



## INTERVIEW

### Entrevue avec Jay Drydyk

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#### INTERVIEW

*Jérôme Ballet (E&E)* - Displacement of people for development projects poses the problem of defining the contours of what is meant by this expression. Can you clarify these contours?

*Jay Drydyk (J.D.)* - When the problem first came to attention, in the 1980s and 1990s, it was viewed alongside parallel cases of population displacement by natural disasters armed conflict. Also, the academics who first took up the cause were studying refugees and forced migration. So at the time it seemed natural to classify displacement by development as another kind of forced migration. But then, when policy started to be developed, a problem arose: what to say about people banned from forests that were being converted into nature reserves? Typically what happens in these cases is that people are banned from a core area, and there are also restrictions on their use of surrounding areas, but their villages do not move. Still, people are denied access to forest areas that may have contributed to their livelihoods. Excluded from these zones, people can find it more difficult to make a living. So in these respects, displacement from ecological or animal reserves can have impoverishing effects on the displaced people, even though they are not forced to migrate. In view of this, the World Bank and other institutions have recognized displacement from eco-reserves as a form of displacement by development. This is clearly inconsistent with the idea that displacement is a form of forced migration. So far, people have simply put up with the inconsistency, but as a philosopher I could not, so with my co-authors I have gone against current by proposing that 'displacement by development' means being excluded, as a result of development activity, from territory on which people relied for livelihood purposes.

*E&E* - The numbers of people displaced by development projects are prodigious. How do you explain that so little attention has been assigned to this problem? Does the compensation principle have not too hastily led to the belief that the problem was solved?

*J.D.* - Actually, policy-makers have paid attention within institutions such as the World Bank, OECD, and regional development banks. I think there were two causes. One was that some very principled people within those organizations spoke up about the issue, and the best known is Michael Cernea, formerly of the World Bank. He and others successfully showed that displacement by development has the effect of impoverishing the 'oustees'. This touches on the other cause of change, which is that these impoverishing effects contradict the mandate of development institutions to reduce poverty. In the MacNamara era, poverty reduction was elevated within the mission statement, so that Cernea and others could hardly be ignored when they showed how Bank-funded projects impoverish people, through displacement. So, to be blunt, the institutions were shamed into adopting social safeguard policies, along with a tribunal of sorts – the Inspection Panel – to provide recourse when people are harmed through disregard of those policies. Critics say that the Inspection Panel has not been very effective, and I agree, but its creation does at least indicate awareness of the problem.

Public awareness of the problem is a different matter. Who has not heard of the Three Gorges dam project in China, or the Narmada dams in India? But is the global public aware of the human costs that have been paid by people who have been flooded out of their villages? Probably not.

*E&E*- The compensation principle does not imply an equitable sharing of benefits but only compensation for damages caused to displaced populations. Is it not a source of blatant injustice?

*J.D.*- Yes, it is unjust in more ways than one. In the 19<sup>th</sup> century, if people were compensated at all, it was through payment for land lost. So, for example, legislation was in place in colonial India providing for land expropriation, and this was used after 1911 for creating the broad avenues and imposing government buildings of New Delhi. Other development projects in India (and elsewhere) traded land for land, but in many cases there was no such land available, and (as in the Three Gorges project in China) replacement land is not sufficiently productive to replace people's livelihoods. By the time that new policies evolved in the 1980s, a new concept had replaced these older ideas of compensation, and that was restoration of livelihoods.

If livelihoods are not restored, the injustice is quite obvious. People whose livelihoods are reduced by displacement are forced to make a greater sacrifice than their fellow citizens for the development of their country. And this sacrifice is imposed on them arbitrarily, just because they happened to be 'in the way' of development. You might compare it to an arbitrary tax.

But the same argument supports benefit-sharing. Even if people are resettled and their livelihoods are restored to previous levels, they will have put in much of the effort to bring this about. And they will have borne many risks: how would they make a living in their new location, how would they maintain the social networks and social capital they had relied upon in their old location, how would they renew their cultural life, and so on? If these efforts and risks are not compensated, then

once again the 'oustees' are forced to make a greater contribution to development, just because they are 'in the way'. Justice requires treating like cases alike, but without compensation plus livelihood restoration plus benefit sharing, displaced people are being treated much worse than their fellow citizens.

*E&E*- Do you think another challenge is the so-called "consent principle" that one gets from people?

*J.D.*- Most development banks requires developers to *seek* people's consent to be displaced, but they do not require that this consent be *obtained*, except in the case of indigenous or aboriginal peoples – who are protected under international law. Should everyone's consent be obtained? This would eliminate forced evictions for development purposes. Some interpretations of international law have moved in this direction, though most interpretations allow forced evictions when required for development that is in the public interest.

I find that to require the oustees' consent would be in one way too strong, but in another way too weak. It is too strong because it would give landowners unilateral veto-power over development for others. Suppose a bridge is proposed over a treacherous river section, where people are killed every year trying to make the crossing. Should a single landowner hold veto power over such a project? That would seem to subordinate some people's lives and safety to the property rights of others. Also, would the more powerful landowners not use such veto power to gain advantages over people who were poorer, less powerful, and therefore more interested in sharing in the benefits of such a project? On the other hand, once consent is given, it no longer protects people as the project and the resettlement proceed. There may be little they can do in case what was promised them is not delivered. That is how consent is too weak.

*E&E*- What does this mean for institutions to take seriously into account the well-being of people?

*J.D.* -Instead of consent, displaced people need empowerment, and they need this in order to protect their own well-being. This means having a voice in planning and decision-making about resettlement. More controversially, it means being able to *arrest* a development project if promises that were made are not kept. This was proposed in 2000 by the World Commission on Dams, and it is still quite necessary because other compliance mechanisms available to the oustees – both legal and administrative mechanisms – are too often unreliable. This is the key point at which policy development has stalled. With regard to empowerment, both states and development banks have drawn a line that they refuse to cross.

*E&E*- Could we consider that defining responsibilities for development agencies is a bit of a trap, to the extent the development is first and foremost a market where players are at least partially in competition?

*J.D.* - For even the best procedures that we can imagine now, there are probably many such traps. For example, imagine a resettlement process in which the villagers participate fully in decision-making. Now, within the village there is already a power structure, with some families being wealthier and more influential than others. They can be expected to use their greater power to their own greater advantage, exploiting any advantages that might come to them through the resettlement. What obligations do the developer, the state, and the development bank have to prevent or limit this kind of exploitation?

I think the most honest answer is simply to say that we need more research before we will be able to answer challenges like these. On the other hand, that is no reason for doing nothing to change policy and procedures now. To return to my example, even if the community did not participate fully in decision-making about their resettlement, the more powerful families could be expected to use their greater influence to give themselves better protection against the risks of resettlement. For the poorer and less powerful families, gaining any voice is still an advantage, compared with having no voice, since it gives them at least some small opening for protecting themselves, even if they may not always be successful. So, in general, it seems right to advocate for greater democracy and empowerment, even if we cannot be certain of their effects in all instances.