



***Development as Freedom and the Protection of Nature
As a Constitutive Aim of the Economy***

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Synopsis

In this paper, the valuation of nature in modern welfare economics is criticised for its contingency and its internal subjectivity. This is considered unsatisfactory for inter-social reasoning for economic impacts on nature. A. Sen’s capability approach is taken as a conceptual framework to develop normative orientations for economic politics related to nature: Development as Freedom is interpreted as a fundamental understanding of what purpose the social organisation of an economy is to serve. Freedoms arising from nature are therefore constitutive aims of the economy, and transformation and conservation of nature are seen as two strategies that both need to be justified in terms of freedom.

Two general functions of nature are taken into account: security and options. Humans are thought of as having a fundamental right on these. Complementary to these rights, there are duties based on responsibility and solidarity towards other humans. Politics organising an economy should follow an extensive precautionary principle that takes into account the rich diversity of possible human preferences, and which privileges continued options instead of definitive welfare increases.

0. Introduction

This paper first (1) identifies a problem with the conception of nature in modern welfare economics. Then, based on some assumptions (2), the capability approach as formulated by A. Sen is chosen (3, 4) as a normative framework to answer this problem. Two central normative orientations for politics are deviated from this framework, one that (5) conceptualises the role of nature, and one that (6) formulates a certain direction for decision-making. The resulted statements are considered in their societal status as rights (7), which are related to and grounded by two notions of duties (8). A conclusion summarises the results (9).

1. Nature in economics: contingency, arbitrariness and inter-social reasoning

In modern mainstream economics, nature is conceptualised in its contribution to welfare. Be it in resource economics, where nature figures in its productive functions, be it in environmental economics, where the calculus is about natural environment in its functions for consumption (biophysical, but also aesthetical etc.) or for disposal of emissions: The value of nature is dependent on what welfare results from it.¹ Several aspects of this conception can be noted: It is *anthropocentric* not only in the epistemological sense of considering only those values which are *perceived* by humans (for which I think there are good reasons, as I do not see how values not perceivable by humans could be considered), but also in the normative sense that nature is valuable only in so far as these values are *received* by humans. Only what contributes to the individual utility or welfare of humans is to matter.

This aspect is important to questions in ethics of nature, where it is to be discussed if humans – besides being the only moral *agents* (we would not expect a tree, dog or bacteria to act morally) – are to be the only moral *patients*, i.e., to be the only ones whose interests and concerns are to count. Another aspect is more important here: The functionality of nature reduces its value to a wholly *instrumental* one², and this instrumentality is oriented in a *unidirectional* way to welfare as the only notion of the good.

¹ See Faucheux/Noel (1995) for the history of nature and the related paradigms in economics, and Perman et al. (2003) on the current state of environmental and resource economics.

² Again, ethics of nature would need to discuss if there can be something like an *inherent* value of nature (which simply *is* there, “in” this or that nature, and can be received by humans without being a value *for* something, e.g. a productive transformation) or even an intrinsic value (which is there and therefore to be considered without actually being received by humans, thus, effective – to whom? – itself before any reception by humans). See Krebs (1999) for a recent overview on the main positions in ethics of nature, as well as Pojman (2001), and Eser/Potthast (1999) as an introduction into different value categories. This is only one way to understand

My focus on criticising this latter, instrumental aspect is not the instrumentality itself, nor the one-good axiology of welfarism, transforming notions like happiness, security, choice into the one good called welfare, but the notion of *welfare itself*: The postclassical conception of welfare, fundamental to modern Paretian welfare economics – thus the normative framework of environmental and resource economics – is one of welfare as the result of choices. It is rather a methodological construction than a substantial notion of the good: It results from the analytical assumption (for explanatory purposes) that people act according to personal preferences in a way *as if* they would maximise their individual welfare or utility, whatever this might be: happiness, pleasure, satisfaction etc. Welfare is thus a name for what is thought to be the result of individual choices, and maybe also the motivation for these choices. Lacking any substantial notion of what it concretely is, welfare remains *internal* to people. There is no way to inter-subjectively tell what the actual advantage from a taken choice is. By welfare thus remaining opaque in its meaning, it only gains shape ex post when economic transactions – interpreted as revelations of preferences and thus contributions to welfare – are considered in their respective relative values (prices), e.g. in a GNP accounting. But this shape is *contingent*, it is not impossible, but neither is it necessary: Preferences could have been different ones, at least when surpassing a certain fixed level of anthropologically fundamental preferences for oxygen, potable water, calories etc.³

Why are these two characteristics of welfare – contingency and internal subjectivity – a problem when dealing with nature? I will not discuss “purely social” aspects of this welfarist model, as I am concerned with the special relationship between economy and nature. Of course there are reasons for thinking that welfare or personal utility *should* be internal, and that the contingency of welfare is a just result, and a mere reflection, of the human diversity of preferences. The liberal concept of a free consumer, not having to defend his personal preferences as long as obeying the general rules, underlines that the under-determination of the notion of welfare scratched above is programmatic for liberal market economies.

But the ecological effects of economic interaction are not “purely social” in a sense of taking in place in one (global) society where it may be considered simply the institutional lack of an effective (global) environmental regime which hinders e.g. a liberal market economy

inherent vs. intrinsic values – many times it is understood just the other way around, also in environmental ethics. What matters is the difference concerning if a value needs human reception, or if it is effective itself.

³ Consider the arbitrariness of cost-benefit-analysis: Why do *these* functions and (currently known) services of natural resources matter, why not others? Why at *this* price, which has been generated from *these* demands, or from *these* “contingent evaluations”? Etc. The practitioner of welfare economics, in the end of the day, is left alone by theory with these choices, sometimes of a significant responsibility. See Ackerman/Heinzerling (2004) on several weaknesses of the cost-benefit concept, especially on the problems in considering non-use values.

from integrating well the preferences of its members. The ecology of planet Earth can be characterised as a highly interdependent system, sensitive to anthropogenic impact. Thus, socio-economic effects are *trans-social*, be it in a spatial or inter-temporal sense: We affect, partly irreversibly, the conditions of other humans to lead their own lives. My point now is that in this situation we should, from a moral point of view, be able to give satisfactory reasons to people distant in time and space for our acting upon nature. And I think that *inter-social*⁴ reasoning needs better reasons for this than “welfare” as described above: structurally contingent and, when “exercised” on others via nature, arbitrary.

2. Normative orientation for environmental politics by a *notion of advantage*

Some assumptions will guide the further argumentation. 1) A possible mandate of normative ethics of the economy may be to offer orientation to (especially public) politics of a society directed to its economy. As the economy of a society I very generally understand the sphere where values are added by means of allocation and transformation of various resources in the areas of production, distribution (e.g. via markets, or re-distributive institutions), and consumption. 2) Development may, at a first sight, be understood as an overall improvement, a positive change of the society in the sense that its members – in an aggregation still to be considered – have improved their position concerning a certain *notion of advantage*.⁵

These assumptions are of a rather *conceptual* kind, to clarify the meaning and relatedness of termini like “development”, “economy”, “notion of advantage”. The following assumptions, instead, are *normative* ones, which indicate my framework of arguments. 3) Insofar as society organises its economic sphere beyond only formally framing individual economic action, thus insofar as it substantially steers economic processes, this *should* be done towards development. 4) Joining to this the second assumption, the social organisation of the economy *should* be oriented towards what can, for good reasons, be considered a central notion of advantage in the society. Note that this assumption is not meant to open the way for paternalism, prescribing to individual actors what their *personal* economic actions

⁴ I prefer to name it inter-social rather than intercultural, as the latter refers, in my understanding, more to the particular system of meanings and values, while the former points to the socio-economic structure, including ecological impacts and thus effects on other societies.

⁵ “Notion of advantage” is thus to mean: In what the positions of members of a society need to have improved, for that a societal change can be called development? An example would be “welfare”, with development then meaning a growth of welfare, which improves the positions of people concerning welfare.

should be aiming at. It concerns the economy in so far as it is *socially* steered. And this is not too revolutionary – consider that e.g. welfare is such a notion of advantage which market economies are directed to by economic politics.

The aim of the following arguments is to overcome the problematic contingency of a welfare-based valuation of nature as described above. Instead, the reasons for (or against) transforming nature should be of a more “objective” kind, which better allows an inter-social justification of our today’s handling of nature. I consider A. Sen’s capability approach, with Development as Freedom, a plausible normative framework for such essay. With the developmental, socially steered part of economy being embedded into this framework, the notion of advantage of *real freedom* as conceptualised in Sen’s approach becomes the *central purpose of the social organisation of the economy*. Thus my question is: To which normative orientation of economic politics, especially those concerning the natural environment, does this lead?

3. Development as Freedom: objective endowments rather than subjective welfare

A. Sen’s capability approach (Sen 1992, 1993, 1999), for the purpose in this paper, is best understood as the title of Sen (1999) indicates: Freedom is considered the central notion of what the state of a person should be evaluated in when development is to be measured or to be conceptualised and planned. The capability of a person, representing the various possibilities of a person to achieve certain “beings and doings” (so called *functionings*), is therefore a concept to turn operational the positive aspect of freedom, which is the set of opportunities a person really has to lead an individually good life.⁶ Once the difficulty to at least estimate the overall relative capability of a person is satisfactorily managed by relating the endowments at her disposal (and the procedural freedoms she enjoys for converting these endowments) with her individual and social conversion factors, we can analytically differentiate the one starving from the one fasting: Both are hungry, but they may have different freedom not to be so.

⁶ The capability perspective offers various advantages in comparison with other perspectives, as e.g. (Robeyns 2002) the utilitarian one on mental states, or “resourcist” perspectives focussing on goods available to a person: As people adapt their preferences and expectations to their (deprived) situation, how a person feels may tell few about how well she is situated in terms of possibilities for leading a life she would want to lead. And as people differ significantly in their ability to transform goods as resources into “beings and doings” that they may value, the resources tell few about the opportunities of a person. This may be due to personal characteristics, but also to contextual circumstances like social standards or structures, which hinder one to make use of available goods.

This difference of freedom and achievement is important. The freedom to choose and successfully lead a certain life is valuable to people not only in the instrumental way to actually lead it, but also in the *intrinsic*⁷ way to be free to choose (see e.g. Sen 1999: chap. 1). People value freedom itself, and the capability perspective may, the measurement problem being managed, inform on the freedom a person has beyond her actual achievements. For my arguments presented here this is important insofar as the focus of analysis is on the “*objective*” endowments, external to a person, rather than on the results from its (partial) conversion into some personal, internal state of happiness, pleasure or whatsoever. It is not the – supposed – utility, but the capability of a person to lead an individually good life, which counts.

The measurement of the capability needs the explicit nomination of which functionings are to count, and in what way. The approach does not reduce the several aspects of the state of a person onto one single metric (as utilitarianism does). It is multidimensional, but still “there is no escape from the problem of evaluation in selecting a class of functionings in the description and appraisal of capabilities.” (Sen 1993: 32) So even though the concept is liberal in the sense that it does not, in advance to particular contexts, determine which functionings are essential to a good human life (which is the most important difference to Nussbaum, e.g. 1997), it needs contextualisation. What is important here is that the choice of what is fundamental for people in a certain context to lead an individually good life, and what therefore is to be provided by society, becomes *subject to explicit (normative) reasoning*. Even if it is only about the procedure in which the functionings are concretised (e.g. a public democratic social choice), then there still have to be brought up reasons for this procedure.

Combining these two aspects – that freedom is understood (among other things) by means of objective endowments, external to people, and that the choice of functionings figuring in this freedom is open to explicit ethical arguing – leads to a **first conclusion**: Sen’s capability approach, in its normative orientation of (developmental) politics towards real human freedom, opens the way for an inter-social justification of allocations and transformations in an economy insofar as it may justify these by their objective function as an endowment relevant for freedom. This does not, of course, mean that simply by referring to such function any allocation is *justified*. But at least the reasons for an allocation now can be brought into position for ethical dispute – they are not immunised anymore by being internal to persons, they are at least *justifiable*.

⁷ Here understood as the value of freedom itself, independent or prior to its use.

Are there other reasons for using Development as Freedom for orienting politics related to nature, beyond the mere possibility to ethically argue for the protection or transformations of nature in front of e.g. future generations? We have seen that the capability approach is helpful *if* freedom is considered to be a central aspect of evaluating social arrangements. In the following section I speculatively argue for the adequacy of a freedom-oriented approach in general when dealing with nature – but not, as is commonly done, by grounding it on the (positive) *value* of freedom, but rather on the (negative) exclusion of other *notions of advantage*, as introduced in 2.

4. Why freedom as a notion of advantage, when dealing with nature?

Nature may be considered as the most fundamental endowment of all. Any technology, any production, any cultural asset rests upon nature. Parts of this dependence could be called “universal” in the sense that human beings as a biological species have certain needs before all cultural particularity: Oxygen, potable water, certain climatic macro-data etc. Above and beyond such anthropological conditions of human life, cultural diversity turns an important subject: The spectrum of culturally constituted systems of values, which at least partly shape their members’ preferences concerning and, thereby, their valuation of nature, seems “enormous”. Enormous not so much in the sense of pure quantity – compared to what would it be enormous then? – but rather in the meaning of its French-Latin etymology: “Beyond the normal”, beyond what *we*, as a contingent community with a contingent worldview and an certain, limited imagination, know what “normally nature could be good for”.

If this holds true, we cannot really know what preferences people have (or once will have) in distant (e.g. future) social worlds with fundamentally differing cultural systems of meanings and values. Nevertheless, we constantly act upon their conditions of living when, through our socio-economic activities, we change the global ecological system as a whole or its components, and especially when these changes are irreversible. So, as I see it, acting on nature we are in a situation where we cannot, in ethical reflection, confront “our” reasons (e.g. our preferences) for treating nature in a certain way with “their” reasons for treating nature “their” way. Fundamentally different systems of meaning should be considered as incommensurable. But we somehow, due to our factual impacts on their conditions, *should* be able to refer to an argument that may hold for them as well. And this could be – only? – the freedom to live each one for his own reasons. This is simply a consequently liberal argument:

We cannot expect others to accept our impact on them for *our* reasons. If we can expect them at all to accept it, then it is only for reasons of the (pre-cultural) ecological freedom of all of us to be able to live each according to our (cultural) valuations of nature.

So, as a **second conclusion**, we not only have the “positive” reasons for considering the capability approach as a normative framework for orienting politics, as there would be: that people *do* value freedoms for and beyond achieving results, that people *do* have different capacities to convert endowments into such freedoms, and that people *do* live in concrete social contexts which again shape their life objectives just as much as their freedoms resulting from endowments. Beside these – plausible – anthropological assumptions, we also have reasons to consider the capability approach because it is directed towards human freedom to particular lives, and because this freedom may be taken as the one notion of advantage which orients our trans-socially effective dealing with nature *without* interfering as a *substantial* value into their (and our) particular value system. It interferes only as a *condition* for cultural particularity, including its ecological aspects. Freedom, so the speculative thesis would go, is the only prescription we can mutually make and accept between fundamentally different societies, because it is the one necessary to actually allow the respective differences, and because it only prescribes not to produce ecological facts which limit and thereby prescribe conditions of living to other societies.

5. Transformation vs. conservation as economic means for freedom

Where have we come to so far? There was (1) a problem with modern welfare economics when orienting the relationship between nature and the economy: Decisions on how to deal with nature are based on the *contingency* and internal *subjectivity* of the preference-based notion of welfare. This being considered unsatisfactory for inter-social reasoning (which is necessary due to trans-social effectiveness of impacts on nature), a framework for normative reasoning was set up (2): The social organisation of an economy should be steered towards *development*, which was conceptualised as a societal improvement pursuant to a *notion of advantage*. Then, Development as Freedom was considered a useful and appropriate concept insofar as (3) it would help overcome the mentioned contingency (by opening the way for explicit normative arguing) and the internal subjectivity (by understanding freedom in terms of, among other things, objective endowments), and as (4)

freedom was considered an adequate notion of advantage for normatively orienting politics dealing with the relationship of nature and economies.

Which statements can now be deviated from Development *as* Freedom? If the aim of development, and thus the purpose of developmental politics, were freedom, then the social organisation of an economy would be directed towards this aim. An economy derives constitutive aims as a mandate from its society. With the understanding of an economy, as named above (2), as the sphere of production, distribution and consumption, we can conceptualise the economic options as characterised by the (at least principally) opposed strategies *transformation vs. conservation*. Note that “traditionally”, and still often, these two aspects are thought of in a conflictive manner, e.g. as *economy vs. ecology*. But this I consider a wrong opposition: It ignores both the natural fundamentals of all economy on the one hand, and on the other hand that there is hardly any nature left (at least on planet Earth) that still could be considered as not transformed at all. In this perspective here, we do not have a reciprocally restrictive conception, resulting from such conflictive understanding of economy and ecology, as e.g. “as much growth as possible under the restriction of some environmental standards”, or “as much conservation as possible under the restriction of some minimal growth”.

Transformation and conservation would stand, instead, on an equally instrumental level as means for freedom. They still may be competitive means; they also may be complementary means; at least they now become able to be confronted in their functionality for a common aim. So, as a **first normative orientation** can be drawn from this approach: They would, as means, be both *justifiable and in need of justification*, with freedom being the moral point of reference. And again considering nature as the fundamental, material condition of leading an individually good life, the transformation vs. conservation could be and would need to be justified *in its functional role as endowment*.

The justification of transformation vs. conservation of nature implies, of course, more than only the absolute effectiveness e.g. of a conversion of forest into agricultural land as an endowment. Other aspects would be: Could the functionings for which this endowment is functional be provided with different means? How is the loss of endowments from the forest conversion to be valued compared to the gains from it?⁸ And, more fundamental: Are these functionings (and the provided amount) “necessary”, can they reasonably be defended against

⁸ Interestingly, here the neo-classical approach of comparing (marginal) gains and losses e.g. in environmental economics (Pearce/Turner 1990: 61 ff.) comes in. This is just to remark that a tool may be helpful even though it is so far being used for a not very helpful purpose, as in the case of neo-classical welfare economics.

the claims of other potential stakeholders? The last question points to a *deliberative*⁹ aspect of the conception developed here: Under the conditions of unavoidable impacts of our actions on others, as it is the case in the all-over interdependent ecological system of the planet, there is an even stronger reason for not reducing the social relatedness of individual decisions to some indifferent co-existence (as the critics of an “atomising” pure liberalism would assert), but for rather maintaining or cultivating a general attitude of self-criticism and of questioning one’s own preferences (or whatever motives one has) for acting upon nature.

We have a conceptual change here concerning the aim of politics, which I want to underline. It is not about making possible a free economy (free from an institutional point of view: a market economy), with the assumption of welfare economics that under these conditions every man may and shall be the architect of his own fortune, but still for maximising the overall aggregate of individual welfare. Neither is it about freedom as some restriction of “by-side”-aspect of the usual welfarist perspective. It rather is centrally about making possible the real free life of individuals – maybe, *if and insofar* it is functional to this, with a free market economy. And this is an actually “truly liberal” postulate: It is not *res publica*, a thing of the public, to collectively maximise what is personal and not explainable, neither inter-subjectively, nor inter-socially. It is only (and this is quite a lot already) *res publica* to provide real conditions for living personal lives, whatever this for the individual may be good for.¹⁰

6. Options and security as central human freedoms arising from nature

The so far developed perspective brings us back to the beginning where the welfarist perspective had been characterised as both epistemically and normatively *anthropocentric*: This reading of Sen’s capability approach does not, in this respect, differ from the welfarist approach. Freedom to lead an individually good life is an entirely anthropocentric moral point of view. I do not want to criticise this aspect here, but it should be pointed out that e.g.

⁹ See as main conceptions of deliberative democracy the works of Habermas (1992) and Benhabib (1996), but also the communitarian-liberal conceptions e.g. of Etzioni (1993). The central idea, in which it differs from simply liberal democracies, is that of politically committed *citoyens* who, e.g. in public discourses, shall constitute an active civil society, thus balancing formally institutionalised power by communicative and deliberative participation, thus building a public will by *explicit reasoning*.

¹⁰ Note that, questionably, in economic sciences these (culturally shaped) conditions for economic agents to act (preferences, freedoms etc.) are often *assumed* when the working of an (market) economy is explained or advocated – but seldom explored or explained.

“pathocentric” ethics of nature¹¹, which would consider as moral patients all beings that are capable of suffering, would need to argue further. And, when asking now: “What is the orientation that we can derive from this instrumental position of nature as sketched above (5)?”, we must be aware of the restriction of this instrumentality on human concerns. As the concrete human functionings for which nature should be considered as endowment are not being fixed prior to concrete social contexts, I start with two *general functions* rather than with concrete functionings: Human security, and options.

Security is part of the most fundamental conditions for human life, and nature provides security in at least three ways: It *does* provide living conditions; they are provided in at least a certain *stable* and foreseeable way; and we can – unless the ecological system is harshly disturbed – expect at least with a certain probability that changes take place slowly, so that there is some security from knowing that the conditions will be liveable also in the future. I am well aware of the fact that natural catastrophes have been and always will be of terrible significance. But that they are catastrophes points to that fact that besides them, ecological systems rather seldom change by themselves over night. In any anthropocentric perspective that concedes to other (e.g. future) human beings the entitlement to fundamental security from a stable ecosystem, the loss of stability can hardly be justified. In a perspective of valuable freedom, it must be added that ecological security is not only a precious good as an (instrumental) condition for human life, but also in its intrinsic value: The *freedom from fear* that emanates from the given certainty that “also tomorrow” there will be the – more or less – same fundament for human life is valuable in itself.

The aspect of *options* is strongly related to biological diversity as an “asset of endowments”, to the many – often yet unknown – purposes for which it may serve, and to, on the other side, human diversity and its “enormous” (as it has been called in (4)) plurality of making both sense and use of natural endowments. If security is rather an aspect of *anthropological* and maybe indispensable conditions of a *human* life, then options can be considered more as a cultural necessity for a (in its particular cultural context) *good* human life. One may e.g. consider the sheer number of options valuable, as it enlarges the possibilities of individual choice.¹² Of course the value of the freedom of choice itself is

¹¹ As a first representative of this may be considered Jeremy Bentham: “The question is not, Can they reason? nor, Can they talk?, but, Can they suffer?”, see Birnbacher 1980, as quoted in Eser/Potthast 1999: 46.

¹² Weikard (1999) does so, when he interprets the capability approach as an egalitarian theory of justice and, as such, as a new foundation of resource economics.

principally intrinsically significant, and it sheds a different light on the current process of species extinction than a purely instrumental view does. But the variety of choices has to be seen in its relevance for the good life of someone, and maybe the freedom of “choice” between a green, a red and a blue bird species “regulating” the population of a certain mosquito is just only as relevant to someone as the freedom to chose between the washing powders Blob, Blub or Bloppo.¹³

Under the assumption that cultural meanings given to nature and the purposes and relevances resulting from this beyond anthropologically fundamental uses are of enormous variety, and furthermore assuming that we can neither know these nor, at least for that reason, argue against them, I want to argue that natural diversity is rather to be seen in a different perspective: It is not so much intrinsic value of the freedom of choice of one actual generation or population what natural diversity (green, red and blue birds) is to be conserved for, but rather the uncertainty of not knowing if another generation maybe would have a strong, relevant preference for, e.g., the red bird species. We have to be aware, when deciding on extinction (or not), depletion or exhaustion, of the loss of freedom not only concerning what we currently can imagine as relevant purposes, but also of the loss of freedom (in the intrinsic value of choice, *but already* in the instrumental value of use) that it could mean for the “very others”.

Reading Sen’s capability approach as both *universalistic*, grounding on anthropological foundations, and *liberal*, not determining a priori what a good human life is to be understood like, I would draw the following conclusion as a **second normative orientation**: If the freedom to dispose of a natural diversity as an endowment with a large variety of possible purposes and uses (liberal aspect) is to be maintained for people independent from where and when they live (universalistic aspect), then as a consequence politics affecting nature, especially in the economic sphere, should follow an *extended precautionary principle* – one that does not only relate to what *we* contingently know as useful services provided by nature, but which is much more sensitive for the large restrictions in terms of freedom that our impacts could mean for others and their possibly very different life plans.¹⁴ It seems that for being inter-socially liberal towards cultural variety, one needs to be quite restrictive concerning an economy’s impact on nature.

¹³ In his „Reply“ (1987) to B. Williams, Sen underlines the necessity of “valuing different capabilities differently, varying from the extremely important to the completely trivial. The contribution of Bloppo possibly does happen to lie clearly at the latter end” (p. 108 f).

¹⁴ See e.g. Markandya et al. (2002: 125 f.) for the common understanding of the precautionary principle in environmental economics: It crucially depends on what, at the current state on (scientific) knowledge is

7. The societal status of freedoms arising from nature as rights

We have two principal normative statements now, which are to orient environmentally effective politics: Transformation and conservation are, as two options of an economy for dealing with nature, to be justified (and are justifiable) as strategies for human freedom which take into account the functional role of nature as an endowment; actions with impact on nature must correspond to an extended precautionary principle. The first one is rather conceptual, it orients the way of how should be thought about dealing with nature. The second gives at least a certain direction in terms of quantity and quality of nature to be conserved. What is crucial here is that the calculus of economic politics is not anymore about increasing welfare, but about continued options for leading good human lives in the respective cultural context. Of course the difficult exercise of estimating options from conserved nature and their relative meaning compared with other, transformation-based endowments cannot be avoided. Neither can the challenge of comparing different contexts in their overall freedom, or people in their individual capabilities, be overcome, even if the endowments (from nature and others) were “objectively” recordable. But I would not consider it the mandate of ethics to provide politics with complete “solutions” or quantitative recommendations. The aim here has rather been to develop a certain space of normative argumentation.

Two last points that I want to make are about how people, following this conception, can be seen related to each other, to their polity and to other (future) societies. The first one is the *status* of their individual freedom, and respectively of the endowments from nature allowing culturally particular life plans that are not restricted and thus prescribed by the economy of others, as something they have a *right* on. In a universalistic paradigm, this does mean that humans *all* have this right. And just because the intention of this right is not to restrict any particular society (and their individuals), it is a right qualitatively the *same* for all.

This has two implications: First and principally, the limits of one’s (society’s) right are where its socioeconomic activities start restricting others’ (societies’) equal rights. That aspect is not new to liberal argumentation. But, second, we do impact on others’ conditions in the ecological dimension, and so far no escape from this is in sight. That is why it was considered

considered a damage worth not to be adventured. The understanding of option values in environmental economics should therefore be broadened for the valuation process of e.g. a particular ecological system, e.g. a landscape or a forest: It is not enough to reduce this value to the “willingness to pay to guarantee the availability of the service for future use by the individual” (Perman et al. 2003: 402), which is a reduction to a) this one contingent individual, excluding future ones, and b) to this one service. But, in an extended understanding, the concept of option values should gain emphasis at least in the principal orientation of environmental politics.

necessary an inter-social *justification* of these impacts on nature, and thus of our influence on other societies' conditions, which was to be based on freedom. Here we have a “quantitative” aspect of rights. How much nature, as endowment, do all societies have a same right on? I think that the perspective of “as much as is necessary for (quantitatively) *equal* freedom” will not hold. We cannot effectively construe any relational calculus between societies and their respective ecological freedoms, because we cannot know, let alone compare their particular “ways of conversion”, their ways of generating freedom from nature.

So, as I see it, we need to refer to the endowments themselves, not to the freedoms generated from them. Here as well we face the problem that equality is, in a strict sense, not a feasible¹⁵ option due to the factual changes we evoke in nature. This is not to open the door for a fatalistic “sorry, we just had to burn the forests”. I would rather opt for an argument that parallels the mentioned *extended precautionary principle*: There is a universal right on the availability of natural endowments on a *high level of sufficiency*, i.e., which is sufficient for a truly large variety of human purposes concerning nature. By this I explicitly want to even enforce the claim that restrictions of others in their ecological freedom need justification, referring to freedom: If sufficiency is what others can claim, this is what we today can claim as well as a reason for transforming nature. Not more. Not maximal welfare, not the – in parts of the world luxury – status quo, but *what can be justified as necessary* for a sufficient portfolio of life options. Again, the deliberative momentum comes in, calling into question the current overuse of nature and its mythic “necessity”.

8. Responsibility and solidarity: duties towards others with the same rights

This leads me to the second and final point. If rights – where are the *duties*? Sen has argued, in the case of Human Rights (1999: chap. 10), that even if we cannot name concrete duties and the ones having them, and even if we cannot guarantee the enforcement of rights, this does not change the fundamental character of these *as* rights. I fully agree, especially concerning the enforcement aspect. Saying that Human Rights are impossible, because they are not enforceable, seems to subordinate what is right to what is a fact. Concerning the aspect of duties, I think that there can be named two general notions, which found duties, and which come along with the perspective of mutually claimed endowments from nature. They both

¹⁵ And maybe not even desirable, as it could mean that the status quo of nature today is taken as point of reference for equality, thus fixing it, which is questionable regarding actual phenomena of crisis.

figure, in this liberal conception, somehow as complementary “counter-parts” of the two central aspects of freedom and individuality: *Responsibility* and *solidarity*.

The *responsibility* of a person for something she *has* done is, in a retrospective view, commonly thought of as connected to the freedom that she *could* have done otherwise. In a prospective view it would mean that something is a duty of a person due to some – e.g. culturally defined – common understanding: It may be the responsibility of the parents to care for their children, also in the future, and this generates moral claims towards the parents when they are free to actually do so. These standards also define retrospective responsibilities: Because one would have expected someone to act according to the standard, the consequences of him not doing so are considered of his responsibility. (Werner 2002: 522) What follows from such understanding for the inter-social reasoning required in the context of ecological impacts and in the conception of Development as Freedom?

Ecological changes of significant size are to be seen in their *universality*. Nobody can escape from the global set of ecological conditions for life, and climate change will affect anybody, today and in the future. So those exerting influence on the ecological mega-system Earth are in a position of power. It remains a question *how responsible* someone really is who simply *has to* drive a car, burn charcoal etc. This, along with the general difficulty to causally attribute ecological effects to distinct entities (persons, organisations), makes retrospective responsibility very hard to state. Still, principally, *if* we are really free to choose between different life plans, then we are responsible for the life we choose and for the effects this has on others with the same right, even when these cannot – yet – claim this right from us. In a certain way, the notion of responsibility is the bridge between, on one side, those “currently” in power over the ecological foundations of all and the freedom they can claim, and, on the other side, those whose conditions are being affected. So, responsibility as a principal duty towards all others is not some moral “add-on” which we should somehow bear in mind. If we understand development, the state of an economy and our decisions impacting on nature in terms of (ecological) freedom, then responsibility is nothing less than the “dark” side of the same picture.

While the *responsibility* we have “chosen together with” freedom is one duty which for we should take into account the effects of our particular freedom – e.g. when, via the economy, acting upon nature –, *solidarity* is another duty, which comes along with the central idea of *individual* life plans. The overall community that we as individuals, with our particular

societies and their economies, are part of in terms of nature is nothing less than *mankind*. This is not only because of the mentioned inescapable universality of ecological impacts. Humans are not only dependent on nature (just like any other species), but they may be considered the one species which is actually capable of having life plans and of perceiving significant ecological changes as true losses in terms of freedom. A universal identity arises from these two pre-cultural human conditions, which encompasses any individuality.

I follow Arnsperger/Varoufakis (2003) in conceptualising solidarity as a motivation for other-oriented generosity, which differs from other motivations like in-group or team thinking, sympathy (thinking of others' interests as your own) or expectations from others: "The essence of solidarity lies in the hypothesis that people are capable of responding sympathetically to (or empathising with) a *condition* afflicting 'others', irrespectively of who the others are or whether one cares for them personally." (p. 157) What matters here are the aspect of condition, and the lack of any personal relationship: The problem dealt with here concerns fundamental conditions of humans for living. And: Solidarity does not need a relational understanding of the situation of "us" and the "others". Solidarity is what we can have with distant people, be it time or space, because they are humans, and because they live in conditions that matter to us as well. In the case of solidarity we are generous to people – e.g. we accept net utility losses – *because they suffer* in the situation that they are in, independently from how this situation is relative to our own. And the situation we are dealing with here is one where relational theories of justice, relying on this relative situation of people in comparison with others, can hardly be applied: We cannot conceptualise or formalise the relationship of fundamentally different societies with nature, which would be necessary to qualify a certain status quo as just. But people in severely deprived ecological situations (may) suffer, and to follow the notion of solidarity as an inter-social duty – in recognition of an all-human fate, which is our dependence on ecological conditions – would ask from us to respect the afore mentioned rights. So, in the ecological context, the universal right on sufficient conditions for an individual life comes along, as the other side of the picture, with the duty to consider in this aspect all other humans not for relationally thought justice, but for universal solidarity.

9. Conclusion

I try to summarise the results in some concluding statements:

- a) The conception of nature in modern welfare (1) economics is *unsatisfactory for inter-social reasoning* for allocations of nature, because the valuation of nature is contingent and remains subjective and internal to individuals and thus is hardly acceptable for other, distant societies.
- b) Development as Freedom is an *adequate normative framework* of inter-social reasoning, because it (3) opens the way to explicit normative arguing and thus overcomes the contingency and subjectivity of the value of impacts on nature; and because (4) freedom seems to be an adequate notion of advantage, orienting developmental politics, in the context of nature and under the assumption of an enormous cultural variety.
- c) Transformation and conservation of nature as economic options *need to be justified* in terms of the human freedom they provide (5). The protection of nature turns out to be a *constitutive aim of the economy*, which is one sphere where the overall societal purpose of freedom is pursued. The economy is to aim at continued options, instead of maximal welfare. Politics impacting on nature are to follow an *extended precautionary principle* (6).
- d) All humans have (7) the same *right* on highly *sufficient* conditions for living a culturally particular good human life. The duties corresponding to these fundamental rights are (8) the *responsibility* of people who are free to live a life possibly impacting the conditions of others, and the *solidarity* to distant others with whom we share the universal human condition to be pre-culturally dependent from natural endowments and the freedom arising from these in form of *security* and *options*.

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