and economic factors.³⁴

However, Doornbos' argument is unconvincing when we see that the selectivity model *has* been applied with dramatic consequences. In 1998 the coalition government of the Netherlands decided to select those countries to be allocated development aid on the basis of 'good governance' and 'good policy.' Twenty four countries that at the time were receiving aid from the Netherlands did not fulfil the criteria set down by the government, and therefore aid to these countries was filtered out.³⁵ Yet, as Hout notes, those countries that were selected for Dutch development assistance tended to have more corruption than those that were not selected. However, the lack of transparency attached to the selection process has meant that it is not clear by what standards the recipient countries were selected. It has therefore been surmised by critics such as van Hulten that the selection procedure was not immune from opportunism.³⁶ Thus, from the above experience it may appear that the selectivity model if invoked but without transparency, merely masks arbitrary decisions by donor countries in their selection of recipient governments. Also, as Hamm says, this model can be viewed as another means for the imposition of certain

³³ Alesina, A. and Dollar, D. 'Who Gives Foreign Aid to Whom and Why?' *Journal of Economic Growth*, Vol. 5, No. 1 (2000) pp.33-63, p.55

³⁴ Alesina and Dollar, 'Who Gives Foreign Aid to Whom and Why?' p.34

³⁵ Hout, 'Aid as a Catalyst: Comments and Debate (II)...' pp.513 and 515

³⁶ Hout, 'Aid as a Catalyst: Comments and Debate (II)...' pp. 521 and 524

political and economic models, on recipient countries, by governments of the developed world.³⁷ Yet as Hamm also recognises 'one can imagine various forms of participation that do not necessarily coincide with a democratic socio-political structure. However, democratic institutions best guarantee stable and continuous participation and the growth of civil society...'³⁸

*'...selectivity means imposing specific conditions on countries regarding their past policy performance and past policy environment to decide whether they become eligible for aid disbursements in the future...In other words the good governance criterion for distributing aid is in fact introducing conditionality in disguise.'*³⁹

Thus, it can be said that both the model of partnerships and compacts, and the process of selectivity continue to employ, in some way, a notion of conditionality.

The Policy and Practice of New Labour

An examination of the results from research, such as that conducted by Dollar and Alesina, leave open to debate the effect that the changing theory on conditionality has had on state practice. As mentioned above, it has been shown that many states have employed the new models in their bilateral relationships, whereas others are still driven by historical ties and political alliances. What will now be discussed therefore, is the position that New Labour has taken following the changes that both theorists and other states have made. The evidence that was presented in chapter two suggests that New Labour's approach towards conditionality has changed. Firstly, this seems to be the case, because of a renewed focus on the elimination of poverty through aid, rather than the promotion of British interests, and secondly, due to the government's introduction of the concept of partnerships in their 1997 White Paper.

³⁷ Hamm, 'A Human Rights Approach to Development' p.1020

³⁸ Hamm, 'A Human Rights Approach to Development' p.1020

³⁹ Hermes, and Lensink, 'Changing the Conditions for Development Aid: A New Paradigm?' p.14

As Piron highlights, the initial approach taken by New Labour reflects the 'selectivity' model advocated by the World Bank. DFID's Target Strategy Paper (2000) *Realising Human Rights for Poor People* states the government's intention to make development assistance conditional on the degree of commitment of recipient governments.⁴⁰

*Development...requires that national governments ensure that their efforts are effectively focused on actions which accelerate the elimination of poverty. The Right to Development sets out the obligations of national governments to support the institutions and processes to ensure that this will happen. (para 3.9 of the Target Strategy Paper 2000)*⁴¹

Use of selectivity in the government's choice of recipients is apparent in this statement, not only from the requirement that governments are focused on the elimination of poverty (which instantly suggests that New Labour aims to work with those committed to the same goals), but also in the obligation put on developing nations to 'support the institutions' that will be capable of carrying out poverty reduction. As argued above, this generally refers to democratic institutions, thus suggesting that New Labour will offer support to those countries that are willing to democratise. This is apparent in both the White Paper and from studies of past and recent trends in UK aid, such as Svensson (1999) who argued that respect for political and civil rights impacts upon whether a country will receive aid from the UK, and Neumayer (2003) whose study also maintained that the UK provides more aid to those countries which respect personal rights and have democratic regimes.⁴²

⁴⁰ Piron, L.H. *The Right to Development: A Review of the Current State of the Debate for the Department for International Development* (2002) Available at http://www.odi.uk/rights/publications/right_to_dev.pdf p.34

⁴¹ Quoted in Piron, *The Right to Development...* p.34

⁴² Neumayer, *The Pattern of Aid Giving...* pp.30-31

*Those [countries] most likely to succeed will have effective government, enlightened legislation, prudent budgeting and an efficient administration that responds to the needs of poor people.*⁴³

The government commits itself therefore to 'pursue [the International Development] targets in partnership with poorer countries who are also committed to them.'⁴⁴ Yet it appears that, while focusing on countries that are committed to poverty reduction, New Labour recognises also that this entails responsibility and commitment on their part. Slater and Bell, using both statements given by DFID and the two government White Papers, say that:

*New Labour gives considerable weight to the idea of genuine partnership, where there is a political commitment to tackle poverty elimination on both sides, so that the old conditionalities of development assistance can be transcended.*⁴⁵

As Baehr notes though, donor countries are accountable to their citizens, as well as being aware that they must avoid the charge of complicity with corrupt and repressive regimes. It may seem therefore that aid cannot be given to countries that have such governments.⁴⁶ This is problematic when we consider, as the UN Economic and Social Council has done so, that between 500 million and one billion people live in such countries, where governance is weak and shared values and commitments simply do not exist. The selectivity approach therefore, the Council recognises, poses a threat to the reduction of global poverty.⁴⁷ As Randel says, for an anti-poverty development approach to be effective, it demands that poverty be addressed even in

⁴³ White Paper on International Development. *Eliminating World Poverty: A Challenge for the 21st Century* (1997) <http://www.dfid.gov.uk/pubs/files/whitepaper1997.pdf> p.22

⁴⁴ *Eliminating World Poverty: A Challenge for the 21st Century* p.22

⁴⁵ Slater, and Bell, 'Aid and the Geopolitics of the Post-Colonial...' p.349

⁴⁶ Baehr, P.R. *The Role of Human Rights in Foreign Policy* 2nd Edition (London, Macmillan Press, 1996) p.35

⁴⁷ E/CN.4/Sub.2/2004/15 p.12

the most difficult situations.⁴⁸ New Labour recognises the need to maintain accountability to both Parliament and the public, and to ensure that aid is used effectively; however, their policy paper does also address the aforementioned concern.⁴⁹ The government, in its paper *Partnerships for Poverty Reduction*, recognises that in many countries the shared commitments necessary for a successful partnership are not in place. However, it is stressed that this does not entail that development work within these countries cannot be carried out. The government offers a commitment therefore to work through other means, such as NGOs, in order that aid reaches those in need.

*Poor political governance...can hasten a country's decline towards instability. Instead of withdrawing from these countries, the UK is committed to finding ways of delivering targeted, selective aid focusing on improving governance...In countries where the government is weak or uninterested in development, we will closely monitor the situation to identify opportunities for political dialogue.'*⁵⁰

White says that the term 'selectivity', reflects a position that ensures channels still exist for aid to reach the poor even in countries where bad governments are in power. This, he argues, is the stance that DFID takes, a stance which maintains a commitment to the poor and follows a traditional approach which ensured that British aid continued to flow to South Africa under apartheid, and to Ethiopia under Mengistu through the use of NGOs.⁵¹ Thus when such channels exist, the British government can both make a genuine commitment to tackle poverty while ensuring that money reaches its intended destinations, and thus accountability to the Parliament and British citizens is maintained.

⁴⁸ German, T and Randel, J. 'Trends Towards the New Millennium', in Randel, J. German, T. and Ewing, D (eds) *The Reality of Aid 2000: An Independent Review of Poverty Reduction and Development Assistance* (London, Earthscan Publications, 2000) pp.14-26, p.22

⁴⁹ Department for International Development. *Partnerships for Poverty Reduction: Rethinking Conditionality* (2005) <http://www.dfid.gov.uk/pubs/files/conditionality> p.11

⁵⁰ DFID. *Partnerships for Poverty Reduction...* p.17

⁵¹ White, 'British Aid and the White Paper on International Development...' p.162

As was noted at the beginning of the chapter, the Independent Expert's recommendations did not elaborate on what could be done in poor policy environments. Thus New Labour seems to have achieved a significant improvement upon the recommendations of the Independent Expert, and in doing so has also managed to address the concerns, such as those raised by Pronk, regarding the states that may desire aid but do not fulfil the criteria under the selectivity model. Despite this statement of commitment though, there will remain the concern that the government may act only when the poverty, and therefore instability, are close to home and to our own interests, as was witnessed with the action taken in Yugoslavia compared to that in Rwanda.⁵² However, as will be discussed in later chapters, globalisation and the increasing interconnectedness of states means that there will be very few situations in which threats to peace and security in other states will not impact upon us. Therefore, the changing dynamic of the world will ensure that donors can no longer ignore such atrocities that occur in what was once considered to be physically distant and culturally different places. DFID has begun to recognise the potential threats that poor policy environments pose to us, as well as acknowledging the effect that such environments have on the citizens of fragile states. Thus, despite the costs and risks that, as DFID notes, come from working in such countries, the department has made significant progress in enabling development programmes to occur in states that, under the selectivity approach, would be excluded.⁵³

Their main statement of policy with regards to poor policy environments is the 2005

⁵² German and Randel, 'Trends Towards the New Millennium' p.25 It should be noted at this point however that, despite the lack of action on the part of the international community with regards to the genocide in Rwanda, the UK has since taken steps to affirm the partnership and thus the commitment that the UK Government has both to and with the Government of the Republic of Rwanda. This is expressed in the Memorandum of Understanding 2006, a document which highlights what appears to be both a genuine partnership where commitments are expressed by the two governments in an accountable and transparent framework, and which, in promoting good governance and respect for human rights, is a partnership that the UK government has entered into despite the recent unrest and conflict within the country.

⁵³ Department for International Development. *Why We Need to Work More Effectively in Fragile States* (2005) <http://www.dfid.gov.uk/Pubs/files/fragilestates-paper.pdf> p.5

paper *Why We Need to Work More Effectively in Fragile States*. DFID seems willing to bear the costs and risks because it recognises that 'development and stability can be achieved with very different governance arrangements, as demonstrated by the experience of countries as diverse as Botswana, China, Chile, Mozambique and Vietnam.' Increases in aid, DFID says, will thus reduce poverty even in fragile states and poor policy and institutional environments.⁵⁴ What is important though, DFID notes, is that donors realise that fragile states cannot respond to conditional aid because they lack the mechanisms for setting national priorities.⁵⁵ Therefore the trend of setting more demanding conditions for weaker states is counterproductive. DFID moves away from this trend and adopts the attitude that was recommended, that 'good enough' governance should be the aim in development, that is, ensuring that the state can maintain basic functions such as protecting its citizens from harm.⁵⁶

However, the department also notes that, while slightly lowering expectations, it remains imperative to both study the reasons for state failure, and understand local factors which will affect change within society.⁵⁷ This need has also been emphasised by academics: '...if ownership and partnership are really to be taken seriously, then donors have to accept that in the future, programmes need to be more country specific.'⁵⁸ Again DFID seems to respond effectively to this need though, as can be seen in the establishment of *Drivers of Change*, a programme which works in close collaboration with country offices in order to promote an understanding of underlying political structures, and formal/ informal institutions in the developing nations with which DFID hopes to work.⁵⁹ Yet DFID also realises that human rights monitoring and security guarantees are equally important in the support for fragile states.⁶⁰ This again highlights the emphasis that has begun to be placed on human rights, and those

⁵⁴ DFID *Why we Need to Work More Effectively in Fragile States* p.20

⁵⁵ DFID *Why we Need to Work More Effectively in Fragile States* p.12

⁵⁶ DFID *Why we Need to Work More Effectively in Fragile States* pp.20 & 16

⁵⁷ DFID *Why we Need to Work More Effectively in Fragile States* pp.15 & 26

⁵⁸ Hermes and Lensink, 'Changing the Conditions for Development Aid: A New Paradigm?' p.14

⁵⁹ See DFID. *Drivers of Change* (2004) <http://139.184.194.47/go/topic-guides/drivers-of-change>

⁶⁰ DFID *Why we Need to Work More Effectively in Fragile States* p.16

institutions that can ensure their protection.

The New Labour government clearly states in policy papers that its aims, with regards to partnerships, are to agree on benchmarks rather than impose conditions; to promote a shared commitment to human rights; and to highlight the importance of good governance, good economic and social policies, transparency and accountability, policies that are extremely close to those set down by the Independent Expert for constructing a right to development based process.⁶¹ As Ludlam and Smith say, the decision by the Foreign office and DFID to publish annual reports which detail the government's record on human rights gives credence to the claim that New Labour aims to make its policy processes more transparent.⁶² This credibility has been furthered by publishing, for the first time, Country Assistance Plans, as well as making most other project documents available via the internet.⁶³ This gives grounds for hope that when it comes to the selection of countries to receive development aid, we in Britain will not be faced with a situation like that of the Dutch, that is, a lack of explanation for the significant changes to development policy, and the suspicion that choices were made on arbitrary decisions. As Slater and Bell also argue:

*The strong stance taken in favour of anti-corruption strategies and the willingness to 'put our own house in order' through legislation aimed at giving UK courts jurisdiction over UK nationals who commit offences of corruption abroad, is clearly a positive step...Rather than assume...that corruption is essentially a third world phenomenon, there is an attempt to broaden the debate and take seriously the existence of corrupt practices...within Western countries.*⁶⁴

⁶¹ See Chapter 1. Sengupta, 'The Human Right to Development' p.181

⁶² Buller, J. 'Foreign and European Policy' in Ludlam, S. and Smith, M.J. (eds) *Governing as New Labour: Policy and Politics Under Blair* (Hampshire and New York, Palgrave Macmillan, 2004) pp.193-210, p.203

⁶³ Barder, *Reforming Development Assistance* p.27

⁶⁴ Slater and Bell, 'Aid and the Geopolitics of the Post-Colonial...' p.356

Acts by the government, such as these, give considerable reassurance of their own commitment to those values and systems which they are promoting in the developing world.

However, as Piron notes, although in some cases where there has been a gross violation of human rights British support to that country had been suspended in order to maintain accountability and pressure the government into respecting human rights, for example to Nigeria under Abacha and to Burma, this has not been consistently applied. DFID continues to provide budget support to Vietnam, without entering into discussions concerning human rights with the government.⁶⁵ As White argues, 'Double standards in the application of political conditionality is just one of the problems confronting this use of aid funds which needs to be settled if the concept of partnership is to be pursued.'⁶⁶

Another concern which has arisen from the governments approach stems from the fact that traditional uses of conditionality have not completely disappeared from New Labour's agenda, there have been recent attempts by the government to place conditions on development aid in order to further their own interests. As Barber notes for example, in May 2002 the Home Office introduced proposals that aimed at reducing the number of asylum seekers that were entering the UK. Included within these was the proposition that aid to countries such as Somalia, Sri Lanka and Turkey should be tied to the condition that these countries would accept the return of asylum seekers. This proposal was opposed by Clare Short who argued that this action constituted little more than the blackmailing of foreign governments, and was later dropped by the government.⁶⁷ However, the wishes of those in DFID had not been so successful in December 2001 when they opposed arms export application from British Aerospace for a £28m military radar system was allowed by the government, regardless of the fact that it would breach the terms of Tanzania's debt relief.⁶⁸ The

⁶⁵ Piron, *The Right to Development...* p.40

⁶⁶ White, 'British Aid and the White Paper on International Development...' p.163

⁶⁷ Barber, *Reforming Development Assistance...* p.21

⁶⁸ Barber, *Reforming Development Assistance...* p.22

same is true when we consider the continued sale of Hawk training jets by Britain to Indonesia, even though they were being deployed against the Independent Movement in East Timor.⁶⁹ These examples highlight, not only that commercial interests can still potentially be placed above development interests despite the changing attitudes towards development assistance, but also calls into question the promises of New Labour to produce a 'joined-up' government, as discussed in the previous chapter. It also highlights a fundamental contradiction in the governments approach, on the one hand promoting the belief that the priorities for developing countries should be based on the elimination of poverty, while on the other hand supporting the military growth and aims of such countries.

Even when we have taken into account the government's lapses into a more traditional, self-interested mode of giving development aid, there remains much evidence to suggest that their approach has significantly changed direction to one that attempts to incorporate, where possible, genuine partnerships, and when not possible, looks to other means by which to provide assistance to the world's poor.

Facing the Challenges: Hopes for Advancing the Right to Development

Yet many critics remain sceptical of even this new approach. Fowler argues that the partnership approach is simply another method by which developed countries penetrate those in the South, inducing them into accepting what can essentially be regarded as a 'North-driven agenda' that doesn't allow for alternative visions.⁷⁰ Slater and Bell also comment on this by highlighting that New Labour's White Paper (2000) talks of both the 'diffusion of knowledge and technology to developing countries' and the 'diffusion of global norms and values.'⁷¹ They argue that statements such as these reflect an attitude that sees the development process as a one-way flow in which the poor wait for benefits of knowledge and technology to

⁶⁹ Buller, 'Foreign and European Policy' p.203

⁷⁰ Quoted in Slater and Bell, 'Aid and the Geopolitics of the Post-Colonial...' p.350

⁷¹ Quoted in Slater and Bell, 'Aid and the Geopolitics of the Post-Colonial...' p.350

come to them from the developed world as though this were a positive process, and without considering that developing countries may have their own sources of knowledge that could potentially benefit, not only their own societies and cultures, but the whole world. For partnership to be genuine, it is argued, the donors have to recognise this fact and accept that the vision and political priorities of the recipient countries may be considerably different from those of the Western community.⁷²

However, despite these challenges, the UN Economic and Social Council believe that an area of complementarity, between the attitude of the development community and that of human rights advocates, can be found in this notion of partnerships, a consensus that could potentially create ways for the right to development to be promoted. As they too note, the close connection that this approach has to the Declaration on the Right to Development comes from the fact that the Declaration recognises shared responsibilities and the need for cooperation at both the domestic and international levels, and the partnership approaches ensures that these responsibilities are both recognised and implemented in current development practice.⁷³ Yet they also note that such an approach must place human rights at the centre of the process, and not merely refer to them when they become of instrumental value, that is, when the use of human rights will further poverty reduction strategies. For example, the council notes that the RTD can contribute to the way in which certain development process are to be understood through the people-centred stance that it promotes, as well as the primary role it gives to the formation of appropriate policies and legislation by national governments. However, they note that while mutually reinforcing, human rights and poverty reduction constitute fundamentally different frameworks.⁷⁴ Therefore, while acknowledging the benefit that human rights may hold for poverty reduction strategies it is a human rights framework that they seek, which focuses upon international human rights, such as those enshrined in the Declaration on the Right to Development.

⁷² Slater and Bell, 'Aid and the Geopolitics of the Post-Colonial...' pp.351 and 353

⁷³ E/CN.4/Sub.2/2004/15 pp.5-6

⁷⁴ E/CN.4/Sub.2/2004/15 p.19

...development partnerships can make a contribution to the realisation of the right to development if they are grounded in human rights. Human rights principles may be useful for such processes, but the international human rights framework also needs to be kept in mind, as well as key aspects of the Declaration on the Right to Development. A key criterion is whether both recipient and donor governments are recognising and making efforts to respect, protect and fulfil human rights.⁷⁵

As the evidence above shows, there have been many occasions in the recent past where New Labour has not respected human rights within its workings with developing nations. The lack of explicit reference to a right to development in DFID's policy statements, and often to human rights in general, also suggests that the consensus that the UN had hoped would form around the idea of partnerships has not yet materialised.

Piron argues however, that although DFID has displayed an instrumentalist approach to human rights, its practice is evolving. For example, she says, as noted in chapter two, there is a growing reference to human rights in DFID policy papers, in particular their County Strategy Papers, and the DFID base in Peru is working on a rights based project in conjunction with the Independent Expert on the Right to Development, evidence which is promising for a human rights approach in general and especially so for the RTD which, as we have seen, has had little mention in development work to date. Thus, says Piron, with few areas of conflict between DFID's approach and the RTD, DFID's work is extremely progressive by way of current human rights and development practice.⁷⁶ The change in stance, from an instrumentalist one, to that which centres on human rights, is already becoming apparent in DFID's attitude.

⁷⁵ E/CN.4/Sub.2/2004/15 p.24

⁷⁶ Piron, *The Right to Development...* pp.39-40

Academics have warned that we need to be cautious when examining the partnership approach to development in order to look beyond the rhetoric of projects and assess whether recipient governments really are being given the opportunity to take ownership of their country's development for, as Randel says, if we ignore the gap between rhetoric and reality, there is the danger that government ownership will be cast as a failed development strategy without having ever really been tried.⁷⁷ As we have seen though, DFID's actions have gone far beyond rhetoric on many occasions through the implementation of successful partnership schemes, and in finding a way to work with the failed states that other donor nations have rejected in their own approaches.

Yet, despite the progress that has been made with regards to genuine partnerships, we must continue to be aware of an underlying question of how far donor agencies will let this relationship progress. As has already been mentioned, many critics believe that partnerships are just a case of new terminology that masks old development relationships in which donors are in control. As Doornbos argues though, if changes are occurring in these relationships a later progression may be a complete reversal in roles, that is, donors would no longer be 'in command' but 'on demand' where recipient countries take the initiative, design development programmes and then approach donors for funds.⁷⁸ We must ask then, whether donors will be willing to let these changes run this potential course, or attempt to remain in the driving seat of development projects, and prevent the resurrection of those fears that were born out of the right to development discussions, that is, the concern that developing countries may use their new found rights to create a new economic order. As Killick notes, assessing these changes will be challenging as it has already proven '...difficult to draw and maintain the line between a relationship based on conditionality and one rooted in ownership and partnership.'⁷⁹ In assessing the current practice and attitudes

⁷⁷ Randel 'The Reality of Aid...' p.19

⁷⁸ Doornbos, 'Good Governance'... p.106

⁷⁹ Killick, T. 'Policy Autonomy and the History of British Aid to Africa' *Development Policy Review* Vol. 23, No. 6 (2005) pp.665-68, p.672

though, DFID's approach has, as Piron noted, not only been promising for a genuine and successful partnership approach, it has also been progressive in terms of advancing the RTD agenda. Whether this was DFID's intention is unclear, for as already mentioned, their human rights approach has not often been supported by the language of rights. However, it demonstrates the beginnings of a workable approach for implementing the RTD, and this can be seen a major and positive advance for advocates of a right to development.

Chapter 4
Participatory Methods: Furthering the Right to
Development Project

As the previous two chapters emphasised, the New Labour approach to development focuses on the aims of poverty reduction and effective aid. Chapter three discussed how New Labour attempted to fulfil these aims through the use of development partnerships, a method which was deemed consistent with a right to development approach. This chapter will continue to look at how New Labour is pursuing their goals by incorporating into their work participatory methods of development, highlighting the extent to which this method too helps to further the right to development project. Some questions that will be central to this discussion are: Has New Labour followed trends of participatory development set down by other institutions such as the World Bank, as with partnerships and failed states (discussed in chapter 3), and has New Labour tried to improve upon models that are already practiced in order to ensure wider participation for all within the development process? Does New Labour frame participatory development in terms of human rights, or within recognition of the right to development, or is this method of development used for another reason, for example, to increase the success of the development project? If the traditional approaches to development that promoted British interests have been replaced by such approaches, how is New Labour reconciling their need to be accountable to parliament and British citizens with respect to the handing over of projects to primary stakeholders in developing countries? Can the two be reconciled?

Once again, the questions raised in chapters 1 and 2 will also continue to underlie the discussion; do the current policy models differ significantly from the way in which

development policy is traditionally constructed and implemented? Should we expect to see an obvious difference in the case studies? Have the changes in development policy been at the theoretical level only? Have traditional means of development practice been insufficient, and has a more successful way been found that can incorporate the RTD?

Participation: It's Place in Development Theory

It is now recognised by academics and practitioners alike that participation of the poor is, as Long says, 'an imperative of development.' Andrew Norton from DFID highlights the appearance of this new approach to development:

There is a new agenda emerging. Participation is not just seen as an option to improve effectiveness, but is seen in a new context where it is linked to governance, human rights, and strengthening accountability, policy and institutional systems... so that [governments] can respond better to the needs of society and the poor and the excluded in particular.¹

While acknowledging that the theories of participatory approaches to development that are emerging exist in, and of, themselves, we should also recognise that participation is an important aspect of the wider understanding of development and the work of those academics and development economists who were highlighted in chapter one. Thus, in order to assess the importance of participation in development it is necessary first of all to re-examine the place of participation within the wider development theories that underpin the Declaration on the Right to Development.

Chapter one noted that, according to Sen, to get a true idea of the well being of a person, one has to look at the functionings of the person; what that person manages to

¹ In Long, C. *Participation of the Poor in Development Initiatives: Taking Their Rightful Place* (London, Sterling, VA, Earthscan Publications, 2001) pp.171-172

do / be with the commodities and characteristics at her/his command.² Sen emphasises, as also discussed in chapter one, that the quality of life that a person enjoys does not come down only to what she/he manages to achieve, but that it also has to entail a consideration of the options that she/he has had the opportunity of choosing from. To hold this view, Sen says, is to believe that the 'good life' is partly a life of genuine choice.³ Thus we saw a very different approach to development being advocated, one which broadens our understanding of related concepts such as poverty. As also already noted, Sen argues that:

What the capability perspective does in poverty analysis is to enhance the understanding of the nature and causes of poverty and deprivation by shifting primary attention away from means (and one particular means that is usually given exclusive attention, viz., income) to ends that people have reason to pursue, and, correspondingly to the freedoms to be able to satisfy these ends... deprivations are seen at a more fundamental level.⁴

As we have seen, Sen's theory as a whole has made a profound contribution to the refocusing of development thinking, and is embedded in the foundations of recent declarations by the international community, and underpins the work of development agencies worldwide. Yet what can also be grasped from these statements, that direct us to more specific models of development, is the importance of individual participation. Sen, in focusing on the value of individual choice in deciding how to live one's life, shows to us that, where development policies aim at improving the lives of individuals within the community, it must be those whose lives are being improved who decide what is valuable to them. Sen highlights this himself in believing in the importance of substantive freedom is crucial, which he argues is:

² Sen, A. *Commodities and Capabilities* (North-Holland, Amsterdam: New York: Oxford, Elsevier Science Publishers B.V, 198) p.10

³ Sen, *Commodities and Capabilities*, p.69,70

⁴ Sen, A. *Development as Freedom* (Oxford, Oxford University Press, 1999) p.90

*...a principle determinant of individual initiative and social effectiveness. Greater freedom enhances the ability of people to help themselves and also to influence the world, and these matters are central to the process of development.*⁵

It was noted in chapter one that, in recognising that freedom enhances the ability for people to help themselves, Sen can address the question of responsibility in response to those critics who view development as both ethically problematic and defeatist. He too admits there is no substitute for individual responsibility, yet his theory shows that exercising responsibility is contingent on other factors such as personal, environmental and social circumstances. His central message in response to these criticisms is that responsibility requires freedom. Development that increases the freedom of people is therefore a means to ensure individual responsibility; it is not something that undermines it.⁶ It may be said that for participatory projects to be effective and beneficial, donor agencies now have to focus on ensuring that the personal, social and environmental circumstances conducive to participatory methods exist for individuals. As we will see, this, for example, could be to provide individuals with the information and knowledge required to make meaningful and valuable decisions in the planning of development policy. When seen in this way, I believe that participatory methods can be understood as an extension of the idea of ownership, as discussed in the previous chapter, beyond the boundaries of the government and ruling elites, to individuals in the communities of developing nations.

As Sengupta notes, the expansion of substantial freedoms as discussed by Sen is thus depicted as having both a constitutive and an instrumental role; they are both the primary means and principle ends of development.⁷ This view has permeated the

⁵ Sen, *Development as Freedom* p.18

⁶ Sen, *Development as Freedom* pp.283-284

⁷ Sengupta, A. 'On the theory and Practice of the right to development.' *Human Rights Quarterly* Vol.

understanding of those whose work focuses on participatory development, such as Healey who sees both the constitutive and instrumental role of participation. He says, 'the participatory approach is also desirable for its own sake, contributing to the empowerment, self-confidence and useful experience of target groups.'⁸ Sengupta also explains that such an approach is not just an end in itself, that is, realising the right to development. It must also be seen as a means of achieving this right, for, he says, country experiences have shown that an approach such as this improves the outcomes of the development projects.⁹

The notion that participation improves project outcome is an idea that has been seized upon by many other academics. As Kannan argues:

*The vast heterogeneity in the local aspirations, perspectives, needs and responses, tends to render the management of the State responsibility much more difficult, if not impossible. It is here that the direct participation of the communities in ensuring and enhancing an enabling environment assumes significance. Since it is the local communities that have the perfect information on the specific problems they face, the actual and the possible constraints they encounter, and the potential solutions to be explored, their direct participation in the design and implementation of the policies and programmes makes the enterprise fruitful.*¹⁰

Thus participatory development can be seen as a beneficial approach to development because of the ends it results in, that is, both successful project outcomes and the securing of the right to development, as well as those attributes that Healey says it

24, No. 4 (2002) pp.837-889, p.851

⁸ Healey, J and Killick, T 'Using Aid to Reduce Poverty' , in Tarp. F. (ed) *Foreign Aid and Development* (London, New York, Routledge, 2000) pp.223-246, p.242

⁹ United Nations General Assembly. *Report of the Independent Expert on the Right to Development*. A/55/306 (17th August 2005) p.16. para 54

¹⁰ Kannan, K.P and Vijayamohanan, P. 'Public Action as Participatory Development: The Kerala Experience Re-Interpreted' in Sengupta, A. Negi, A and Basu, M. (eds) *Reflections on the Right to Development* (New Delhi, Thousand Oaks, London, Sage Publications, 2005) pp.208-242, p.213

grants to participants involved in the process.

As Sengupta says, changing the way we look at development to incorporate social and human development, as conceived by Sen, and thus to insist on the need for meaningful participation by the beneficiaries represents a paradigmatic shift in development thinking.¹¹

This shift, as Kannan says, from a top-down to a bottom-up approach has sprung out of the dissatisfaction of other methods of development such as the 'trickle-down' approach,¹² thus the incorporation of participatory methods into development projects is indicative of a wider dissatisfaction with the traditional approaches to development. However, the reorientation of thinking which recognised the importance of participation in development should be noted, not only in theory, but in the practice of the international community as well.

Since as early as 1944, marked by the Declaration of Philadelphia, states were beginning to highlight their belief that all humans had a right to pursue their material well-being and development within the context of freedom and equal opportunity. This belief was reaffirmed by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities who emphasised the urgency of strengthening popular participation in politics and development,¹³ and again in the Rio Declaration that was issued at the 1992 UN Conference of Environment and Development which highlights a recognition that effective participation requires access to information from donors, public authorities and, if needed, private companies.¹⁴ Thus, with just a few examples out of many, we can

¹¹ Sengupta, 'On the theory and Practice of the right to development.' p.850

¹² Kannan and Vijayamohan, 'Public Action as Participatory Development...' p.213

¹³ Ginther, K. 'The Domestic Policy Function of a Right of Peoples to Development: Popular Participation a new Hope for Development and a Challenge for the Discipline' in Chowdhury, S. Denters, E. and Waart, P. (eds) *The Right to Development in International Law* (Dordrecht, Boston, London, Martinus Nijhoff Publishers, 1992) pp.61-82, pp.63-65

¹⁴ Feeney, P. *Accountable Aid: Local Participation in Major Projects* (Oxford, Oxfam GB, 1998) p.10

see that over the years the international community has also been developing a positive and encouraging stance with regards to participation in development, focusing on both its necessity and the means by which to make it effective.

Participation, as Understood by the International Community

As suggested in chapter 1 therefore, the formulation and understanding of development by the international community has continued to be influenced by the new and emerging economic development theories such as that of Sen, and, it appears, also by participatory approaches that are already established in international declarations and reports. This continued influence is evident in the UN's Declaration on the Right to Development. Article 1 states that:

The right to development is an inalienable human right by the virtue of which every human person and all peoples are entitled to participate in [and] contribute to...

The importance of participation is evident in the very fact that it is addressed in the opening of the first article of the declaration, and is continually promoted throughout the declaration in the subsequent articles. Article 2 emphasises that the human person, as the beneficiary of development, should too be an active participant within the process, supported by national development policies which ensure that individuals are able to participate in their development in both a free and meaningful manner. The obligation upon states to ensure the participation of all is furthered in Article 8 which requires that 'effective measures should be undertaken to ensure that women have an active role in the development process.' The emphasis that is placed on participation by the 1986 Declaration is expanded upon by the Independent Expert in his reports on the right to development. He argues that any programme aimed at the realisation of the right to development must be implemented according to a human rights approach, with transparency, accountability, and in a non-discriminatory and participatory manner. This means, he says:

*...with schemes formulated and implemented at the grass-roots level with the beneficiaries participating in the decision-making and implementation, as well as sharing equitably in the benefits...[which] implies planning that empowers the beneficiaries.*¹⁵

In this understanding, participation is a critical component of a rights based approach to development thus we would expect to see participatory approaches being employed in those governments and development agencies who claim to adhere to a rights based approach.

Theoretical and Practical Challenges to the Notion of Participation

However, the participatory approach to development is faced by many challenges, both practical and theoretical. For example, we can recall the fact that, for some critics, development projects will be seen as another form of Western imperialism. This line of argument falls within the major challenges discussed in chapter one surrounding the principle of universalism and human rights. In the previous chapter we noted Fowler's argument with regards to partnerships which, despite the fact that they are a response to the new patterns of development that call for the inclusion of receiving governments, he believes are simply another method by which developed countries penetrate those in the South, inducing them into accepting a 'North-driven agenda' that does not allow for alternative visions.¹⁶ As Barsh also argues, there can be no one model of development that is universally applicable to all cultures. He sees the answer to this challenge however as lying in the participatory methods that are beginning to take root in the work of development agencies. He says that, precisely because no universal model exists, development strategies must be determined by,

¹⁵ *Report of the Independent Expert on the Right to Development*. pp.8-9 para 26 (c)

¹⁶ Quoted in Slater, D and Bell, M 'Aid and the Geopolitics of the Post-Colonial: Critical Reflections on New Labour's Overseas Development Strategy' in *Development and Change* Vol. 33, No. 2 (2002) pp. 335-360 p.350

and adapted to the specific conditions and needs of the beneficiaries themselves.¹⁷ Participatory approaches therefore may fare better against the criticism of Western imperialism as it allows for an approach to development that is decided upon by the local communities. However this critique becomes important once again when we consider how it is often hoped by donor agencies and international institutions that participation will lead to the evolution of democracy and decentralisation within the developing countries.

Participation in development projects will often depend on what Kannan calls the enabling environment. In Kerala, for example, despite low levels of income, social development was made possible by developments in government policy such as welfare initiatives and land reform policy as well as committed public action that issued from strong cohesion at the grass-roots level.¹⁸ It was agreed by participants at the IDS (Institute of Development Studies, UK) workshop that one such environment in which participatory approaches would be likely to spread is in the context of decentralisation.¹⁹ We have already noted in the previous chapter the emphasis that donor states have put on the importance of democratic institutions with regards to both development effectiveness and potential partnerships. Thus, in recognising the potentially positive environment that decentralisation can create for participation, the importance of developing democratic institutions is increased. Yet, the relationship between local democratic institutions and participatory approaches is not necessarily causal in one direction only. Kannan highlights this by describing participatory development as a 'progressive chain', with the gradual realisation of human rights following popular mobilisation, and resulting eventually in the establishment of a system of local government.²⁰ It therefore becomes equally important that donor

¹⁷ Barsh, R.L. 'The Right to Development as a Human Right: Results of the Global Consultation' *Human Rights Quarterly* Vol. 13, No. 3 (1991) pp.322-338, p.328

¹⁸ Kannan and Vijayamohan, 'Public Action as Participatory Development...' p.216-217

¹⁹ IDS Workshop. 'Reflections and Recommendations on Scaling-up and Organizational Change' in Blackburn, J and Holland, J. *Who Changes? Institutionalising Participation in Development* (London, Intermediate Technology Publications, 1998) pp.135-144, p.135

²⁰ Kannan, and Vijayamohan, 'Public Action as Participatory Development...' p.208

agencies focus on enabling local participation, not only for the success that it has been seen to bring to project outcomes, but also for the influence it can have on the creation of democratic systems within a country, and hence the ways it can indirectly lead to the benefits of partnerships that were discussed in the previous chapter.

However, caution must be taken before assuming that decentralisation will encourage true participation in development. Kannan does just this in arguing that local, decentralised bodies are both autonomous and therefore ideal for addressing development issues, and are a measure of the states' commitment to human development.²¹ It seems though that he has overlooked some critical issues that present another challenge for those wishing to incorporate participatory methods into their development projects. As was highlighted in the IDS workshop local authorities, having gained powers in the process of devolution, can chose to accumulate these powers rather than share them with those who live in the communities they represent. Often the attitude of those in central government will have a great influence on the success of using devolved bodies to incorporate local communities in policy and projects, as they can encourage the use of participatory methodologies at the local level.²² Barsh takes the argument so far as to say that the obligation placed on states to ensure 'active, free and meaningful participation' by the Declaration on the Right to Development, is a duty to democratise national institutions. He sees this as the only means by which active and genuine participation can occur, and how economic and political power will be distributed.²³ To assume that this is the only means by which participation can occur is a dangerous stance to take. As Feeney says, there is an obvious risk, that donor agencies, who do not fully understand the political forces existing at the local level, will 'entrench power in the hands of unrepresentative local elites and marginalise poor communities and vulnerable minorities still further.'²⁴ As Long also argues a significant number of

²¹ Kannan, and Vijayamohanan, 'Public Action as Participatory Development...' p.214

²² IDS Workshop. 'Reflections and Recommendations...' pp.136,329

²³ Barsh, 'The Right to Development as a Human Right...' p.326

²⁴ Feeney, *Accountable Aid...* p.20

countries where participation of the poor has been successfully incorporated have been those where, at the time of change to participatory development, authoritarian governments were in power, for example the Philippines, Indonesia, Sri Lanka and Kenya. This, she says, shows that dramatic change can occur despite repressive national rule if traditions, laws and policies are supportive of participatory development.²⁵ This highlights that there are different ways by which participatory approaches can be incorporated into the development process which are especially important when we consider that, as discussed in chapter 3, many of the world's poor live in 'failed states' in which leaders are unwilling to cooperate and care little about the development of its citizens and the rights that they hold.

As Killick argues, NGOs who are often closer to the problems have a proven record of working with communities and the poorest/ underrepresented groups of society, and are thus more likely to use participatory approaches in the design and implementation of their projects. They provide therefore an alternative to working with the government and enable donors to work in countries whose political environment is unsupportive.²⁶ This reinforces that which was discussed in chapter 3, that NGOs can provide a point of contact for governments to work in those countries where the political environment is unsupportive. This is supported by Sengupta in his reports as Independent Expert when discussing the importance of involving all members of society within participatory projects. He recommends the implementation of policies that encourage greater participation in the process of NGOs and groups that represent the vulnerable of society, such as the poor and the homeless, as well as representatives for women.²⁷ However, while recognising the importance of the role that NGOs play it is important to remember that during disputes over development methods, between participants at the global Consultation on the right to development, those from the South prioritised participation and political transformation, as opposed to the 'basic needs' approach that participants

²⁵ Long, *Participation of the Poor in Development Initiatives...*p.138

²⁶ Healey and Killick, 'Using Aid to Reduce Poverty' p.232

²⁷ *Report of the Independent Expert on the Right to Development.* p.19. para 67

from the North were advocating. This gives hope that many governments will be open to a process of participatory development.

Another challenge that has been presented by academics is directed at the concept of community. As Cleaver argues, in participatory development theory and practice there is an assumption that there is an identifiable community, an assumption which persists 'despite considerable evidence of the overlapping, shifting and subjective nature of 'communities' and the permeability of boundaries.'²⁸ Thus, Cleaver argues, donor agencies need to refocus their attentions away from the practicalities of implementation and towards a clearer understanding of the wider dynamics of society, institutions and community.²⁹ Participants at the IDS workshop also commented upon what they termed 'taking community for granted.' They emphasised that within communities there will be, more often than not, dramatic differences in wealth, status, gender, ethnicity, race and education.³⁰ Arguments such as these should not be overlooked by academics and development agencies. Different experiences at the local level will all have to be taken into consideration if participation is to improve project outcome in any meaningful way. It will also be important to factor in such differences when delegating aspects of project development to those within the local community. As Leurs says, using project facilitators who are 'young educated professionals [and] whose experience, language and values are quite different to those of the community members with whom they are working', will naturally lead to unsatisfactory results. However, if community based facilitation is to be the alternative method of policy planning and preparation then the differences noted above become challenges that must be addressed.³¹

²⁸ Cleaver, F. 'Paradoxes of Participation: Questioning Participatory Approaches to Development' in *Journal of International Development* Vol. 11, No. 4 (1999) pp.597-612, p.603

²⁹ Cleaver, 'Paradoxes of Participation...' p.609

³⁰ IDS Workshop. 'Reflections and Recommendations...' p.138

³¹ Leurs, R. 'Current Challenges Facing Participatory Rural Appraisals' in Blackburn, J and Holland, J. *Who Changes? Institutionalising Participation in Development* (London, Intermediate Technology Publications, 1998) pp.124-134, pp.125, 127

The Role of Participation in DFID's Projects

Despite the criticisms and reservations that some academics have expressed however, the emerging theory on participation has taken effect in the practice of development organisations, DFID included. As Feeney says:

... 'participation' as a formula to remedy past failures has been enthusiastically endorsed by most of the world's governments, traditional international and financial institutions, and bilateral donor agencies as the most effective instrument for delivering development.³²

Yet it has been observed that Britain has long been incorporating participatory theories and methods into its development policy and implementation and so it would seem that DFID had the benefit of being able to learn from the experiences of the administration that had existed before it. From the beginning of the 1990s ODA staff worked to guidelines that encouraged participation, although as Feeney says these guidelines were not systematically applied in all projects. For example in 1995 Britain approved a project in the Brazilian rainforest that was coordinated by the World Bank (the Natural Resources Policy Project). However, before approval was given for the project to proceed no consultation with community leaders had occurred, or stakeholder/ social assessment carried out.³³ Yet, as Feeney says, there is also evidence if we examine programmes such as the Western Ghats Forestry Project in India, that the ODA was making a genuine attempt to promote community participation, and focused especially on the most vulnerable groups within that community.³⁴ The ODA also demonstrated what I believe to be both foresight, and a deep understanding of participatory development at a time when these theories and methods were only just evolving and beginning to be practised by donor agencies around the world. Their guidelines allowed for a flexible approach to project

³² Feeney, *Accountable Aid...* p.9

³³ Feeney, *Accountable Aid...* pp.17-18

³⁴ Feeney, *Accountable Aid...* p.59

development in order to incorporate further developments during implementation, and so project designs were not, as Feeney says, set in stone but were able to evolve as the programme proceeded. The ODA also recognised that participatory projects could not be rushed; time was needed when dealing with both the local communities and institutions. In addition to this most ODA programmes focused firstly on building up local capacity, a method which ensures that those involved can make a valuable and informed contribution through their participation.³⁵ These are all aspects of participatory development that analysts, after studying many cases, are emphasising as essential for a successful outcome to the participatory project.

Thus, with a good participatory approach to development already established in Britain it would appear that the new Department for International Development would have had a firm grounding on which to build successful practice of participatory development. A commitment by New Labour to continue in this direction of development policy was expressed in the DFID paper '*Realising Human Rights for Poor People*'. This paper affirms the idea that 'the International Development Targets can only be achieved with the engagement of poor people in the decisions and processes which affect their lives', and recognises also that participation is central to realising all human rights.³⁶ Within the paper there is also an expressed recognition of the need for both access to information (although challenges facing this are also mentioned, such as illiteracy, social isolation, linguistic diversity, and physical remoteness), and an understanding of the country's social values and norms that are potentially discriminatory against for example, class, religion, age, disability, and ethnicity, in order to ensure that all are able to participate, and are included in the process of the project, as well as support for participatory monitoring and evaluation.³⁷ It appears that DFID is therefore fulfilling the obligations set down in the Declaration on the Right to Development to ensure

³⁵ Feeney, *Accountable Aid...* p.17

³⁶ Department for International Development. *Realising Human Rights for Poor People* (2000) <http://www.dfid.gov.uk/pubs/files/tsphuman.pdf>, p.5

³⁷ DFID *Realising Human Rights for Poor People* p.13

participation for all in the development process.

However, from the paper alone it is not clear how exactly DFID will fulfil these promises of support; no real strategy is set out. There is some indication of the type of programmes DFID will instigate though, for it is said that work will be undertaken 'towards the incorporation of these methods...into Participatory Poverty Assessments and poverty reduction strategies.'³⁸ These models are those used by the World Bank and which are set out in their own papers, such as *Mainstreaming Participation in Development*. The main features of World Bank programmes are essentially the same as those noted in DFID, that is, working with primary stakeholders at every stage of the project cycle, while also encouraging institutional reforms that are required in order for local governments to take control of development in their counties, in a transparent and accountable environment that is maintained through effective monitoring mechanisms.³⁹ The World Bank also highlights the many lessons that have been learnt in the implementation of such methods, and thus provides many pointers for improvements that departments such as DFID can draw upon when using similar techniques. For example, the report emphasises the dangers of setting strict time frames and fixed priorities, rigidity that is incompatible with participatory methods. The need for long term commitment and supportive attitudes by development staffs are also noted as being essential for the success of such programmes.⁴⁰ Thus, in drawing upon these approaches, DFID inevitably affiliates itself with the work of the World Bank, a bond between the two which is further strengthened by the publication of *The Participation Manual*, a document that sets out the procedures for the joint World Bank and DFID Poor Rural Communities Development Project (PRCDP) in China.⁴¹ The potential problems and advantages that arise through adopting World Bank approaches will be discussed later in the chapter. It is important firstly to examine the success that DFID has managed to

³⁸ DFID *Realising Human Rights for Poor People* p.29

³⁹ Blackburn, J. Chambers, R and Gaventa, J. *Mainstreaming Participation in Development* OED Working Paper Series No.10 (Washington, The World Bank, 2000) pp.1-3, 15

⁴⁰ Blackburn, Chambers, and Gaventa, *Mainstreaming Participation in Development* pp.7-10

⁴¹ For more info see DFID publication http://www.dfid.gov.uk/pubs/files/PRCDP_en.pdf

achieve by way of participatory development through the implementation of such methods in its project work.

Analysing the Work of DFID

Those at DFID have published their own case studies and feedback from recent projects which analyse the work that they are currently undertaking with the use of participatory approaches. The reports indicate success in the incorporation of participatory methods in different areas of development. For example the DFID-funded rural livelihoods project in Namibia, they say, has become a model for addressing HIV/AIDS because it encouraged communities to develop their own programmes which address the impact of AIDS. It also appears that this particular problem has been successful in the scaling-up process, a process which often poses significant problems and challenges, as DFID notes that the Ministry of Health within Namibia has accepted this as a model for the whole country.⁴²

The Poor Rural Communities Development Project mentioned above has also been deemed a success as the project, which aims to ensure participation in a transparent and inclusive manner in the design phase of development planning as well as the other phases, has been successfully implemented in a region of China that is characterized by its large number of ethnic groups and high levels of poverty.⁴³ DFID has also recently published another report detailing their intentions for improving participation, *Learning to Listen: DFID Action Plan on Children and Young People's Participation 2004-2005*. This paper, it seems, is a recognition of the importance of young people's participation in the development process, as another potentially vulnerable group in society. Within the report DFID again reports upon its success in incorporating the opinions of children into its work so far, for

⁴² Department for International Development. *Reducing the Threat of HIV and AIDS to Namibian Livelihoods* (2007) <http://www.dfid.gov.uk/casestudies/files/africa/namibia-hiv.asp>

⁴³ Department for International Development. *Poor Rural Communities Development Project (PRCDP): The Role of Community Participation during Project Design* <http://www.dfid.gov.uk/pubs/files/PRCDP-en.pdf>

example in the Malawi Free Primary Education Programme.⁴⁴ This report also remains rather vague on how improvements will be made, DFID merely promises to 'engage in consultation with relevant NGOs to discuss how to incorporate children and young people's participation across DFID's work...[and to] investigate further training possibilities for DFID staff.'⁴⁵ However, I believe that this is another promising indication of the success that DFID can have with regards to participatory development. As they themselves recognise in the report, current experiences of involving young people in the development process have seen these children grow in confidence. In my opinion this will have a great impact on the future of participatory development for, if listened to today, the adults of tomorrow will want to participate in policy making knowing that their voices will be heard. These reports highlight the success stories and model cases and thus show that DFID, it seems, it successfully incorporating participation into its development work. However, to get a true indication of its record we should look also to evaluations given by outside critics and experts.

Healey and Killick, in evaluating the degree of participation incorporated into the projects of European donors, determined that over half displayed moderate to high levels of participation by the local community, although participation at the crucial design stage was weaker than during implementation of the proposals. They also note that, although gender differences were taken into consideration, this was often not thorough, and argue that in general, although some improvements have been made with regards to ensuring participation, good participatory approaches are an exception.⁴⁶ Thus, policy outcomes will be overshadowed by a concern that, despite displaying indications of participation, projects were not truly participatory, and input not entirely representative. Yet, being a study of all European donors we should ask how does DFID fare in their particular efforts?

⁴⁴ Department for International Development. *Learning to Listen: DFID Action Plan on Children and Young People's Participation 2004-05* <http://www.dfid.gov.uk/pubs/files/learningtolisten.pdf> p.3

⁴⁵ DFID *Learning to Listen...* p.12

⁴⁶ Healey and Killick, 'Using Aid to Reduce Poverty' pp.238, 241



The most comprehensive study of DFID's record with regards to participatory development has been *The Participatory Approaches Learning Study* conducted for DFID by INTRAC (International NGO Training and Research Centre) in 1998. The findings of this study highlighted the main shortfalls in DFID's work. Their main contentions rested on a number of points including the lack of consultation beyond secondary stakeholder, and senior civil servants at that, and the inflexible programmes that DFID employed in development projects, which INTRAC argued highlighted the fact that the development programmes used were still driven by DFID's internal needs, rather than by a commitment to participation. INTRAC also raised attention for the need for DFID to work closely with other development actors, and to develop a more in-depth knowledge of the beneficiary countries.⁴⁷ Thus the report opened the way for further improvement in DFID's approach to development and gives us some indication to the extent which the new theories surrounding development are impacting upon the government's understanding of aid practice. The report also highlights though, a certain commitment by the government to ensuring participation in development. As noted in the report, the commissioning of this evaluation by the government was an attempt to further their goal of making aid more effective by ensuring that participatory approaches were included, and successful in development programmes.⁴⁸ This is a positive indication of the stance of New Labour towards participatory development and the changes in development thinking.

Certain responses to the INTRAC report highlight further analysis of DFID's performance with regards to participatory approaches. Pratt, for example argues that, although DFID does ensure participation at the identification stage of the process, this has a limited impact to the programme outcome. Pratt founds his conclusion on the

⁴⁷ INTRAC (International NGO Training and Research Centre) *The Participatory Approach Learning Study (PALS)* For the Department of International Development, UK (1999) <http://www.dfid.gov.uk/pubs/files/sdd-intrac.pdf> p.17

⁴⁸ INTRAC, *The Participatory Approach Learning Study* p.19

basis that no evidence exists to suggest a correlation between participation at the design stage and the final impact, rather what studies show is that positive project outcomes are due to good monitoring and local involvement in the implementation process. Pratt's assessment continues by highlighting that even what is achieved in the earlier stages of the process are undermined by the time gap that exists between project design and implementation.⁴⁹ This particular failure has been recognised by DFID themselves, for as one DFID staff member told INTRAC, 'If you start after a two year gap, regardless of the work carried out before, you are starting with a blank sheet.'⁵⁰ This suggests that New Labour's approach, while limiting participation to the earlier stages of development programmes, will continue to limit the extent to which they can achieve their goals of poverty reduction and effective aid.

A further issue is addressed by Long who, in evaluating the progress that DFID has made, looks at the relations that DFID has with the recipient governments, an issue which the INTRAC report draws attention to. She notes that DFID conducts most of its work directly through recipient government institutions, apart from in the cases of unresponsive governments, yet has not paid attention to helping the agencies and their personnel realise the value of participatory approaches, or to providing the training needed to carry out participatory work. Thus, Long argues, without any effort to change the attitudes of government personnel participation will not become rooted in the country's approach to development.⁵¹ Pratt also highlights this inadequacy in saying that DFID's attempt to focus more on primary stakeholders has led them to neglect secondary stakeholders with whom they conduct most of their work. He continues by arguing that:

Their [the secondary stakeholders] participation is crucial to the development of projects. Official agencies ignore them at their peril...If an official agency wishes to

⁴⁹ In Long, *Participation of the Poor in Development Initiatives...* p.67

⁵⁰ In Long, *Participation of the Poor in Development Initiatives...* p.67

⁵¹ Long, *Participation of the Poor in Development Initiatives...* p.78

*see improved primary stakeholder participation, this will most likely come through improved relationships with the local secondary stakeholders who still have responsibility for implementing programmes and ensuring their sustainability...It is possible to have an excellent project but if these are not fully supported by the host institutions and mainstreamed into the whole ministry or department, they become... 'islands of excellence in a sea of chaos.'*⁵²

Long also highlights a problem with the current DFID project cycle. DFID's standard procedure for project development, known as the 'Logical Framework', does not allow for the time and flexibility required for a participatory project. Long highlights the fact that this procedure limits the ability for changes once the project has begun, and thus impacts negatively on the projects effectiveness. Pratt argues that when using Logical Framework for the development procedure participation will be the first victim of the strict procedural guidelines that are required in such a results-based system.⁵³ The constraints on time are equally problematic as case studies have shown that changes to participatory projects can take as long as 20 years, as was the case in the Philippines.⁵⁴

It should be noted however, as INTRAC itself did in the report, that the evidence used in the evaluation predated the government White Paper on International Development in 1997, and thus did not take into account any changes in approach since then.⁵⁵ Thus DFID has responded to the report and commented that:

...the White Paper on International Development has introduced a number of significant changes in our approach to and understanding of participation. The most important of these is our commitment to a rights-based approach. This means

⁵² In Long, *Participation of the Poor in Development Initiatives...* p.79

⁵³ In Long, *Participation of the Poor in Development Initiatives...* p.79-80

⁵⁴ Long, *Participation of the Poor in Development Initiatives...* p.147

⁵⁵ INTRAC, *The Participatory Approach Learning Study* p.4

*making people the central purpose of development. A rights-based approach is predicated on people's right to participate.*⁵⁶

DFID also stated that it has already learnt much by way of making participatory development a successful endeavour. It recognises the need to share all the relevant information regarding a project with all parties involved, and to do so as early in the process as possible, and in the appropriate languages. DFID has also expressed recognition of the need for a more flexible approach to project development, one that can incorporate changes throughout the various stages of the procedure, as well as the need to assist stakeholders in improving the skills needed to engage in participatory development.⁵⁷ This is a positive response, as it is only through recognition of the challenges facing participatory development that change will occur in the actual practice of the donor agency. As DFID itself has said, much remains to be learned about the practice of participation. DFID recognises the need for further study into the costs and benefits of participation throughout the entire cycle of a development project for both the donor agency and the stakeholders, and examine what sorts of outcome are produced by different kinds of participation.⁵⁸

Although the INTRAC report is slightly outdated we have still been able to note DFID's current approach from their 2000 paper '*Realising Human Rights for Poor People*'. Despite the fact that this is the method that DFID has taken after evaluation of its work in participatory development has been conducted, many criticisms still target their approach. These criticisms however are mainly concerned with the World Bank's approach, that of PRSPs. As highlighted above, DFID has forged strong partnerships with this international financial institution and uses similar, if not identical, methods in many of its development programmes. Thus the criticisms directed at PRSPs will also be an indirect criticism of DFID. The majority of these

⁵⁶ INTRAC, *The Participatory Approach Learning Study* p.7

⁵⁷ In Long, *Participation of the Poor in Development Initiatives...* p.91

⁵⁸ In Long, *Participation of the Poor in Development Initiatives...* p.90

assessments have come from NGOs who, as also noted above, are recognised for their success in using participation and working in close relation to the poor and vulnerable in society. Their analysis, therefore, is particular geared towards highlighting the limitations in donor agency approaches.

Christian Aid is one such organisation that has taken issue with the PRSP approach. One of their reports argues that 'the involvement of the poor people in drawing up policies and writing PRSPs has been minimal and superficial.'⁵⁹ They note that while participation was invited for some policies, it was not for all, and even in the cases where participation occurred reports and information were provided in English only. Thus, Christian Aid argues, the people merely became a rubber stamp for policies that they fundamentally disagreed with but which had already been drawn up prior to consultation.⁶⁰ However it must be recognised that much of this criticism is directed at the World Bank's use of PRSP. As Oxfam argues, despite the fact that the promise of poverty reduction through the PRSP model remains unfulfilled '[PRSP] offers a key opportunity to put country-led strategies for poverty reduction at the heart of development assistance.'⁶¹

Oxfam also notes that, having questioned partners in developing countries, consensus showed that PRSP was the most open policy dialogue in each of their countries to date.⁶² This holds great promise for the process as a model for development. What success is reliant upon, therefore, is correct implementation by the donor agency. It could be said that DFID has been right to adopt this approach, what they must do now is apply it in a participatory fashion, ensuring for example that people receive the

⁵⁹ Christian Aid. *Ignoring the Experts: Poor People's Exclusion From Poverty Reduction Strategies* (2001) Available at: <http://siteresources.worldbank.org/INTPRS1/Resources/Comprehensive-Review.christianaid1.pdf> p.4

⁶⁰ Christian Aid, *Ignoring the Experts...* p.4

⁶¹ Oxfam. *From 'Donorship' to Ownership? Moving Towards PRSP Round Two* Oxfam Briefing Paper (2004)

http://www.oxfam.org.uk/what_we_do/issues/democracy_rights/downloads/bp51_prsp.pdf p.1

⁶² Oxfam, *From 'Donorship' to Ownership?...* p.6

necessary information in an appropriate language, and that the most vulnerable groups have their opinions heard. If New Labour really are committed to poverty reduction this is what we should see for, as noted above, this is the most promising way to sustainable poverty reduction.

One further problem that has arisen generally out of the use of participatory development, rather than out of one specific model, is that of accountability. As Leurs notes, development agencies have to account for the money they spend in development, be it to the existing political institutions or to the general public in their home country. Thus the project/programme approach is the most desirable approach to development for these agencies as it provides both for a measure of control in the policy and practice of the aid giving country and therefore a framework for accountability. This highlights then, that despite recognition among those working in development of a need to reverse structures of power and control in order for local communities to lead the way in project/ policy planning, this reversal is not occurring because of the need for accountability. What Leurs suggests has been more successful is the reversals of professional knowledge, rather than reversals of power.⁶³ Pratt argues that, with regards to the work of DFID, project cycle management was generally not supportive of participation as it was often not designed for the clients, but for Whitehall.⁶⁴ However in response to these criticisms DFID is also addressing the issue of accountability. Andrew Norton has said,

*[DFID] is also investigating ideas of social accountability...[we now recognise] that accountability to our development partners, including primary stakeholders is as important as accountability to the UK taxpayer, which is our traditional mode.*⁶⁵

What the INTRAC report argued was that participation requires a broader and deeper

⁶³ Leurs, 'Current Challenges Facing Participatory Rural Appraisals' pp. 129-130

⁶⁴ In Long, *Participation of the Poor in Development Initiatives...* p.70

⁶⁵ In Long, *Participation of the Poor in Development Initiatives...* p.140

accountability, to both donors and beneficiaries alike. 'There should be', it states, 'no question of choosing between accountability either to the donor (ultimately, the British taxpayer) or to the local stakeholders. What is needed is optimum accountability to both.'⁶⁶

Conclusion

The current development models which DFID is employing *are* significantly different from traditional development programmes. A genuine commitment has been demonstrated by the department, to encourage changes at the institutional level that will help to develop local government commitment to both development and participation, and to work with primary and secondary stakeholders through all stages of the project cycle. These differences, which encourage local participation, do seem to be changing the success and outcomes of development projects, although the extent to which this is so remains to be seen.

As noted in the discussion, DFID's approach has followed the current trends in development as practiced by the World Bank and although the World Bank's record in ensuring participation through PRSPs is extremely unreliable, there is hope that DFID can improve upon this record by building upon the lessons that the World Bank itself has highlighted and contributing its own breadth of expertise. This hope for success comes from both the fact that many still believe PRSP to be a successful model, and DFID's demonstration, both on paper and in practice, of a genuine attempt to involve governments and citizens in the development process. This is reinforced by DFID's expressed recognition that participation is a human right that must be guaranteed above and beyond the success it brings to development programmes. It is in the talk of rights that we also, again see the promotion of ideas central to the right to development, despite the lack of reference to either the concept or the Declaration. Yet, in using the language of rights, DFID's commitment to allow

⁶⁶ INTRAC. *The Participatory Approach Learning Study* p.11

participation, and overarching desire to tackling poverty moves beyond the arena of rhetoric and promises, and becomes more of a guarantee for those living in developing nations, who will be able to demand that their rights be fulfilled. Thus, the inclusion of participation in development programmes demonstrates again that, despite the opposition which the RTD faces, a workable programme is developing within development administrations which both incorporates, and relies upon for successful development outcomes, methods which are so central to the right to development.

Chapter 5
Development and Security: Placing the Right to
Development in the Context of Contemporary
Security Concerns

In the previous chapters we have looked at both the changes in international development theory and what appears to be corresponding changes to development practice, especially with reference to DFID. As Barder says 'DFID came into existence at a time of considerable change in international thinking about development'¹ and we have seen a definite response to these changes in the way that the department has altered its focus, towards the elimination of world poverty and the rights of citizens, by incorporating methods of partnership and participation. It is important however to examine other factors that may have contributed to these changes in development policy, ones which may be removed from development and altruistic concerns for the wellbeing of others. The principal factor under consideration in this chapter will be that of security, for as our sense of responsibility towards developing nations has been increased as a result of an increasingly interdependent world, and thus the recognition in international human rights documents of shared responsibilities, so too has our awareness of security threats that transcend state boundaries and which alter traditional understandings of security and warfare.

DFID itself has remarked on the changes that an increasingly interdependent world brings with it, noting both reasons for focusing on improving the lives of those in developing nations and eliminating poverty rather than continuing to seek self-interested goals, and the security dilemmas that have also developed:

¹ Barder, O, *Reforming Development Assistance: Lessons from the UK Experience* Working Paper Number 70 (Centre for Global Development, 2005) p.14

*We live in an interdependent world. We are connected to other people and countries through trade, travel, culture, ideas and business. This enriches our lives. But these close connections can also give rise to threats when conflict, crime and environmental pollution cross borders.*²

Thus, the statement highlights that, as well as sharing in the lives and cultures of each other, the world is also becoming a place where transnational crime and terrorism is possible, a particular concern at the present time. As Gearson notes, the interdependency of the world has made it possible for terrorists to now have both an increased technological ability, and members who are willing to engage in suicide attacks. Therefore, although traditional means are still likely to be used by terrorists, we have begun to witness the ways in which terrorist organisations are adapting in order to use modern methods of attack. For example, terrorists now know that immense fear within a society can be generated through the use of modern media, and damage inflicted by offensive warfare on a country's information systems.³

We can note therefore, that, while coming into existence at a time of great change in development thinking, DFID was also born out of a time when other huge changes were occurring in the world, changes which threaten our national security. Both the changes in development thinking, and those in the area of security, will have undoubtedly contributed to the changes that we have seen in the development approach by DFID, and as this chapter will show, the two debates are also interconnected on many levels. However, in order to assess in any meaningful way the extent to which the RTD and changes in development thinking has altered state policy, we too must assess how security changes have affected development policy,

² Department for International Development *Fighting Poverty to Build a Sustainable World* (2005) <http://www.dfid.gov.uk/pubs/files/securityforall.pdf> p.3

³ Gearson, J. 'The Nature of Modern Terrorism' in Freedman, L (ed) *Superterrorism: Policy Responses* (Oxford, Blackwell Publishing, 2002) pp.7-24, pp.7,17,19 & 22-23

examining both evidence which suggests a return to traditional development thinking which prioritises foreign policy aims, and existence of the resilience of new ideas, such as the importance of looking to long-term aims and tackling the problem of poverty. Underlying this discussion therefore is the question: to what extent are changes in development policy contingent on the RTD and principles that surround it, and to what extent have they been motivated by self-interest and the safeguarding of security i.e. is increased interconnectedness encouraging us to recognise shared responsibilities, or is it forcing a return to more traditional policies of self-interest that can so easily be masked in the rhetoric of aid (as we have seen in chapter two)?

Using Foreign Aid for Political Gain

Perhaps the most disturbing trend that the development rights of citizens, and the fight against poverty, continues to face is the use of foreign aid by major donor nations for their own political and strategic aims, a practice which can be noted greatly within the United Nations. Investigations into the use of foreign aid for political means within the United Nations have already been undertaken for many years. Academics such as Robert Keohane have studied the exercise of political influence within the UN General Assembly since the 1960s. Thus, academic writings such as these demonstrate that political and strategic forces have long been at play within the UN.

Keohane argues that the political process within the General Assembly is a varied one where alignments and interests as well as influence have the potential to alter from one issue to another.⁴ He argues that the existences of political alliances are especially important, and regional and cultural loyalties, to which votes are tied, can be noted within the UN. Having said this however, Keohane also recognises that on many occasions voting and alignments within in the UN go far beyond outside

⁴ Keohane, R.O. 'The Study of Political Influence in the General Assembly' in *International Organization* Vol. 21, No. 2 (1967), pp.221-237,p. 226

loyalties. He notes:

Both Cyprus and Turkey, however, went beyond simple persuasion and used both promises and "pressures"; that is, they offered rewards for help and indicated to other states that retaliation might be the consequence of antagonistic actions...[for example] China, which sympathised with Turkey, was induced to abstain by Greek and Cypriot threats to support Communist Chinese admission to the General Assembly if the Nationalists voted against the Greek-Cypriot draft.⁵

Thus, as Keohane himself says, the threats and promises of UN members are often the driving force behind coalition building within the assembly.⁶

Wittkopf also conducted a study into similar questions of influence in the UN, building on the work of Keohane in 1973. The focus here lies on the use of foreign aid by the United States to ensure compliance by the other states within the UN on important foreign policy positions. As Wittkopf notes, figures within US politics have been open and blunt about the returns expected on the distribution of aid. Senator Hugh Scott is given as an example for 'expressing a common resentment [that] a good many nations we have helped generously with foreign aid over many years have shown a classic lack of appreciation.'⁷ Statements such as these led many to recognise the importance attached, by the US, to foreign aid as a means by which to achieve political objectives. As Black argues, it became apparent that aid could be used to 'swing critical votes in international bodies.'⁸ This became especially important with regards to the UN for, as Westwood notes, winning majority votes increasingly became dependent on the many underdeveloped countries that were

⁵ Keohane, 'The Study of Political Influence in the General Assembly' p.231

⁶ Keohane, 'The Study of Political Influence in the General Assembly' p.223

⁷ In Wittkopf, E.R. 'Foreign Aid and United Nations Votes: A Comparative Study' in *The American Political Science Review* Vol. 67, No. 3 (1973), pp.868-888, p.868

⁸ In Wittkopf, 'Foreign Aid and United Nations Votes...' p.870

entering the UN.⁹ Thus, it is obvious how, when dealing more with poorer nations, aid could easily become a weapon of bribery within the international institutions, and poverty itself a means by which to pursue foreign policy aims. This approach to winning votes became increasingly condemned. As Kaplan argued '...the United States should not seek to starve a poor country into support for its foreign policy.'¹⁰ However, as the previous chapters have shown, as well as academics, governments have also begun to condemn the use of aid for achieving foreign policy and political aims.

Yet, recent studies highlight what appears to be the continued use of aid giving for the exchange of votes in the UN, and as Burnell says '...aid's usefulness as a bribe or reward in exchange for political concessions has not gone away.'¹¹ Similar to the work of Keohane, Alesina and Dollar's more recent study suggests that political and strategic considerations continue to be considerably important in explaining aid flows, and political alliances that have formed as a result of this can still be distinguished in the voting blocs of the UN. The strategic use of aid, they argue, is not only attributable to the US but to other major donors in the UN, France and Japan in particular.¹² Their findings conclude that voting patterns in the UN explain aid distribution better than if we were to study the political institutions or the economic policies of the recipients.¹³ Yet Alesina and Dollar suggest that the use of aid as bribes may not be the only explanation for the correlation between aid recipients and UN voting. Rather, they argue, these correlations may be merely indicative of political alliances that exist between countries, both inside and out of the UN, alliances that already determine aid flows. In their opinion this explanation is more probable for, they argue, the majority of votes that actually take place in the UN are

⁹ Wittkopf, 'Foreign Aid and United Nations Votes...' p.870

¹⁰ In Wittkopf, 'Foreign Aid and United Nations Votes...' p.888

¹¹ Burnell, P. *Foreign Aid Resurgent: New Spirit or Old Hangover?* (Warwick, University of Warwick, 2003) p.10

¹² Alesina, A and Dollar, D 'Who Gives Foreign Aid to Whom and Why?' *Journal of Economic Growth*, Vol. 5, No. 1 (2000) pp.33-63, pp.38,40,50

¹³ Alesina and Dollar, 'Who Gives Foreign Aid to Whom and Why?' p.55

not important from a strategic point of view. Thus, rather than seeing aid as a method as bribery, it is suggested that what we are actually seeing is 'an observable manifestation of "friendship" within the UN votes. Changes in UN votes indicate therefore changes in geopolitical alliances, and thus changes in the distribution of aid too. As Alesina and Dollar note though, both interpretations of the link between votes and aid distribution reinforce the idea that aid is given on the bases of strategic considerations.¹⁴

Werker and Kuziemko also explore another explanation for increased aid to non-permanent members of the Security Council that are removed from unashamed foreign policy aims and strategic interests. They suggest that, potentially, increases in aid may be dependent on the fact that, while holding a seat on the Security Council, developing nations can bring its needs to the attention of donor countries.¹⁵ However, evidence would suggest that this is not the case for, as Werker and Kuziemko note, the year of election onto the Security Council, and the two years of service result in large increases of aid, yet this level of aid drops after service on the council to the pre-election level. Also, countries that served during particularly significant years, that is, when important resolutions were put forward, received a staggering increase in aid compared to countries that served in other years, almost \$45million dollars in comparison to an increase of \$16million.¹⁶ As Tamura and Kunieda also note, patterns of aid distribution show that 'U.S. foreign aid is, in general, regarded as an inducement, as opposed to a reward, for the recipient to coincide with U.S positions in voting.'¹⁷

The Iraq Resolution and UN Bribes

¹⁴ Alesina and Dollar, 'Who Gives Foreign Aid to Whom and Why?' p.46

¹⁵ Kuziemko, I. and Werker, E. 'How Much Is a Seat on the Security Council Worth? Foreign Aid and Bribery at the United Nations.' in *Journal of Political Economy* Vol. 114, No. 5 (2006), pp.905-930, p.906

¹⁶ Kuziemko and Werker, 'How Much Is a Seat on the Security Council Worth...' pp.918,924

¹⁷ Tamura, F. and Kunieda, T. *Vote-Buying Behaviour in the Security Council: Theory and Evidence from U.S Foreign Aid* (Providence, Rhode Island, Brown University, 2005) p.25

However, we need not surmise about the use of aid as U.S. representatives in the U.N. have spoken openly about their aims and motives with regards to aid spending particularly in recent years. As Werker and Kuziemko, noted the U.S. 'issued "promises of rich rewards" to rotating members [in the security council] in exchange for their support during the run-up to the 2003 invasion of Iraq.'¹⁸ Thus in the days preceding the first Iraq resolution, reports that the U.N. Security Council would be faced with a 'barrage of bribes, persuasion and blatant threats' ensued.¹⁹ As Deen says, all Security Council members were voting under immense political and diplomatic pressure, and with the knowledge that, having seen an almost immediate cut of 70million dollars in aid to Yemen after their negative vote against another U.S. sponsored resolution, economic repercussions of their votes could occur.²⁰ This fact would have been extremely concerning for Colombia, which received 380million dollars in U.S. grants during 2002; Mexico, who also received 12million dollars in 2002 from U.S. Economic Support Funds; as well as Cameroon and Guinea who have both received substantial military grants from the U.S. The issue was also of great concern for Mauritius, which had recently joined the Security Council under U.S. sponsorship, and who had also received a U.S. aid package on the condition that Mauritius would 'not engage in activities contrary to U.S. national security or foreign policy interests.'²¹ Therefore, it is clear that the U.S. could muster support for the resolution purely by the economic power which it wields.

However, despite the fact that the U.S. was the focus of such reports and allegations of bribery it is clear that Britain was also heavily involved in such tactics. Despite a lack of evidence that Britain was using aid packages and threats in the same manner, the support which was offered to the U.S. also suggests support for the tactics being used to secure votes. At the very least it is true to say that Britain did not object in

¹⁸ Kuziemko and Werker, 'How Much Is a Seat on the Security Council Worth...' p.906

¹⁹ Vulliamy, E. Beaumont, P. Paton Walsh, N. and Webster, P. 'America the Arm-Twister' in The Observer (March 2nd 2003) Available at <http://observer.guardian.co.uk/iraq/story/0,905755,00.html>

²⁰ Deen, T. *US Dollars Yielded Unanimous Vote Against Iraq* (Inter Press Service, November 11th 2002) <http://www.commondreams.org/cgi-bin/print.cgi?file=/headlines02/1111-02.htm>

²¹ Deen, *US Dollars Yielded Unanimous UN Vote against Iraq*

any way to the methods that were being used by the U.S. As The Observer reported, Bush and Blair made clear that together they would push for a vote that would authorise war, and Blair announced that he himself was determined not to back down on such a stance.²² This alliance with the U.S. not only led Britain into supporting the use of aid as bribes but drew it also into illegal acts against other Security Council members. As The Observer also reported the U.S. conducted a surveillance operation against other members of the Security Council. The telephones and emails of the New York delegates, not including Britain, were intercepted in order to obtain information on how the different countries would vote on the second Iraq resolution, as well as to ascertain alliances, policies, and positions.²³ However, this time the U.S. was not alone for it has since come to light that Britain too actively helped in the operation. The Observer reported that:

*Translators and analysts at the Government's top-secret surveillance centre GCHQ were ordered to co-operate with an American espionage 'surge' on Security Council delegations...Sources close to the intelligence services have now confirmed that the request from the security agency was 'acted on' by the British authorities.*²⁴

The self-interested attitudes that have thus been displayed in the Security Council since 9/11 are both shocking and worrying if only because, as An-Na'im says, it shows both the failure of the international community to keep in check a unilateral response by the U.S. that was in clear violation of international law, and the perpetration of such crimes within the Security Council which is intended to be the guardian of international peace and security. They show, he argues, that the permanent members of the council are willing to 'paralyse the U.N. system for their

²² Vulliamy *et al* 'America the Arm-Twister'

²³ Bright, M. Vulliamy, E. and Beaumont, P. 'Revealed: US Dirty Tricks to win Vote on Iraq War' in The Observer (March 2nd 2003) Available at <http://observer.guardian.co.uk/iraq/story/0,,905936,00.html>

²⁴ Bright, M. and Beaumont, P. 'Britain Spied on UN Allies over War Vote' in The Observer (February 8th 2004) Available at <http://observer.guardian.co.uk/Iraq/Story/0,2763,1143572,00.html>

political interests.’²⁵ As Forsythe says, there have been many incidents of violence around the world in previous years which have constituted a threat to international peace and security, such as the war in Chechnya, that did not draw either attention or action from the Security Council. Thus, Forsythe says, we can see that the Security Council has always been dominated by realist principles that ensure a lack of response from the Security Council members unless their own narrow interests are threatened. Even where Security Council action is taken self interest still pervades, as was the case in Somalia when military presence was removed from the country after the murder of eighteen U.S. rangers, an incident that led to the blocking of any action in Rwanda during the 1994 genocide.²⁶ These incidents draw to our attention a fundamental conflict within the ethos of the U.N, one by which contradictory actions and ideas are formulated and propagated within a single institution. Thus, we can begin to see that in an institution responsible for international human rights, many actions that threaten this cause have been perpetrated by its own members.

This discord, as we have seen, has severe repercussions for aid, and for the RTD on both a practical and theoretical level. One may ask, for example, having looked at the evidence presented on the attitude of Member States, whether the Declaration on the Right to Development is in fact flawed, because of the disharmony it has with the commitment of those party to it. It would be more appropriate however, to look to the calls for United Nations reform for, as protectors of peace and security, one could argue that to reject a Declaration which aims to secure the rights of development, and which offers a guide for the eradication of world poverty, because of the selfish and often violent acts of individual states would itself be an affront to the human rights project that the U.N. has long worked to establish and protect. What we are seeing is a return to, or perhaps the continued use of, traditional approaches to aid: an approach which uses aid for political gain and which was rejected by the UK government

²⁵ An-Na'im, A. 'Upholding International Legality Against Islamic and American Jihad' in Booth, K. and Dunne, T. (eds) *Worlds In Collision: Terror and the Future of Global Order* (Houndmills, Basingstoke, Hampshire, New York, Palgrave Macmillan, 2002) pp.162-171, pp.162-163,171

²⁶ Forsythe, D.P. *Human Rights in International Relations*. 2nd Edition (Cambridge, Cambridge University Press, 2006) pp.60-63

because of both its ineffectiveness for addressing poverty and its moral questionability. Thus, it appears that the concern for the eradication of world poverty, and for the right of humankind that was expressed by world leaders has been discarded. As Woodward says,

*..allocation of scarce aid resources according to the donors' geopolitical agendas rather than to need or potential effect reduces the effectiveness of aid in achieving objectives such as poverty reduction and health.*²⁷

Kuziemko and Werker too say that,

*[Our] results are also pertinent to...the long-standing debate about the effectiveness of foreign aid...As our results indicate that strategic interests have a causal impact on foreign aid decisions, they suggest a possible explanation for the disappointing track record of aid: as donor countries use aid strategically, they do not prioritise humanitarian concerns when crafting aid packages.*²⁸

The Effect that such Practices have on the Right to Development

The effect that such actions have on the effectiveness of aid are obvious. However, that on the concept of a right to development is more contentious, and varying outcomes are possible. As noted above, one could argue that such attitudes and actions by member states may call into question the potential that the Declaration holds for development. Yet a very different stance can be taken. It may be argued that, given that using aid as bribes and prioritising security and foreign policy aims has been a traditional and almost continuous practice, the very fact that a concept of a right to development, and the adoption of the practices it promotes by development

²⁷ Woodward, D. 'Vote Buying in the UN Security Council' in www.thelancet.com Vol. 369 (2007), pp.12-13, p.13

²⁸ Kuziemko and Werker, 'How Much Is a Seat on the Security Council Worth...' p.907

agencies such as DFID, has been born and is flourishing in an environment that is hostile to such ideas, demonstrates both its resilience and importance as a concept. It would be difficult to imagine states accepting such principles, which challenge traditional uses of aid, without these principles having either moral weight behind them, or obvious advantages that will make for successful development programmes. Even if this is the case however, we must also be aware that while successful projects that incorporated RTD principles have been established, the continuance of such practices within the U.N. and other international institutions will contribute to the challenges that face development workers on the ground. For example, corrupt practices by Western leaders make it extremely difficult to tackle the corruption in developing nations, thus bringing into question both the possibility for leadership reform in developing nations, and of sustainable development. Continuous practice could also potentially render the partnership approach impossible, as shared commitments cannot be based on values that are not even respected in the donor country.

Effects of such practices within the UN may not be confined to relations with recipient governments however; local participation might also be rendered difficult. As chapter four discussed, convincing citizens that their voices will be heard has proved challenging and so the knowledge that aid is supplied in return for votes will potentially escalate the perception that local ideas, and local development itself are unimportant, thus making it increasingly difficult to convince citizens of their role in the development process. The revelation of these practices also raises again the issue of accountability to British citizens, which DFID has sought to maintain throughout the development of new programmes and methods (as discussed in chapter four). Using aid for bribes highlights a lack of accountability which could therefore lead to disillusionment within the British public and a decrease in support for international development work. Thus, we can see that even if the concept of a right to development is proving resilient in the face of such practices, the continuation of acts such as these in the UN may have significant effects on the right to development, and

rights based programmes.

Exploring the Relationship Between Development and Terrorism

Terrorist attacks over recent years have also led to a different discussion though, one that is very much linked to the effectiveness and distribution of aid and explores the potential links between poverty, education and terrorism. This is a discussion that has ensued, not only amongst academics, but also in the responses of world leaders. For example, in 2001 Tony Blair stated that 'The dragon's teeth [with regards to terrorism] are planted in the fertile soil of...poverty and deprivation.'²⁹ The argument that poverty leads to terrorism though has been both rebuffed and discredited by the findings of academics such as Krueger, Maleckova and Berrebi who claim that there is a causal link between wealth, education and terrorism, but one that is very different from that believed by politicians and leaders.

These academics, in their studies of various terrorist organisations (which included Hizbollah, Hamas, and PIJ- Palestinian Islamic Jihad) found that 'having a standard of living above the poverty line and having a secondary-school education or higher are *positively* associated with participation in [terrorism].'³⁰ Berrebi's work showed that only 13 percent of Palestinian suicide bombers come from impoverished family despite the fact that a third of the entire Palestinian population lives in poverty. He also found that 57 percent had education beyond high school, while only 15 percent of the population of comparable age had.³¹ It must also be noted however that Krueger and Maleckova recognise that 'participation in terrorist activities may well be highly context-specific', and argue that we should also take into consideration whether it is richer people from poorer countries that are attracted to terrorism, for this may suggest that economic circumstances do still matter regardless of the

²⁹ In Berrebi, C. 'Evidence About the Link Between Education, Poverty and Terrorism Among Palestinians' (September 2003) Princeton University Industrial Relations Section working Paper No.477. Available at <http://www.irs.princeton.edu/pubs/pdfs/477.pdf> p.6

³⁰ Berrebi, 'Evidence About the Link Between Education, Poverty and Terrorism...' p.8

³¹ Krueger, A. 'Poverty Doesn't Create Terrorists', *New York Times* (May 29 2003) Business Section

evidence presented.³² Yet these findings, it seems, are applicable to many other instances of terrorist attacks, including the September 11th attacks. As reported in the New York Times the hijackers were,

*...adults with education and skill...spent years studying and training in the United States, collecting valuable commercial skills and facing many opportunities to change their minds...they were not reckless young men facing dire economic conditions and dim prospects but men as old as 41 enjoying middle-class lives.*³³

Miller and Russell also found that the majority of those involved in terrorism are well educated, usually to university level or higher, and more than two-thirds of those that are arrested come from middle or upper class families.³⁴ A similar correlation was found by Krueger and Maleckova in relation to supporters of terrorist attacks within the general public. Surveys showed that in Palestine the majority of the population supported attacks against Israeli targets, with 'strong support' from 72 percent of the educated/ occupational group. This supported findings from a 1994 survey in which only 40percent of those educated to M.A. or Ph.D. level supported dialogue between Hamas and Israel, in comparison to 60percent from those who had been educated for nine years or less.³⁵

As Krueger says, a possible reason for this is that participation in terrorism may actually offer greater benefits for those with a higher education as there is a greater chance of obtaining a leadership position. In any case, terrorist organisations will often prefer to recruit educated individuals who have the ability both to prepare and carry out demanding assignments.³⁶ Another explanation for these findings, as also

³² Krueger, A. and Maleckova, J. 'Education, Poverty and Terrorism: Is There a Causal Connection?' in *Journal of Economic Perspectives* Vol. 17, No. 4 (2003), pp.119-144, pp.121,137

³³ In Berrebi, 'Evidence About the Link Between Education, Poverty and Terrorism...' p.4

³⁴ In Krueger and Maleckova, 'Education, Poverty and Terrorism...' p.141.

³⁵ Krueger and Maleckova, 'Education, Poverty and Terrorism...' pp.125-126

³⁶ Krueger and Maleckova, 'Education, Poverty and Terrorism...' p.122

discussed by Krueger, is the opinion that educated people are more likely to participate in politics because of the expertise, interest and commitment that political causes often require. Thus, he says, those with higher income and education can take such an interest as they do not have to worry about minimum economic subsistence.³⁷ Therefore, Krueger argues that suicide bombers, excluding cases where there is a promise of large payments to their families, are usually not motivated by economic gain but instead by their complete support for the movement. It is usually those who are better educated, he says, that tend to perceive such feelings of support more acutely.³⁸ Yet it is important to note that financial compensation is awarded to families of the suicide bombers by fundamentalist charitable organisations. For example in the Gaza Strip payments to families increased from \$10,000 to \$25,000.³⁹ Thus, although in many cases where the bombers were relatively wealthy this will not be an influencing factor, allowing the continuation of such payments ultimately hinders the fight against terrorism. Therefore, von Hippel suggests, donors should focus on providing sufficient aid to local communities so that fundamentalist charities such as these cannot abuse the position of the poor for their own violent ends.⁴⁰

Berrebi offers a similar explanation to that of Krueger noted above. He says that better educated individuals are more likely to understand the moral and religious arguments that are offered as justifications for such attacks, and their education may possibly invoke in the individual a greater sense of social responsibility and the desire to contribute to political causes.⁴¹ As Krueger recognises these findings seem to resonate with the words of Lerner, 'poverty prevails only among the apolitical mass.'⁴² It is this support for the ideological sentiments that act as the trigger for

³⁷ Krueger and Maleckova, 'Education, Poverty and Terrorism...' p.142

³⁸ Krueger and Maleckova, 'Education, Poverty and Terrorism...' pp.122-123

³⁹ Von Hippel, K. 'The Roots of Modern Terrorism: Probing the Myths' in Freedman, L (ed) *Superterrorism: Policy Responses* (Oxford, Blackwell Publishing, 2002) pp.25-39, p.27

⁴⁰ Von Hippel, 'The Roots of Modern Terrorism...' p.37

⁴¹ Berrebi, 'Evidence About the Link Between Education, Poverty and Terrorism...' pp.17-18

⁴² Krueger and Maleckova, 'Education, Poverty and Terrorism...' p.128

terrorism, Atran argues, for they are transformed by leaders into moral obligations to act against opponents. This, he says, becomes especially appealing in countries where there is a lack of other political opportunities or extreme political repression.⁴³

Thus, the potential does exist for tackling terrorism through challenging political repression, which would then allow for development agencies to improve education that, when not under fundamentalist influence, will not create further dangers to international security. Although we have seen, in the previous chapters, arguments that convey distaste for what is perceived to be an imperialistic propagation of democratic institutions in countries where different political systems have developed, surveys show that in the case of Iraq many young adults actually favour American culture, despite their support for terrorist organisations. It has been found, by analysts such as Mark Tessler, that elected government, personal liberty, economic choice and educational opportunities are desired. What is opposed is U.S. military presence and foreign policy, especially concerning the Middle East.⁴⁴ As Burnell argues, thankfully institutional reform can occur regardless of that country's economic situation, meaning that change is possible even in the poorest of these countries. However, he also notes that in many places the existing power structure has been resistant to change. Thus he says we should also recognise that interventions which are aimed at encouraging democracy can be extremely destabilising and have the opposite effect, causing greater threats to international peace and security.⁴⁵ We have only to look at Iraq to see that this is the case.

As Burnell says, it is also apparent that the promotion of democracy will face challenges not only from developing countries, but from our own conflicting policy aims.⁴⁶ Many academics, such as Atran, recognise that solutions could be sought in

⁴³ Atran, S. 'Mishandling Suicide Terrorism' in *The Washington Quarterly* Vol. 27, No. 3 (2004), pp.67-90, pp.83,74

⁴⁴ Atran, 'Mishandling Suicide Terrorism' pp.73-74

⁴⁵ Burnell, *Foreign Aid Resurgent...* pp.12-13,17

⁴⁶ Burnell, *Foreign Aid Resurgent...* p.15

Western dialogue with Muslim leaders in an attempt to reconcile Sharia law with internationally recognised human rights. However, this will only be possible when America withdraws its support from repressive regimes, who support the war on terror but who systematically abuse the rights of, and deny political expression to their citizens.⁴⁷ Also, as already noted in chapter 1, following the U.S. response to the terrorist attacks on September 11th 2001, and reports of abuse of detainees, it will become increasingly difficult for the U.S. to lead the way in human rights.⁴⁸

This dichotomy is furthered by Krueger's findings. He argues that civil liberties play an enormous role in determining which countries are likely to generate terrorists. It is in those countries that are lacking in civil liberties, he says, that we will see terrorists being produced regardless of the economic situation there. Thus the war against terrorism, which has seen the curbing of civil liberties of citizens, both of the West and the Middle East, is surely contributing to the fatal production of willing terrorists. The solution therefore lies in ensuring that the people of these nations are given the right to assemble and protest, free from government interference.⁴⁹ The reconstruction of failed states, the building of democracy and the protection of civil liberties are ultimately connected, as are the challenges that face them. Thus, government responses will have to take into account all of these aspects which have been highlighted by academic works.

However, the ways in which the Government will respond are important for both security and for the right to development. So far the connection between security and development seems relatively underdeveloped, as the response to terrorist threats have been manifested in the support for war despite the evidence to suggest that democracy building and the advancement of rights are required to improve security, aspects that, as we have seen, fall under the work of DFID, and are addressed in their

⁴⁷ Atran, 'Mishandling Suicide Terrorism' pp.73-74

⁴⁸ Forsythe, *Human Rights In International Relations* p.45

⁴⁹ Krueger, 'Poverty Doesn't Create Terrorists'

programmes of partnerships and participation. Although it could be argued that war also provides the impetus for regime/system change, and the establishment of rights mechanisms, it remains to be seen whether this has been a successful approach in the case of Iraq. It may thus seem that an appropriate way forward is to recognise the potential benefits that the Declaration on the Right to Development could bring to this situation, and both to explore further the links between rights, development and international security and allow DFID to take a lead in what would have traditionally been seen as a purely defence/security arena.

Also if the fight against terrorism is reliant on the West to change its policies with respects to our own record on human rights and questionable alliances, then that is what must be done for, as von Hippel says, failed states may be attractive to terrorist organisations because of the lack of government structures in place, and the inability for the international community to regulate trade and movement of people through the unguarded borders. Thus, he says:

It is imperative that a serious effort is made to re-establish effective government and the rule of law in places where these are absent or weak, in order to counter the centrifugal forces that cause these states to collapse, the by-products of which could lead them to become attractive territories for terrorist activity.⁵⁰

Yet he also notes that it is not clear, despite the advantages such states may hold for terrorists, whether terrorists are actually using these states in any way. For example, bin Laden chose to seek refuge in the north of Sudan where the government is very much in control, rather than in the lawless south.⁵¹

The subject of failed states however brings us back to the issue of education.

⁵⁰ Von Hippel, 'The Roots of Modern Terrorism...' p.34

⁵¹ Von Hippel, 'The Roots of Modern Terrorism...' pp.31

Although academics have attempted to show that education is positively linked to terrorism this is very much dependent on the type of education received. Atran notes that many failed states have handed over responsibility for the social welfare of citizens to activist Islamic groups, who now provide school and health services, and with an efficiency that the government could never attain.⁵² Stern highlights that these madrasahs offer education based in religion, ignoring many basic subjects such as maths and science, and so, 'without state supervision...are free to preach a narrow and violent version of Islam.'⁵³ Therefore, as Krueger says, if education is going to be the international community's answer to terrorism, the focus must be of the content of the education, not on the number of years one spends in education.⁵⁴ Yet von Hippel warns us that due to the long established fear of Western corruption of education any intervention must be developed through negotiations and partnerships.⁵⁵ As already discussed in the previous chapter, this is likely to be the most effective method of change anyway.

Policy Responses to the Academic Findings

It seems that, to some extent, the findings of the academics are penetrating the beliefs of politicians and world leaders. Bush for example is noted to have said that,

*Poverty does not transform poor people into terrorists and murderers...Yet poverty, corruption and repression are a toxic combination in many societies, leading to weak governments that are unable to enforce order or to patrol their borders and are vulnerable to terrorist networks.*⁵⁶

What is important though is to examine how this has been incorporated into the

⁵² Atran, 'Mishandling Suicide Terrorism' p.78

⁵³ Von Hippel, 'The Roots of Modern Terrorism...' p.29

⁵⁴ Krueger and Maleckova, 'Education, Poverty and Terrorism...' p.142

⁵⁵ Von Hippel, 'The Roots of Modern Terrorism...' p.30

⁵⁶ Krueger, 'Poverty Doesn't Create Terrorists'

physical and practical responses of the West. The unilateral military response of the U.S., and the restrictions placed on civil liberties have already been noted. It is also essential though to examine if and how the government has altered development policy, because of the complexities of the root causes of terrorism that are so intricately linked to many of DFID's areas of concern such as poverty, education, participation and governance. DFID itself recognises this wide overlap in policy areas and states in the recent paper *Fighting Poverty to Build a Safer World: A strategy for Security and Development*, that:

*At a broader level, DFID's work on poverty reduction also benefits global security. While there is no evidence that poverty directly contributes to terrorism, or that terrorists are from poorer communities, terrorist leaders do exploit the issue of poverty as a means of mobilising popular support and legitimising their actions. Many of the structural factors that increase the risk of terrorism also matter for development: unmet political and economic aspirations, lack of jobs for skilled labour, weak states and poor governance.*⁵⁷

Some academics such as Udombana have argued that national interests will always be a priority, even when devising aid packages; 'In international politics, there is no such thing as a free lunch; everything has to be paid for. Governments are, first and foremost, concerned about safeguarding the interests of the people they represent.'⁵⁸ Yet, as the extent to which we are interconnected with other nations has become apparent, so too has the fact that, in helping to tackle world poverty, our government *will be* safeguarding the interests of British citizens. Perhaps it will be in this recognition that an increased support for the principles contained in the RTD will develop.

⁵⁷DFID *Fighting Poverty to Build a Sustainable World*
<http://www.dfid.gov.uk/pubs/files/securityforall.pdf> p.11

⁵⁸ Udombana, N.J 'The Third World and the Right to Development: Agenda for the Next Millennium' *Human Rights Quarterly* Vol. 22, No. 3 (2000) pp.753-787, p.783

Thus, we can see that potentially the expertise of DFID can help to combat international threats to peace and security, as is noted in the paper itself. However, within this particular paper DFID does not explicitly acknowledge the differences in causes between terrorism and other types of crime. The responses of DFID may thus be adequate for dealing with the threats that come from other forms of transnational crimes, yet entirely inappropriate for tackling terrorism. As the evidence above has already shown, and as Hassan argues, traditional models of crime, in which poverty has been found as a cause, do not apply to terrorism.⁵⁹

Yet it is only recently that the work of DFID has been linked to security and, despite the closeness of this link, their main responsibility continues to, and should be, the eradication of poverty, not of terror. In this respect, Barder argues, DFID has been extremely successful at preserving the focus on poverty reduction, even under the pressure of the argument that, since 9/11, the Government should be directing resources towards the war on terror, and has attempted to ensure that aid has not been distorted by short term strategic and political interests. This has been helped by the existence of the International Development Act 2002, which prevents DFID from using aid to finance programmes whose primary aim is to tackle threats to UK or global security.⁶⁰

Another positive aspect which arises from the paper is the potential that is shown for a consensus on aims across departments, as was hoped for by Blair in his plans for 'joined-up' government. As Barder says, since 9/11 UK foreign policy has set its focus onto the problem of failing states.⁶¹ While DFID recognises the problems that cooperation faces, for example lack of communication between departments and the challenge of different timescales to work to, it too seeks to address the issue of failed

⁵⁹ In Berrebi, 'Evidence About the Link Between Education, Poverty and Terrorism...' p.3

⁶⁰ Barder, *Reforming Development Assistance* pp.18,28

⁶¹ Barder, *Reforming Development Assistance* p.18

states which not only harbour terrorists but also present a problem to successful and sustainable development, and commits itself to focus more on regional conflict and insecurity because of the effect that these things have on the world's poorest.⁶² If departments within the Government can work together, therefore, then there is hope that a satisfactory approach to the situation can be found, which incorporates specialist knowledge on both development and terrorism. As DFID says:

*Aid alone is not enough. Development cannot progress where there is instability. The security community on its own cannot build the institutions and opportunities necessary to prevent conflict. We need better collaboration between development, defence and diplomatic communities to achieve our respective and complementary aims.*⁶³

Choosing an appropriate and successful response to the terrorist threat will ultimately be a challenging task for the Government, especially because, as Burnell says:

While one school of thought cautions that a society's economic progress may actually increase the appetite for, and means to threaten, international violence, another argues that extreme poverty, resentment at gross international inequalities, and despair all provide fertile ground for such 'anti-system behaviour'.⁶⁴

It is this divide that we have already seen in the difference of understandings between the academic and the international arenas, a divide that will ultimately have to be bridged in order to find a way forward that both tackles the terrorist threat in an appropriate way while respecting the direction which development theory and policy is travelling in. Yet some academics, such as Udombana, see hope for success having

⁶² DFID *Fighting Poverty to Build a Sustainable World*, see Chapter 3

⁶³ DFID *Fighting Poverty to Build a Sustainable World* p.6

⁶⁴ Burnell, *Foreign Aid Resurgent...* p.11

recognised that in many cases the areas to be addressed for development, are also those that can bring democracy, such as freedom of expression and assembly, the advancement of women, and improved education. The two, he notes, go hand in hand for democracy, peace and stability cannot exist where there is poverty and neglect.⁶⁵ What should be noted though is, as Scott Atran argues, the longer the war on terror continues, the greater the risk becomes of increasing radical Muslim sentiment against the West. This, he says, can be perceived from the fact that military action has not even diminished the occurrence of suicide attacks in occupied Iraq, and after major military operations the number of attacks actually increased.⁶⁶ One very important point that von Hippel makes is that, considering the rising number of terrorists that have become radicalised within European and American cities, reform must also take place at home, for it is when we begin to marginalize those in our own societies that we aid the spread of terrorism.⁶⁷

...If a society feels threatened or under attack, a siege mentality will take hold, whereby people and groups tend to become more conservative and entrenched in their traditional ways of seeing and interpreting things. From this perspective, US foreign policy contributes to the erosion of the internal prerequisites for social change transformation, as well as reinforcing a sense of external threat that encourages conservative entrenchment...It also encourages strong scepticism about the validity of universal human rights...⁶⁸

Buller has highlighted this conflict of interests that the government now faces. The conduct of a promised ethical foreign policy, he says, has become increasingly difficult since September 11th, especially when we consider that Blair forged an alliance with America and supported a war that not only lacked UN cover, but was strongly opposed by other members of the Security Council. This, Buller argues, will

⁶⁵ Udombana, 'The Third World and the Right to Development...' pp.785, 774

⁶⁶ Atran, 'Mishandling Suicide Terrorism' pp.67-71

⁶⁷ Von Hippel, 'The Roots of Modern Terrorism...' p.37

⁶⁸ An-Na'im. 'Upholding International Legality Against Islamic and American Jihad' p.167

have long-term consequences for the British foreign policy, and, I would argue, for development policy also.⁶⁹ An alliance with the U.S. which has consistently opposed the right to development, and continued abuse of rights, has the potential to destroy the 'progressive' work (as discussed in Chapter three) which DFID has managed to achieve and will continue to undermine the advances that it makes. Falk also notes that an apparent use of human rights as a foreign policy tool, for example the exposure of human rights violations in order to place sanctions on, or take hostile action, against another country, make human rights appear to be lacking in any meaningful substance.⁷⁰ This again, if it continues, could also seriously diminish the hopes that exist for the promotion of the right to development. As has already been argued in the previous chapters we are still faced with arguments against universal human rights, arguments which will be increasingly difficult to challenge while current policies are continued.

*...rights are best seen as a by-product of a functioning ethical community and not as a phenomenon that can be taken out of its context and promoted as a universal solution to the political ills of an oppressive world.*⁷¹

Yet what this chapter has shown is the important connections between democracy, rights, poverty, governance, failed states and security. As we have seen, these connections are extremely complex, and do not always follow the anticipated pattern, yet the complexity of the situation cannot be a reason for ignoring the challenges it sets before us. We have seen that by working together, different government departments hold the knowledge and expertise that can rise to this challenge in a meaningful and effective way. In terms of development what we are witnessing since the September 11th attacks is a renewed effort to tackle world poverty. As Burnell

⁶⁹ Buller, 'Foreign and European Policy' pp.205-210

⁷⁰ Falk, R.A. *Human Rights Horizons: Pursuit of Justice in a Globalizing World* (London, New York, Routledge, 2000) p.40

⁷¹ Brown, C 'Universal Human Rights: a Critique.' In Dunne, T. and Wheeler, N.J, *Human Rights in Global Politics* (Cambridge, Cambridge University Press, 1999) pp.103-124, p.120

notes, Blair declared that 'There are times in politics when it is possible to do what we thought to be impossible a short time before.' Yet we should also heed the warnings of writers such as Burnell who recognise that, favouring certain countries with regards to aid allocation purely because they pose a threat to national security, will only result in other countries becoming marginalized further. This could not only see the rise of threats from other parts of the world, but also the failure of sustainable development as foreign policy aims mask themselves as badly-designed aid programmes.⁷² Thus it is essential that traditional means of aid, as discussed in chapter two, are not returned to, as behaviour in the Security Council threatens.

However, this chapter has also shown that any part that the right to development may hold in the protection of security is, as of yet, unexplored and underdeveloped. The lack of mention that it has received from DFID in the area of security may suggest that the current international climate and the new threat of transnational terrorism have rendered the values of the Declaration obsolete. However, as the previous chapters have shown, despite a lack of reference to the right to development in DFID policy papers, current development programmes have been incorporating the ideas that are central to the declaration. It remains to be seen in what ways DFID will incorporate these ideas when faced with a security agenda. We may see that, once again, as was the case in previous administrations (as discussed in chapter two), security will usurp the work of development. However, as this chapter has noted, in the fight against terrorism, to undermine the place of development will prove detrimental, and success in war will be short lived. The first step to success, I would argue, is for the establishment of the 'joined-up government' which Blair promised, so that security and development advocates can truly work together in an area that is so obviously interconnected and inseparable. The second step is to ensure that the success which the right to development has brought to recent development programmes, through its focus on both partnerships and participation, is given the recognition that it deserves so that such ideas can be incorporated into the fight

⁷² Burnell, *Foreign Aid Resurgent...* pp.11,20

against terrorism, rather than being given a back seat while once again traditional and ineffective uses of aid are brought to the forefront of policy making.

Conclusion

We have reached the point at which both areas of interest and further questions that the thesis has raised can be highlighted once more, and where those questions posed at the beginning of the thesis, and which directed the research, can be addressed.

Chapter one drew attention to the many theoretical challenges which the right to development faces, highlighting numerous and competing positions and understandings of the concept. It was, at the earlier stages in the research, a concern that the challenges posed to the right, as manifested in these debates, would act as a deterrent to the application of the Declaration in states' development programmes, that the lack of conceptual clarity which the Declaration was accused of, would prevent its application and acceptance at the national level. However the evidence presented in the thesis shows a definite change in the way that development policy is thought about, constructed, and implemented in Britain.

As chapter two noted, the 1997 New Labour manifesto and two White Papers that followed, highlighted a shift in focus away from traditional uses of aid and an understanding of development based on purely economic terms, towards a concern for the eradication of poverty and the securing of rights for those in developing nations based on ideas of human rights and fundamental freedoms. Hopes for the fulfilment of these aims were brought into question though, due to the similarity that these promises shared with those of previous administrations. Thus it may be the case that a future change in administration may trigger a return to more traditional approaches to development policy, ones which prioritise national interests above the rights of others and the alleviation of poverty. Such an outcome would indicate the weakness and provisional nature of the new ideas that are flourishing in the area of development. However, until a change in government, such outcomes can be but speculative at best. The success that the new development programmes have gained

suggests that a reversion to traditional models will not occur.

As Chapter three discussed, DFID has created strong partnerships with recipient governments, partnerships that, it says, are based on agreed benchmarks and a shared commitment to human rights. This has been accompanied, as was also noted, by a somewhat unique policy that seeks to enable the implementation of development programmes within fragile states, despite the costs and risks that this entails. Thus, it was concluded from the evidence, that DFID's approach has not only been promising for a genuine and successful partnership approach, it has also been progressive in terms of advancing the RTD agenda.

It should be noted however, that chapter three also drew our attention back to theoretical difficulties that a right to development based program faces. It was highlighted that, similar to those arguments which were discussed in chapter one, points of view that rejected a universal notion of human rights, new approaches can also be criticized for employing a notion of 'good governance', a concept which is also far from having an agreed and universal understanding and is, as Doornbos was noted as saying, conceivable within different socio-cultural and political contexts.¹ Thus, again we see the accusation of Western imperialism by academics such as Fowler, and the insistence by others, such as Slater and Bell, that for partnerships to be genuine, donors have to accept that the vision and political priorities of the recipient countries may be considerably different from those of the Western community.² These challenges should not be dismissed for they do raise some very interesting questions for further study. The claim of Western imperialism forces us to ask the question, what do partnerships really mean? As chapter three noted, there

¹ Doornbos, M. "Good Governance": The Rise and Decline of policy Metaphor?" in Hermes, N. and Lensink, R. (eds) *Changing the Conditions for Development Aid: A New Paradigm?* (London, Portland, Frank Cass Publishers, 2001) pp.93-108, p.99

² Slater, D. and Bell, M. 'Aid and the Geopolitics of the Post-Colonial: Critical Reflections on New Labour's Overseas Development Strategy' in *Development and Change* Vol. 33, No. 2 (2002) pp. 335-360, pp.351 and 353

may be a natural progression from current partnership models to a point at which recipient governments take the lead in the development process. Many academics doubted that donor nations would let this occur though for fear, as was also expressed over the Declaration on the Right to Development itself, that an attempt would be made to establish a New International Economic Order. Yet, with donors retaining control, then claims of cultural imperialism and the spread of democracy will remain. Thus, this challenge returns us to a central problem in rights theory, that of competing rights, and a barrier to the realization of the right to development. It appears that the sovereign rights of states will be pitted against the right to development of citizens, and that one will have to be trumped in favour of the other. Thus, further research is necessary to enquire whether the eroding away of traditional concepts such as the nation state is acceptable, or likely to occur, for the furtherance of the rights project which nation states themselves have worked to establish, and ask if this erosion really matters in a globalising world where the ideas of nation states are already changing.

However, in determining the current effect that these criticisms are having on the application of right to development models, it is important to recognize that, as noted above, previous theoretical challenges have not deterred states from implementing such models in their development work. The effect at present may thus be minimal. We should also question the truth of such claims for, although we have seen DFID appealing to notions of good governance, they have also, it was argued, borne the costs and risks of working in fragile states because they recognised that 'development and stability can be achieved with very different governance arrangements, as demonstrated by the experience of countries as diverse as Botswana, China, Chile, Mozambique and Vietnam.'³ Thus, if donor countries continue to work through models that adhere to right to development principles and the theoretical challenges, although raising awareness of theoretical difficulties that the concept faces, do not impact upon its application then there is hope, as the UN Economic and Social

³ DFID *Why we Need to Work More Effectively in Fragile States* (2005)
<http://www.dfid.gov.uk/Pubs/files/fragilestates-paper.pdf> p.20

Council believes for a consensus to be reached in the attitude of the development community and that of human rights advocates. This will be found, it was argued, through the notion of partnerships, and while often lacking reference to the right to development itself, may become a means by which the right is promoted. Yet the UN Economic and Social Council also note that such an approach must place human rights at the centre of the process, and not merely refer to them when they become of instrumental value, that is, when the use of human rights will further poverty reduction strategies. Statements by Andrew Norton may quash this concern for, as noted in chapter four, he says:

There is a new agenda emerging. Participation is not just seen as an option to improve effectiveness, but is seen in a new context where it is linked to governance, human rights, and strengthening accountability, policy and institutional systems...so that [governments] can respond better to the needs of society and the poor and the excluded in particular.⁴

This statement typifies DFID's recognition that participation is a human right that must be guaranteed above and beyond the success it brings to development programmes. In the talk of rights, DFID's commitment to participation moves beyond the arena of rhetoric and promises, and becomes more of a guarantee for those living in developing nations, who will be able to demand that their rights be fulfilled. Thus, the inclusion of participation in development programmes demonstrates again that, despite the opposition which the RTD faces, a workable programme is developing within development administrations. Thus, the relationship between rights and development that is emerging in the work and attitude of DFID seems to be a promising one for the right to development especially when we see it in the area of participation, a principle that is not only central in the Declaration, but which was also fundamental in the writings of Sen, whose work was highlighted in

⁴ In Long, C. *Participation of the Poor in Development Initiatives: Taking Their Rightful Place* (London, Sterling, VA, Earthscan Publications, 2001) pp.171-172

chapter one as central to the changes that were occurring in development thinking.

Chapter four, therefore, also drew our attention to another successful area of DFID's development work, one which again incorporates principles that the right to development promotes. The area was that of participation, involving primary and secondary stakeholders through all stages of the project cycle. It was argued that a genuine commitment had been demonstrated by the department to encourage changes at the institutional level that will help to develop local government commitment to both development and participation, and that these differences seemed to be changing the success and outcomes of development projects, although the extent to which this is so remains to be seen.

However, another fundamental challenge was also highlighted in chapter four that of the assumption which exists with regards to the concept of community. It was noted that, as Cleaver argues, a belief persists in participatory development practice that there will be an identifiable community with which to work, without taking into account evidence of the shifting and overlapping nature of communities, and the dramatic differences in wealth, education, status, ethnicity and gender that exist within communities.⁵ Donor agencies need to refocus their attentions away from the practicalities of implementation and towards a clearer understanding of the wider dynamics of society, institutions and community.⁶ Although DFID has addressed this concern to some extent, through policies such as *Drivers of Change*, this criticism emphasises the complex situations that development administrations face. Thus, ensuring participation in a meaningful manner seems increasingly difficult, and that such an assumption has been noted, brings us to question the real validity of the participatory projects that have gone before.

⁵ In Cleaver, F. 'Paradoxes of Participation: Questioning Participatory Approaches to Development' in *Journal of International Development* Vol. 11, No. 4 (1999) pp.597-612, p.603 and IDS Workshop. 'Reflections and Recommendations...' p.138

⁶ Cleaver, 'Paradoxes of Participation...' p.609

What these chapters have shown therefore is that, while theoretical challenges exist and practical challenges are arising, initial objections to the right to development have not deterred DFID from adopting new approaches that incorporate many aspects of the Declaration on the right to development. However, chapter five highlighted that the primary challenge to this approach may in fact come from competing state interests, such as security, and the possibility that new methods have been motivated by the safe-guarding of national security. If this were the case, it would show that traditional attitudes to aid had persisted, and that new ideas within development disciplines had little effect on the construction and implementation of development programmes.

The chapter did draw attention to much evidence which could suggest that traditional attitudes had indeed remained, thus calling into question the potential that the Declaration holds for development. However, I argued that, given the persistent practice of using aid as bribes and prioritising security and foreign policy aims, the very fact that the practices which the right to development promotes has been used by development agencies such as DFID in an environment that is hostile to such ideas, demonstrates both its resilience and importance as a concept. It would, I said, be difficult to imagine states accepting such principles, which challenge traditional uses of aid, without these principles having, either moral weight behind them, or obvious advantages that will make for successful development programmes.

Yet the challenges that these continued practices cause were also noted, for example the difficulty that is posed towards tackling corruption in developing nations if corruption continues to prevail within Western states and international institutions such as the UN, and the effect that this will have on the creation of successful partnerships. Thus again, as with the issue of competing rights, it would appear that one of these, either the corrupt practices of states or the implementation of the right to

development, will have to give, as the two are incompatible in both aims and methods. Which one succeeds also remains to be seen.

Chapter five also drew attention to another area for further study, that of the conflict which exists in the UN between the ideas that are formulated and the actions of member states, the repercussions of which will be felt beyond the right to development. Continuous abuse of rights by member states in their dealings with other countries, as well as the corruption that persists, will challenge the human rights regime in its entirety. Thus, while calls for UN reform might force the institution to address this question of conflict within its establishment, questions about the possibility for change in state practice also need to be asked. Is such a change possible, and if not what are the implications for human rights as a whole?

The important and complex connections between democracy, rights, poverty, governance, failed states and security were also discussed in Chapter five, the findings of which merits attention again here. It was highlighted that the work in these areas fall under the scope of both security and development, thus both DFID and right to development principles hold great potential for contributing to international security, and whose work can help to combat transnational crimes. Yet this relationship between security and development, it was noted, is currently unexplored and underdeveloped. Thus, further research will be required into both how the Government incorporates DFID into plans for security, and also how/if DFID will draw upon the right to development in its security agenda. Potentially, what we will see from such research is a replaying of what has gone before in previous administrations, as discussed in chapter two. That is, development work once again being usurped by security policy and the masking of foreign policy aims with the rhetoric of aid. Yet, as argued in chapter five, the obviously interconnected and inseparable nature of security and development requires the close working of departments within Governments for an alternative route of separation would, I

believe, be detrimental to the achievement of security aims. The outcome of such research may be closely linked to questions that were raised in chapter two on the nature of influence that departments have within Government. As Lambe argued, DFID's influence depends to a great extent, not on the expertise it holds, but on the leadership in government and the attitude of senior ministers towards development policy.⁷ Thus, DFID's place may continue to depend on the attitude of ministers, as will the acceptance of the right to development for, as chapter three argued, one of the main obstacles to the realisation of this right and this to effective development policy is the attitudes of leaders.

It was asked in chapter one how successful has the change in theory been in terms of affecting the way in which state actors understand development? When we look at recent policy papers and development projects that DFID has issued and used, then we can almost certainly answer that the changes in theory have been extremely successful in altering the way in which state actors understand development. Focus has moved away from traditional policy aims within the department, and, despite the challenges that have come from other areas of government, DFID has begun to successfully incorporate methods such as partnerships and participation that both adhere to the principles of the RTD and aim at the elimination of world poverty and the securing of rights for citizens of developing nations. However, one important point must be noted, and that is that DFID has rarely discussed the right to development, and does not refer to it in its policy work.

This has led academics, such as Piron, to claim that DFID has not in fact built its approach on the ideas contained in the RTD but instead upon two premises: (i) a moral duty to alleviate poverty, and (ii) self-interest that comes from the recognition of the interdependence of the world.⁸ The first of these, which DFID has claimed as

⁷ Lambe, J. 'The Future of the Overseas Development Ministry' *ODI Review* No. 3 (1969) pp. 56-62, pp. 58-59

⁸ Piron, L.H. *The Right to Development: A Review of the Current State of the Debate for the Department for International Development* (2002) Available at

its priority, will incorporate many similar ideas to those of a right to development approach, for programmes incorporating partnership and participation can contribute to both the alleviation of poverty, and the promotion of the right to development. Thus we are faced with the possibility that DFID may not have been influenced by the Declaration on the Right to Development but on similar understandings of development.

As Piron has noted, although DFID originally displayed an instrumentalist approach to human rights, the practice has evolved. Now, within DFID policy papers there is a growing reference to the protection of human rights for their own value, and because of the success that they bring to development projects. Thus it was argued by Piron that DFID's work is progressive in development practice and human rights, and can further the right to development project because of the strong similarities between its approach and the RTD. However, as the thesis noted, the adoption of a human rights approach to development, even if influenced by an internationally changing notion of development, is not the same as the right to development. The right to development, Hamm argues, cannot replace a human rights approach to development because of the vagueness that surrounds the notion, the lack of consensus that the right has, and because of the lack of a legal obligation in the international treaty.⁹ The changes that we see in DFID do seem to be attributable to this internationally changing notion of development. As Barder says:

As with most successful revolutions, the changes [made by New Labour] succeeded in part because they found resonance in a long evolution of thinking and in part because they...were in line with a new international mood that while increases in aid were an important part of the development agenda, it was essential also to pay attention to the broader set of policies that affect developing countries.¹⁰

http://www.odi.uk/rights/publications/right_to_dev.pdf p.35

⁹ Hamm, B.I. 'A Human Rights Approach to Development' *Human Rights Quarterly* Vol. 23, No. 4 (2001) pp.1005-1031, p.1010

¹⁰ Barder, O. *Reforming Development Assistance: Lessons from the UK Experience* Working Paper

It appears therefore that the notion of a right to development is a product of the changing ideas about development as discussed in chapter one, in the same way that current British policy is. Thus, I believe that, while both are products of the same ideas, the right to development has not been the influencing factor on British development policy. This explains why there is a significant lack of reference to the right to development in DFID policy papers, yet why it is so similar to, and incorporates so many aspects that the right to development advocates.

This however, does not make the prospects for the Declaration on the Right to Development redundant in the influence that it too may have on state policy in the future. As the thesis highlighted, many objections to the Declaration came from a lack of conceptual clarity and understanding, rather than from a rejection of the underlying principles. This was, I suggested, the case with the U.S. stance on the right to development, and it seems also the case with Britain. Yet, the right to development may still prove to be a useful label for the general changes that are occurring in development thinking, and now, with the practice of states to study as a guide, the conceptual incoherence which pervades the Declaration can be addressed and practical and realistic guidelines put in place for the future practice of states. Thus, if these difficulties inherent in the Declaration are addressed, then it is possible that in future policy we will see greater reference to a right to development, a term which will be more than just a promising idea, but a firm guideline for a successful development programme in which the rights of citizens can be realised.

Appendix

Declaration on the Right to Development

Adopted by General Assembly resolution 41/128 of 4 December 1986

The General Assembly,

Bearing in mind the purposes and principles of the Charter of the United Nations relating to the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian nature, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of 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 there from,

Considering that under the provisions of the Universal Declaration of Human Rights everyone is entitled to a social and international order in which the rights and freedoms set forth in that Declaration can be fully realized,

Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Civil and Political Rights,

Recalling further the relevant agreements, conventions, resolutions, recommendations and other instruments of the United Nations and its specialized agencies concerning the integral development of the human being, economic and social progress and development of all peoples, including those instruments concerning decolonization, the prevention of discrimination, respect for and observance of, human rights and fundamental freedoms, the maintenance of

international peace and security and the further promotion of friendly relations and co-operation among States in accordance with the Charter,

Recalling the right of peoples to self-determination, by virtue of which they have the right freely to determine their political status and to pursue their economic, social and cultural development,

Recalling also the right of peoples to exercise, subject to the relevant provisions of both International Covenants on Human Rights, full and complete sovereignty over all their natural wealth and resources,

Mindful of the obligation of States under the Charter to promote universal respect for and observance of human rights and fundamental freedoms for all without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Considering that the elimination of the massive and flagrant violations of the human rights of the peoples and individuals affected by situations such as those resulting from colonialism, neo-colonialism, apartheid, all forms of racism and racial discrimination, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity and threats of war would contribute to the establishment of circumstances propitious to the development of a great part of mankind,

Concerned at the existence of serious obstacles to development, as well as to the complete fulfilment of human beings and of peoples, constituted, inter alia, by the denial of civil, political, economic, social and cultural rights, and considering that all human rights and fundamental freedoms are indivisible and interdependent and that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights and that, accordingly, the promotion of, respect for and enjoyment of certain human rights and fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms,

Considering that international peace and security are essential elements for the realization of the right to development,

Reaffirming that there is a close relationship between disarmament and development and that progress in the field of disarmament would considerably promote progress in the field of development and that resources released through disarmament measures should be devoted to the economic and social development and well-being of all peoples and, in particular, those of the developing countries,

Recognizing that the human person is the central subject of the development process and that development policy should therefore make the human being the main participant and beneficiary of development,

Recognizing that the creation of conditions favourable to the development of peoples and individuals is the primary responsibility of their States,

Aware that efforts at the international level to promote and protect human rights should be accompanied by efforts to establish a new international economic order,

Confirming that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations,

Proclaims the following Declaration on the Right to Development:

Article 1

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

2. The human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of

both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.

Article 2

1. The human person is the central subject of development and should be the active participant and beneficiary of the right to development.
2. All human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfilment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development.
3. States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of 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 the benefits resulting there from.

Article 3

1. States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development.
2. The realization of the right to development requires full respect for the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations.
3. States have the duty to co-operate with each other in ensuring development and eliminating obstacles to development. States should realize their rights and fulfil their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and co-operation among all States, as well as to encourage the observance and realization of human rights.

Article 4

1. States have the duty to take steps, individually and collectively, to formulate international development policies with a view to facilitating the full realization of the right to development.

2. Sustained action is required to promote more rapid development of developing countries. As a complement to the efforts of developing countries, effective international co-operation is essential in providing these countries with appropriate means and facilities to foster their comprehensive development.

Article 5

States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings affected by situations such as those resulting from apartheid, all forms of racism and racial discrimination, colonialism, foreign domination and occupation, aggression, foreign interference and threats against national sovereignty, national unity and territorial integrity, threats of war and refusal to recognize the fundamental right of peoples to self-determination.

Article 6

1. All States should co-operate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms for all without any distinction as to race, sex, language or religion.

2. All human rights and fundamental freedoms are indivisible and interdependent; equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights.

3. States should take steps to eliminate obstacles to development resulting from failure to observe civil and political rights, as well as economic social and cultural rights.

Article 7

All States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries.

Article 8

1. States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, inter alia, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. Appropriate economic and social reforms should be carried out with a view to eradicating all social injustices.

2. States should encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights.

Article 9

1. All the aspects of the right to development set forth in the present Declaration are indivisible and interdependent and each of them should be considered in the context of the whole.

2. Nothing in the present Declaration shall be construed as being contrary to the purposes and principles of the United Nations, or as implying that any State, group or person has a right to engage in any activity or to perform any act aimed at the violation of the rights set forth in the Universal Declaration of Human Rights and in the International Covenants on Human Rights.

Article 10

Steps should be taken to ensure the full exercise and progressive enhancement of the right to development, including the formulation, adoption and implementation of policy, legislative and other measures at the national and international levels.

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