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The right to development, the fulfilled life and the humanism of praxis: Contributions from Latin America

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Abstract: *The right to development promises that individuals and peoples can help shape the conditions of a fulfilled life. This chapter examines a tension between that promise and historically situated conceptions of well-being that govern its implementation. It distinguishes the legal right, shaped by African and wider Global South claims to self-determination and a more equitable international economic order, from post-war representations of freedom from want and modernisation. Reading Eleanor Roosevelt, Norman Rockwell and the 1951 United Nations report alongside Latin American critiques of development, it asks how work, production and consumption become criteria for recognising needs and legitimate ways of satisfying them.*

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The analysis considers environmental degradation and extractive projects in selected African settings without treating them as causes of displacement to Kakuma refugee camp. Published research on Kakuma instead enables an examination of self-reliance, debt, participation and the institutional conditions under which refugees sustain their lives. In dialogue with the Colombian Constitutional Court's Atrato River judgment and African scholarship on the right to development, the chapter develops Hinkelammert and Mora's life-death criterion and the humanism of praxis. It argues that the right's emancipatory provisions can challenge economic arrangements when their purposes and means are judged from the embodied lives of those bearing their costs. A fulfilled life remains open to plural understandings within peoples' systems of knowledge, while the institutions acting in the name of development must remain answerable to the conditions sustaining life.

Résumé : *Le droit au développement promet que les individus et les peuples peuvent contribuer à façonner les conditions d'une vie épanouie. Ce chapitre examine la tension entre cette promesse et les conceptions du bien-être, ancrées dans le contexte historique, qui régissent sa mise en œuvre. Il distingue le droit juridique, façonné par les revendications africaines et, plus largement, celles du Sud global en faveur de l'autodétermination et d'un ordre économique international plus équitable, des représentations d'après-guerre de la liberté face au besoin et de la modernisation. En croisant les écrits d'Eleanor Roosevelt, les œuvres de Norman Rockwell et le rapport des Nations Unies de 1951 avec les critiques latino-américaines du développement, cet article s'interroge sur la manière dont le travail, la production et la consommation deviennent des critères permettant de reconnaître les besoins et les moyens légitimes de les satisfaire.*

L'analyse prend en compte la dégradation de l'environnement et les projets d'exploitation dans certains contextes africains sans les considérer comme des causes de déplacement vers le camp de réfugiés de Kakuma. Les travaux de recherche publiés sur Kakuma permettent au contraire d'examiner l'autonomie, la dette, la participation et les conditions institutionnelles dans lesquelles les réfugiés assurent leur subsistance. En dialogue avec l'arrêt de la Cour constitutionnelle colombienne sur le fleuve Atrato et la recherche africaine sur le droit

au développement, ce chapitre développe le critère «vie-mort» de Hinkelammert et Mora ainsi que l'humanisme de la praxis. Il soutient que les dispositions émancipatrices de ce droit peuvent remettre en cause les arrangements économiques lorsque leurs finalités et leurs moyens sont jugés à l'aune des vies concrètes de ceux qui en supportent les coûts. Une vie épanouie reste ouverte à des interprétations plurielles au sein des systèmes de savoir des peuples, tandis que les institutions agissant au nom du développement doivent rester responsables vis-à-vis des conditions qui permettent la vie.

Key words: *right to development; fulfilled life; humanism of praxis; Kakuma; Global South*

1 Introduction

The right to development emerged through African and wider Global South struggles for self-determination and a more equitable international economic order. Article 22 of the African Charter on Human and Peoples' Rights (African Charter) connects peoples' economic, social and cultural development with respect for their freedom and identity. The 1986 United Nations (UN) Declaration on the Right to Development (DRtD) articulates development as a process in which individuals and peoples participate and through which human rights and fundamental freedoms are realised. These formulations place development's meaning, direction and benefits within rights and collective political life.[1]

The question of a fulfilled life concerns which needs are recognised, how they may legitimately be satisfied and which institutions organise access to the conditions of life. This chapter examines how historically situated conceptions of well-being acquire authority within development discourse. Its central concern is the tension arising when economic and institutional means adopted to realise rights become overriding criteria to which human beings and their forms of life must adapt.

1 African Charter on Human and Peoples' Rights (1981) art 22, https://achpr.au.int/en/charter/african-charter-human-and-peoples-rights; Declaration on the Right to Development, GA Res 41/128 (4 December 1986) (DRtD) arts 1 and 2; OC Okafor & GEK Dzah 'The African human rights system as "norm leader": Three case studies' (2021) 21 *African Human Rights Law Journal* 669.

Kamga and Fombad clarify the right's national and international dimensions, its individual and collective character and its relationship with other human rights, including the debate over its stand-alone or composite character.[2] These dimensions connect states' responsibilities with the international economy, individuals' lives with peoples and communities and development with the interdependence of civil, political, economic, social and cultural rights. They frame the examination of institutions governing how people sustain their lives and participate in decisions affecting them.

The chapter argues that when market expansion and economic growth become overriding criteria for recognising human needs and legitimate ways of satisfying them, development can undermine the material, social and ecological conditions of life the right seeks to protect. This contradiction concerns policy effects and the authority of the conceptions of well-being used to justify them. Ibhawoh's analysis of the right as a language of resistance and power situates this inquiry within its contested political uses.[3] This contribution examines the rationality by which economic and institutional arrangements prevail over the lives they are intended to serve.

Roosevelt's formulation of freedom from want and its subsequent representations offer an entry point into a historically situated ideal of well-being organised around work, production and consumption. Through Escobar's analysis of development discourse, I interpret these materials as constructing a horizon of prosperity through which particular ways of living acquire universal authority.[4] The question is how specific relations of production and consumption become associated with satisfying needs and shape the pursuit of human rights. On the Declaration's fortieth anniversary, this inquiry brings Latin American critical thought into dialogue with the right's emancipatory aspirations.

Hinkelammert's life-death criterion and the humanism of praxis ground the chapter's constructive argument. For Hinkelammert and

2 SAD Kamga & C Manga Fombad 'A critical review of the jurisprudence of the African Commission on the right to development' (2013) 57 *Journal of African Law* 196-214.

3 B Ibhawoh 'The right to development: The politics and polemics of power and resistance' (2011) 33 *Human Rights Quarterly* 76, 78-79.

4 FD Roosevelt '1941 State of the Union Address (The Four Freedoms)' 6 January 1941; A Escobar *La invención del Tercer Mundo: construcción y deconstrucción del desarrollo* trans D Ochoa (Editorial Norma 1996) 49-56.

Mora Jiménez, human beings are bodily, living beings whose historically specified needs must be understood within the reproduction of human life as part of nature.[5] Institutions and economic activity are judged by their effects on people's lives and conditions of existence. This criterion grounds the subordination of economic and institutional arrangements to the preservation and flourishing of life.

The analysis combines critical reading of historical and legal materials, published research on displacement and refugee governance and philosophical argument. The Kakuma discussion draws on published sources and questions prompted by the author's participation in a summit at the camp in October 2023. It begins with freedom from want, representations of an adequate standard of living and the demands of modernisation in the 1951 UN report on underdeveloped countries. It then examines the relationship between development, environmental degradation and displacement, before considering institutional restrictions on participation in Kakuma refugee camp through the published literature. Finally, it develops the life-death criterion and the humanism of praxis to assess the relationship between development's promises and the conditions of life produced by the means adopted in its name.

2 The right to development, freedom from want and the problematisation of poverty

This chapter examines a development discourse that made poverty an object of expert knowledge and intervention.[6] Whether economic growth translates into access to rights helps distinguish that discourse from the right to development's commitments. Planning, measurement and economic policy may serve rights; their effects on people and their conditions of life remain open to judgment.[7] Escobar's account examines

5 FJ Hinkelammert & H Mora Jiménez 'Economía para la vida y satisfacción de necesidades humanas' in Economía, vida humana y bien común: 25 gotitas de economía crítica (Editorial Arlekín 2014) 18-20; online version: https://www.franzhinkelammert.org/articulos-1/goticas-de-economia-critica/economia-para-la-vida-y-satisfaccion-de-necesidades-humanas.html (accessed 3 October 2026).

6 SD Kamga & S Heleba 'Can economic growth translate into access to rights? Challenges faced by institutions in South Africa in ensuring that growth leads to better living standards' (2012) 9 *Sur International Journal on Human Rights* 84.

7 Kamga & Heleba (n 6) 85.

how categories such as needs, production and participation acquire authority in that process.[8]

The right to development's history also belongs to struggles over decolonisation, peoples' self-determination and the international economic order. The African Charter recognised peoples' right to economic, social and cultural development in 1981. United Nations (UN) work initiated in 1977 examined its international dimensions in relation to cooperation, fundamental human needs and the proposed New International Economic Order.[9] These histories distinguish the legal right's formation from the representations of freedom from want examined here and the critique of a particular image of well-being.

The DRtD, adopted in 1986, recognises every human person and all peoples as entitled to participate in, contribute to and enjoy economic, social, cultural and political development. Article 1 links this entitlement to peoples' self-determination and sovereignty over their natural wealth and resources. Article 2 makes the human person the central subject of development and connects policy to active, free and meaningful participation and fair distribution of its benefits. Articles 3 and 4 address the responsibilities of states and international cooperation. Article 8 calls for equality of opportunity in access to basic resources, education, healthcare services, food, housing and employment, together with reforms against social injustice.[10]

These provisions offer grounds for contesting an economic order that denies peoples the capacity to determine their conditions of life. They leave the measure of a fulfilled life open beyond market expansion. Participation and access to resources, however, leave unresolved which needs institutions recognise and which ways of meeting them they support. The issue becomes acute when an economic model presents dismantling other systems of knowledge and social organisation as the necessary price of progress. The life-death criterion asks whose embodied

8 A Escobar *Encountering development: The making and unmaking of the Third World* (2011) 60, discussing W Sachs (ed) *The development dictionary: A guide to knowledge as power* (1991).

9 African Charter art 22; United Nations Audiovisual Library of International Law 'Declaration on the Right to Development', https://legal.un.org/avl/ha/drd/drd.html (accessed 3 October 2026).

10 DRtD (n 1) arts 1-4 and 8, https://www.un.org/en/events/righttodevelopment/declaration.shtml (accessed 3 October 2026).

experience can challenge that necessity and whether institutions acting in development's name sustain those subject to them.

What is the opposite of need and poverty? On 6 January 1941, Franklin D. Roosevelt described 'freedom from want' in international economic terms in his State of the Union address.[11] In June 1943, answering a reader in her 'If You Ask Me' column for Ladies' Home Journal, Eleanor Roosevelt defined it as 'being sure that if you want to work, you can get a job and that that job will pay you sufficient to give you and your family a decent standard of living'.[12] She described that standard: 'A decent standard of living means that your shelter shall be adequate for healthful living; that your food shall be adequate and of the kind which will keep your family and yourself in good physical condition; ....'[13]

In her 'My Day' column of 28 October 1943, Eleanor Roosevelt described the war as 'being fought for Four great Freedoms'. Norman Rockwell gave this visual form in four illustrations published in *The Saturday Evening Post* between 20 February and 13 March 1943.[14] 'Freedom of speech' appeared as 'Number one of a series depicting the four freedoms for which we fight'. On 6 March, 'Freedom from want' depicted a traditional American family around an abundant Thanksgiving dinner, accompanied by Carlos Bulosan's essay.

What matters is the production of need as a 'singular historical experience',[15] constituting forms of knowledge from which objects, concepts, representations and theories are developed. I interpret 'Freedom from want' asan exercise of power seeking to regulate 'forms of subjectivity fostered by that discourse, those through which people come to recognise themselves'[16] as abundant or needy.

11 FD Roosevelt (n 4).
12 E Roosevelt 'If you ask me' *Ladies' Home Journal* vol 60 (June 1943), reproduced in The Eleanor Roosevelt Papers, Digital Edition (The George Washington University), https://www2.gwu.edu/~erpapers/iyam/iyam_1943_06.cfm (accessed 16 October 2026).
13 As above.
14 E Roosevelt 'My Day' (28 October 1943), The Eleanor Roosevelt Papers Project, https://www2.gwu.edu/~erpapers/myday/displaydocedits.cfm?_y=1943&_f=md056630a; Norman Rockwell Museum, https://audiotour.nrm.org/freedom-from-want/; National Archives, https://www.archives.gov/exhibits/powers_of_persuasion/four_freedoms/four_freedoms.html (accessed 16 October 2026).
15 Escobar (n 8) 56.
16 As above.

Before development, a decent standard of living took hold in the American and then broader Western social imaginary through rational techniques and practices directed, in principle, at hunger and need. In Dussel's terms, this interpretation entails rational and legitimate agreements about 'the organisation and the labour conducive to the production, distribution, exchange, and consumption of products or commodities',[17] aimed at satisfying needs and reaching a society's established standard of living.

In a 1943 note, Eleanor Roosevelt addressed the ongoing, unfinished character of the search for consensus around these freedoms:

> When the war is over, the four freedoms will not have been won, we shall simply have dominated their more aggressive enemies. At all times, day by day, we have to continue fighting for freedom of religion, freedom of speech, freedom from fear, and freedom from want – for these are things that must be gained in peace as well as in war.[18]

Through Eleanor Roosevelt, the continuing struggle for these freedoms also acquired the language of a 'Bill of Rights' and a vision of the 'community of needs and labour that produces satisfiers to meet those needs of human life'.[19] The Universal Declaration of Human Rights (Universal Declaration) describes a horizon of coexistence that leaves room for different means of securing material goods.[20] The argument here concerns projecting a particular conception of the fulfilled life onto that horizon: Institutions recognising and satisfying needs can privilege one system of production and consumption over others.

The four freedoms' representations, especially freedom from want, projected a historically situated horizon of a dignified and fulfilled life. This reading concerns development discourse; the legal right has a distinct origin. The later expansion of modernising policies can be read alongside that horizon, without establishing a direct causal line from Rockwell's illustration. The issue is how a particular organisation

17 E Dussel *16 tesis de economía política: interpretación filosófica* (Siglo XXI Editores 2014) 244.

18 E Roosevelt 'My day' 15 April 1943, The Eleanor Roosevelt Papers Project, The George Washington University, https://www2.gwu.edu/~erpapers/myday/displaydoc.cfm?_y=1943&_f=md056471 (accessed 3 August 2026).

19 Dussel (n 17) 244.

20 F Hinkelammert *Capitalismo al desnudo* (1991) 19.

of work, production and consumption came to appear necessary for fulfilment.[21,22]

2.1 The opportunity to develop

The preceding discussion identified a decent standard of living organised around work, production and consumption. The following discussion examines how development experts and institutions connected rights to specific economic arrangements and how these acquired authority to define legitimate ways of meeting human needs.

Escobar's *Encountering development*, published in 1995, grounded critical examination of development discourses in the so-called Third World.[23] He showed how post-war experts produced categories and theories guiding public policy, presenting overcoming poverty and hunger as a primary condition for guaranteeing peoples' and individuals' human rights.[24] This required the 'systematic production of knowledge and power in specific fields',[25] including rural development,[26] women and development,[27] multidimensional poverty,[28] hunger and misery.[29] These fitted 'the objectives of the development enterprise' – the struggle to 'improve standards of living, removal of poverty, access to dignified employment, and reduction in societal inequality'[30] – within a rational model of intervention in the name of human rights and dignity.

Escobar observes that only towards the last century's end did the social sciences, economics and other disciplines develop new conceptual tools for analysing industrialised countries' representations of the so-called Third World. I examine development discourse as an apparatus equating poverty and destitution with systems of knowledge beyond

21 Dussel (n 17) 244.
22 Escobar (n 8) 56.
23 Escobar (n 8) 21.
24 Escobar (n 8) 41.
25 Escobar (n 8) 22.
26 IJ Terluin 'Differences in economic development in rural regions of advanced countries: An overview and critical analysis of theories' (2003) 19 *Journal of Rural Studies* 327.
27 M Hirshman 'Women and development: A critique' in J Momsen & J Monk (eds) *Feminism, postmodernism, development* (1995) 42.
28 R Walker 'Multidimensional poverty: Whose poverty is it?' in B Greve (ed) *Routledge international handbook of poverty* (2019) 33.
29 Escobar (n 8) 40.
30 Hirshman (n 27) 45.

capitalism and modern society's adopted standard of living. Poverty and freedom from want became social problems requiring sophisticated intervention and, above all, a mode of thought presenting itself as self-evident, necessary and universal. Its conception of life, the economy, rights and governance is tied to economic growth, the free market, technology, social mobility, work and the imperative 'to submit to the logic of the expansion of needs'.[31]

Influential post-war development discourse presented planning, measurement and technology as remedies for poverty and hunger in countries designated as underdeveloped. This could privilege market-centred production and wage employment as routes to an adequate life. Roosevelt's freedom from want offers a lens for examining that horizon, without establishing a legal right to development or requiring policies invoking human rights to adopt it.[32]

The economist Franz Hinkelammert locates within a decent standard of living achieved through work the fundamental right to legitimate access, without breaking the law, to goods and services necessary to meet human needs.[33] The Universal Declaration's Preamble and articles 17, 22, 23, 24, 25 and 27 express this broadly, setting out preconditions of the capitalist market and elements that bound it, including property, work and rest.

> Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.[34]

Two points are worth noting here. First, the Universal Declaration is not itself a treaty and should not be treated as a single, uniformly binding rule of customary law. Some of its provisions have acquired customary status, and the rights it expresses have also been elaborated in binding treaties.[35]

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31 Escobar (n 8) 23.
32 SM Hashemi & A de Montesquiou 'Reaching the poorest: lessons from the graduation model' Focus Note 69 (CGAP March 2011).
33 Hinkelammert (n 20) 24.
34 Universal Declaration of Human Rights, GA Res 217A (III) UN Doc A/810 (1948) art 25(1), https://www.un.org/en/about-us/universal-declaration-of-human-rights (accessed 16 August 2026).
35 Office of the United Nations High Commissioner for Human Rights 'ABC: Teaching Human Rights' annex, discussion of customary international law and the Universal Declaration.

Second, what counts as 'adequate' entails both the conditions of life and the historically situated forms in which needs are met. As Marx put it, 'hunger is hunger, but the hunger satisfied with cooked meat eaten with knife and fork is a very different hunger from that which devours raw meat with the help of hands, nails, and teeth'.[36] The question is how one mode of producing and consuming comes to be treated as the legitimate standard of adequacy.

The Office of the United Nations High Commissioner for Human Rights addressed the distinction between a need and its socially legitimate satisfaction in its 2010 Fact Sheet 34, 'The right to adequate food':

> The right to food is NOT the same as a right to be fed. [...] The right to food is not a right to be fed, but primarily the right to feed oneself in dignity. [...] To produce his or her own food, a person needs land, seeds, water and other resources, and to buy it, one needs money and access to the market. The right to food requires States to provide an enabling environment in which people can use their full potential to produce or procure adequate food for themselves and their families. [37]

Read alongside the right to development, the fact sheet distinguishes feeding oneself through land, seeds and water or through money and markets. Where reasons beyond people's control prevent them from securing food by available means, the state must provide it directly.[38] The concern here is with institutions recognising only certain ways of satisfying hunger while jeopardising other ways of producing and sharing food. From the bodily experience of those whose conditions of life are at stake, access to food is inseparable from the authority to shape the relations through which it is secured.

This reading asks how an image of abundance associated with freedom from want can be projected onto the legal promise of an adequate life. The Universal Declaration remains open to different systems of knowledge. Measuring work, diet, education and consumption against one image

36 K Marx 'Grundrisse: Introduction' (written 1857, first published 1939), https://www.marxists.org/archive/marx/works/1857/grundrisse/ch01.htm (accessed 4 August 2026).

37 Office of the United Nations High Commissioner for Human Rights & Food and Agriculture Organisation 'The right to adequate food' Fact Sheet No 34 (2010) 3-4, https://www.ohchr.org/en/publications/fact-sheets/fact-sheet-no-34-right-adequate-food (accessed 3 August 2026).

38 UN ESCR Committee General Comment 12 (1999) para 15; Office of the United Nations High Commissioner for Human Rights & Food and Agriculture Organisation (n 37), section on the right to food and the right to be fed.

may cast other ways of sustaining life as deficient. The rights themselves can challenge that hierarchy.

Eleanor Roosevelt described the Universal Declaration's drafters as 'writing a Bill of Rights for the world, and … one of the most important rights is the opportunity for development'.[39] Freedom from want continued to circulate in the Americas: The Protocol of San Salvador's Preamble recalls it while affirming economic, social and cultural rights and peoples' rights to development and self-determination.[40] This continuing projection leaves open which institutions and forms of life are authorised to realise the promise.

The American Declaration of the Rights and Duties of Man, adopted in Bogotá in 1948, describes political and legal institutions as serving essential rights and creating conditions for spiritual and material progress and happiness. Its protections of health and well-being, education and participation in government connect living conditions with public institutions.[41] This leaves progress's meaning open while enabling scrutiny of whether institutional means answer to those governed. The Colombian Constitutional Court's recognition of the Atrato River as a subject of rights, examined in part 4, develops a distinct legal response connecting communities' ways of life with their sustaining natural conditions.

Other treaties specify participation and material conditions. Article 14 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) addresses rural women's participation in and benefit from rural development. The Convention on the Rights of the Child (CRC) protects survival and development and an adequate standard of living. The Convention on the Rights of Persons with Disabilities (CRPD) requires their involvement in decisions concerning them and protects an adequate standard of living and social protection.[42]

39 Roosevelt House Public Policy Institute 'My most important task' (exhibition, Hunter College 2018), https://www.rooseveltthouse.hunter.cuny.edu/exhibits/my-most-important-task/ (accessed 6 August 2026).

40 Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador 1988) Preamble, https://www.oas.org/juridico/english/treaties/a-52.html.

41 American Declaration of the Rights and Duties of Man (1948) introductory considerations and arts XI, XII & XX, https://www.oas.org/en/iachr/mandate/Basics/declaration.asp (accessed 3 October 2026).

42 Convention on the Elimination of All Forms of Discrimination against Women (1979) art 14; Convention on the Rights of the Child (1989) arts 6 and 27; Convention on the Rights of Persons with Disabilities (2006) arts 4(3) & 28.

Each has distinct subjects and obligations. Together, they direct attention to needs and capacities obscured when one standard of well-being governs development policy.

2.1.1 Painful adjustments

The opportunity to develop was articulated in different historical and legal settings as a claim by peoples and individuals. The 1951 report examined below exemplifies one influential development discourse. It calls for the 'widespread adoption of modern education and cultural values'[43] and links a decent standard of living to the promise that 'if you want to work, you can get a job and that that job will pay you sufficient to give you and your family a decent standard of living'.[44] The question is what happens to other systems of knowledge when that model is treated as the condition of progress.

In 1951, five experts appointed by the UN Secretary-General at the Economic and Social Council's request produced 'Measures for the Economic Development of Under-Developed Countries'.[45] Alberto Baltra Cortez, DR Gadgil, George Hakim (chair), W Arthur Lewis and Theodore W Schultz issued unanimous recommendations to underdeveloped countries, to economically advanced countries on trade policy and to UN bodies and other international entities on development financing.

Secretary-General Trygve Lie described the report as one that 'calls upon the governments of the under-developed countries to create the pre-conditions and institutional framework required for economic development'.[46] Among the preconditions the experts identified was mastery over nature: 'Economic progress will not be desired in a community where the people do not realise that progress is possible. Progress occurs only where people believe that man can, by conscious effort, master nature.'[47]

43 Escobar (n 8) 43.
44 Roosevelt (n 12).
45 United Nations Department of Social and Economic Affairs 'Measures for the Economic Development of Under-Developed Countries' (UN 1951) 13, https://digitallibrary.un.org/record/708544 (accessed 4 August 2026).
46 United Nations Department of Social and Economic Affairs (n 45) iv.
47 United Nations Department of Social and Economic Affairs (n 45) 13.

In this view, peoples must absorb mastery of nature into their systems of knowledge and express it through social relations. In the language of modern law:

> A person has the right to direct his will upon any object, as his real and positive end. The object thus becomes his. As it has no end in itself, it receives its meaning and soul from his will. Humanity has the absolute right to appropriate all that is a thing.[48]

Taking its own belief in humanity's power over nature for granted, the report prescribes painful readjustments for peoples who have yet to internalise it:

> There is a sense in which rapid economic progress is impossible without painful readjustments. Ancient philosophies have to be scrapped; old social institutions have to disintegrate; bonds of caste, creed and race have to be burst; and large numbers of persons who cannot keep up with progress have to have their expectations of a comfortable life frustrated. Very few communities are willing to pay the full price of rapid economic progress.[49]

Discarding complex systems of knowledge and dissolving social institutions determine which ways of living may continue. I interpret the report's demand for rapid economic progress as projecting a modernising horizon onto peoples bearing its 'painful readjustments'. Who decides their knowledge is expendable, and do the proposed economic and institutional arrangements sustain those expected to adapt?

I understand the right to development as concerning the social, cultural, political and economic conditions in which peoples and individuals enjoy rights and shape their lives. States must make those conditions possible; the Declaration also addresses international cooperation. The hypothesis advanced here concerns a tension in development's means: Growth-centred arrangements can undermine the material and ecological conditions they promise to improve.[50] The claim that 'economic growth is key to generating the resources necessary to realise such rights'[51] must be judged by people whose knowledge systems,

48 GWF Hegel *Philosophy of right* trans SW Dyde (1896) 51.
49 United Nations Department of Social and Economic Affairs (n 45) 13.
50 WJ Ripple and others 'World scientists' warning to humanity: a second notice' (2017) 67 *BioScience* 1026.
51 Kamga & Heleba (n 6) 84.

territories and ways of sustaining life face being discarded for failing to conform.

What rationality makes rights appear dependent on economic growth and exploiting nature? The right to food protects access through varied means and requires direct provision when people cannot otherwise obtain it.[52] Institutional policies may nevertheless require the hungry body to enter predetermined relations of work and consumption before its need counts as legitimate. Confronting the corporeal cry 'I am hungry', a life-death criterion asks whether those relations serve the living subject or demand conformity.

In most of the world, this rationality operates legitimately before the law and in human rights' name, without apparent contradiction. Halting the painful adjustments demanded of the Global South since at least 1951 requires a framework grounded in communities not 'willing to pay the full price of rapid economic progress'.[53]

3 Environmental pressures, displacement and governance in Kakuma

In October 2023, I participated in the OSUN Summit on Mobility and Immobility (2–6 October) at Kakuma refugee camp in Kenya.[54] I presented research on Africans' movement and displacement through Colombia's Darién Gap. The visit redirected my attention to displacement's conditions and the institutions governing displaced people's lives. It prompted questions, while providing no basis for claims about the causes of displacement in Kakuma. The following analysis draws on published research.

The Darién became a major transit route towards North America; Médecins Sans Frontières reported approximately 248 000 crossings in

52 UN Committee on Economic, Social and Cultural Rights (n 38) para 15; Office of the United Nations High Commissioner for Human Rights & Food and Agriculture Organisation (n 37), section on the right to food and the right to be fed.

53 United Nations Department of Social and Economic Affairs (n 45) 13.

54 Open Society University Network 'Call for Papers: OSUN Summit on Mobility & Immobility' (2023), https://ghea21.org/opportunities/call-for-papers-osun-summit-on-mobility-immobility (accessed 16 October 2026). The author's participation and presentation are reported from personal experience.

2022.[55] My project addressed Africans' movement along this distinct route. Alejandra León Rojas's analysis of Colombia and Panama's bilateral management of mobility in 2021 and 2022 describes necropolitical governance associated with vulnerability, precarity, insecurity and death.[56] It highlights how institutions govern mobility and distribute exposure to harm. Visiting Kakuma led me to examine published research on displacement and its conditions in African contexts.

The literature I encountered had often approached the problem through the relationship between environmental pressures, displacement and conflict. Reuveny proposed that the speed and scale of displacement, competition over scarce resources and political conditions in receiving areas could affect the prospects of conflict.[57]

Research has considered different effects of sudden shocks and slower changes in land, water and livelihoods. In a study of people moving through the Greater Horn of Africa, wetter than usual conditions were associated with a greater likelihood of self-reported displacement. In contrast, drier conditions showed no similar association.[58] The authors examine agricultural conditions, conflict and individual circumstances as possible pathways and sources of variation, but their sample consists of people already on the move.

The unfolding environmental crisis can intensify longstanding pressures. Assessments document Africa's warming and the human costs of floods and droughts.[59] Their effects on displacement, livelihoods, food and water take shape through economic, political and institutional conditions differing across regions and communities. Environmental pressure cannot explain conflict without these conditions and the institutions resolving resource disputes.[60] The studies' approach also

55 Médecins Sans Frontières 'Migrants left without protection as Darién Gap crossings reach half a million' (2023), reporting 248 000 crossings in 2022; A León Rojas 'La frontera entre Panamá y Colombia: La (in)movilidad humana como gestión necropolítica en el tapón del Darién' (2025) 72 *Estudios Políticos* 109-131.

56 Médecins Sans Frontières (n 55); León Rojas (n 55).

57 R Reuveny 'Climate change-induced migration and violent conflict' (2007) 26 *Political Geography* 656-673, 659-660.

58 V Villa and others 'Unpacking the role of climate variability on displacement in the Greater Horn of Africa' (2026) 5 *PLOS Climate* e0000594, https://doi.org/10.1371/journal.pclm.0000594, especially secs 3, 5.1 & 5.2.

59 World Meteorological Organisation 'State of the climate in Africa 2025' (18 June 2026).

60 Reuveny (n 57) 659-660.

requires scrutiny. Often, environmental disasters enter as triggers, followed by inquiry into displacement's consequences. Less attention goes to processes creating or exacerbating exposure to drought, flooding, soil degradation or water scarcity. What political, economic, historical and institutional processes generate or intensify vulnerability to environmental harm?

As a hypothesis, research on extractivism and resource geopolitics in sub-Saharan Africa directs attention to expanding extractive industries, large-scale forestry and agriculture and accompanying infrastructure built in development's name.[61] Planetary climate change can aggravate droughts, floods and irregular rainfall; particular projects' territorial effects can restrict access to land, water and other means of sustaining life.

These projects' connection to development policy matters because growth is often presented as generating resources to realise rights. The International Covenant on Economic, Social and Cultural Rights (ICESCR) requires states to act to the maximum of available resources to realise rights progressively. The question concerns choices interpreting that obligation through a growth-centred horizon. Growth from mining, energy, forestry or agriculture need not improve living conditions in affected territories. Environmental damage cannot be treated as a temporary cost repairable by growth depending on the same arrangements.

Latin American scholarship helps connect these situated effects to a broader critique of extractive development. Svampa describes the 'commodity consensus' as a neo-extractivist model in which economic growth and comparative advantage coexist with social and environmental asymmetries. She also shows how territories can be treated as 'sacrifice areas' in the name of selective progress.[62] Gudynas, in turn, presents *buen vivir* as a set of plural, emerging ideas responsive to particular social and environmental circumstances, rather than as a single standard applicable everywhere.[63]

61 J García-Luengos 'Geopolítica de los recursos naturales en el África Subsahariana' (2019) 146 *Papeles de Relaciones Ecosociales y Cambio Global* 93, 94-95, 100-101.

62 E Gudynas 'Buen vivir: germinando alternativas al desarrollo' (2011) 462 *América Latina en Movimiento* 1-20, 1-2; M Svampa '"Consenso de los Commodities" y lenguajes de valoración en América Latina' (2013) 244 *Nueva Sociedad* 30-34.

63 Gudynas (n 62) 1-2; Svampa (n 62) 30-34.

The term 'sacrifice zones' identifies places bearing concentrated environmental and social costs while development's benefits accrue elsewhere. Juskus traces the concept through environmental justice and political ecology; Mbembe did not coin it.[64] Alongside Mbembe's necropolitics, it prompts a question: How do political and economic powers expose populations to environmental harm while subordinating the conditions on which their lives depend?[65]

The intensive exploitation of natural resources in particular African territories has generated environmental degradation affecting community livelihoods and, in some cases, displacement and conflict. In Angola, a study of oil extraction describes declining fish catches in Luanda Bay and reports more than 20 significant oil spills along the coast of Cabinda between 1990 and 2006, attributed to Chevron or its subsidiaries.[66] In Mozambique, Vale's coal project in Moatize involved relocating households whose access to farm land, water and food was disrupted. Human Rights Watch reports that the project affected 1 365 households: 1 005 families were relocated to Cateme, while 360 households received assistance to purchase housing or direct financial compensation.[67]

Mining in Ghana supplies another situated example. A legal study reports the displacement of more than 30 000 people in the Tarkwa region between 1990 and 1998 as a result of gold mining. It discusses a specific eviction connected to a mining project.[68] In Nigeria's Niger Delta, oil extraction has damaged rivers, mangroves, water sources and fishing livelihoods. UNEP-GRID records more than 5 700 spills between 1976 and 2000; a separate assessment of Ogoni land documents contamination and health risks.[69]

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64 R Juskus 'Sacrifice zones: A genealogy and analysis of an environmental justice concept' (2023) 15 *Environmental Humanities* 3-24.

65 A Mbembe 'Necropolitics' (2003) 15 *Public Culture* 11-12.

66 J-L García Rodríguez and others 'Petróleo, pobreza y medio ambiente en Angola' (2014) 64 Boletín de la Asociación de Geógrafos Españoles 101, 116 & 118-119 (Luanda Bay and coastal Cabinda, respectively).

67 Human Rights Watch 'What is a house without food? Mozambique's coal mining boom and resettlements' (23 May 2013), summary and 'Vale' section.

68 R Adeola 'The responsibility of businesses to prevent development-induced displacement in Africa' (2017) 17 African Human Rights Law Journal 244, 247 (citing Akabzaa & Darimani 2001, 44).

69 United Nations Environment Programme 'Environmental assessment of Ogoniland' (2011), summary; UNEP-GRID 'Niger Delta environmental hotspots, reporting more than 5 700 oil spills between 1976 and 2000'.

These cases support the argument that the right to development requires a framework beyond economic growth, particularly where growth generates the poverty and deprivation it promises to overcome. From the life-death criterion, environmental harms call for judgment of whether project arrangements sustain or undermine life, whose experience counts and who bears the costs of treating territories as expendable. The right's emancipatory promise requires scrutinising the economic and institutional arrangements determining which needs and ways of meeting them count as legitimate.

These extractive cases show how projects reorganise territorial access and livelihoods; they establish no causes of particular refugees' displacement or arrival in Kakuma. An intensifying environmental crisis can aggravate critical pressures in specific settings. Kakuma raises a distinct question about how camp governance shapes participation, movement, work and access to the means of living.

3.1 Self-determination denied by institutional design in Kakuma camp

Kakuma camp shows how the right to development which, in its official formulation, presumes people to be active subjects of their own development, collides with a reality in which the institutions managing refugees' lives are built for refugees to adapt to them, not the reverse. As Ogutu puts it, 'there is a deliberate focus by the government to maintain how the institutions operate with an expectation that refugees will adapt to the existing regulations and policies rather than repurposing the institutions in response to the refugee needs and realities'.[70] This puts the promise of self-determination under pressure when refugees have limited scope to shape decisions governing their lives.

Ogutu describes policies restricting refugees' access to resources and excluding them from decisions affecting their lives.[71] The participation promised by development has limited force when decisions about movement, work and resources are made without refugees' meaningful

70 G Ogutu 'Decolonising refugee integration: Challenges and pathways for addressing protracted refugee situation in Kakuma refugee camp' (2025) 48 *Ethnic and Racial Studies* 2230-2248.

71 Ogutu (n 70) 2234-2236 (author manuscript, 5-7).

involvement. Participation and the conditions of life must be examined together.

Ogutu characterises the camp system as rooted in colonial practices of restriction and marginalisation.[72] His analysis places self-reliance in tension with institutions that demand adaptation from refugees while leaving those institutions largely unchanged. It does not follow that people merely submit to those conditions: the relations through which they sustain their lives, and their efforts to influence them, also form part of this inquiry.

Kenya's Department of Refugee Services (DRS), established under the Refugees Act 2021, manages refugee affairs. The Act recognises refugees' right to work, while the 2024 Regulations provide exceptions governing movement and residence in designated areas. The 2025 Shirika Plan proposes greater socio-economic inclusion.[73] UNHCR and other humanitarian organisations also provide protection and assistance in Kakuma.[74] Distinguishing these institutional roles matters when asking who decides how assistance, mobility and livelihoods are organised and through which channels refugees can contest those decisions.

Ogutu criticises exclusion from decisions despite a conception of integration requiring change from both refugees and host institutions. He also identifies restrictions on movement and barriers to accessing work as obstacles to socio-economic participation.[75] The right to development raises the question of refugees' capacity to influence the institutions governing their lives.

Research undertaken in Kakuma by Mulki Mohamed Ali places a different understanding of self-reliance alongside financial measures. Drawing on interviews and focus groups, she shows how agency and livelihoods involve dignity, identity, social relations and the possibility of shaping one's own life.[76] A separate study of Kakuma and Kalobeyei

72 As above.

73 Refugees Act 2021 (Kenya) ss 6-8 & 28(5); Refugees (General) Regulations 2024 reg 46; Kenya Department of Refugee Services 'Acts, Regulations and Policies' https://refugee.go.ke/acts-regulations-policies; 'Mandate' https://www.refugee.go.ke/; 'Shirika Plan' https://refugee.go.ke/index.php/kenya-shirika-plan (all accessed 16 October 2026).

74 Ogutu (n 70) 2234-2236 (author manuscript, 5-7).

75 As above.

76 M Mohamed Ali 'Livelihoods and prosperity: Exploring self-reliance beyond economics in Kakuma refugee camp' (Rift Valley Institute 2024) 5-8 & 18-19, https://riftvalley.net/wp-content/uploads/2024/12/RVI_LIVELIHOODS-

by Bruni and colleagues shows how debt to food retailers can allow households to meet immediate needs while imposing financial and psychosocial costs.[77] Read together, these studies raise a concrete question about food, work and participation: whether people can sustain their lives without becoming dependent on arrangements whose purposes and terms they cannot meaningfully change.

Kakuma exposes a tension between development's participatory commitment and institutions organising the means of living without enabling refugees to shape them. These studies establish neither a uniform camp experience nor a causal link to the earlier extractive projects. They raise the question of whether self-reliance policies sustain food, relationships and dignity and whether affected people can transform governing arrangements. The life-death criterion locates judgment in the embodied lives of those subject to them.

4 The life-death criterion and the humanism of praxis

Kakuma highlights the tension between shaping one's development and adapting to predetermined economic and administrative conditions. Judging these arrangements' purposes and continued legitimacy requires a standpoint grounded in the embodied lives of those subjected to them.

Hinkelammert and Mora distinguish the living human being as a subject in need (*sujeto necesitado*) from the historically specific needs and forms of satisfaction that sustain human life. Human beings live through forms of production, consumption and coexistence shaped by history. Those forms organise both what is recognised as a need and the means available to satisfy it. The reproduction of human life within the natural conditions that sustain it provides the criterion for evaluating these arrangements.[78]

This distinction has consequences for what a fulfilled life means. Its specific content remains open to different historical and cultural understandings. The life-death criterion makes the conditions of life

AND-PROSPERITY-EXPLORING-SELF-RELIANCE-BEYOND-ECONOMICS-IN-KAKUMA-REFUGEE-CAMP.pdf (accessed 30 September 2026).

77 V Bruni and others 'Refugee debt and livelihoods in Northern Kenya' (Refugee Economies Programme 2024), https://www.refugee-economies.org/publications/refugee-debt-and-livelihoods-in-northern-kenya (accessed 30 September 2026).

78 Hinkelammert & Mora Jiménez (n 6) 18-20.

the fundamental reference point for judging those understandings and the means pursued in their name. A conception of fulfilment becomes an object of critique when its pursuit destroys the conditions through which people can live. This includes turning particular economic means into requirements that override human purpose.

The inversion examined in this chapter occurs when means of securing well-being acquire authority over that purpose. Employment, income, economic growth and institutional efficiency may help sustain life. Their justification remains answerable to their effects on people and on the natural conditions of their existence. When compliance with economic or administrative requirements takes precedence over those conditions, human beings must adapt their lives to arrangements whose legitimacy should depend on sustaining them.

The 1951 report makes the object of the 'painful adjustments' explicit: 'Ancient philosophies have to be scrapped; old social institutions have to disintegrate.'[79] Read in the context of the report's account of rapid economic progress, this prescription places complex systems of knowledge and social organisation at stake when they are judged incompatible with its developmental horizon. The report also acknowledges that such adjustments frustrate the expectations of those who cannot keep pace with progress, and that few communities are willing to pay its full price. This chapter takes those words as the starting point for a question the report leaves unresolved: Who determines which systems of knowledge and institutions must be discarded, and from whose experience is that demand judged necessary? Following Hinkelammert and Mora, the critique begins from the embodied life of those asked to bear these adjustments. From the life-death standpoint, the asserted necessity of dismantling their systems of knowledge and social organisation must itself be judged by its consequences for the reproduction of life.

Discarding 'ancient philosophies' exposes the struggle over knowledge accompanying a developmental horizon. Escobar shows how experts produced categories making populations and their circumstances objects of knowledge and intervention.[80] Together, these texts reveal how knowledge and social organisation outside a prescribed model are treated as obstacles. The question of authority over which peoples'

79 United Nations Department of Social and Economic Affairs (n 45) 13.
80 Escobar (n 8) 41 & 43.

knowledge systems must be discarded remains central. The life-death standpoint requires judging that authority from the lives of those sustaining these systems and bearing their dismantling's consequences, beyond development's own requirements.

The humanism of praxis makes the living subject the reference point for judging and transforming economic, legal and political relations.[81] When deprivation appears as a necessary adjustment, critique examines the requirements making it seem unavoidable and possibilities for changing them. Those bearing development's costs must be able to contest its purposes and conditions, including which institutions organise collective life. Bodily experience grounds critique; documenting the relations producing deprivation remains essential.

Hunger, deteriorating health and loss of sustaining relationships and environments expose consequences institutions may call necessary while promising future well-being. Those undergoing 'painful adjustments' must count when judging that necessity. Otherwise, promised improvement can justify preserving arrangements that undermine the people they claim to serve.

Praxis transforms the relations producing this subordination. For the right to development, meaningful participation must include contesting its purposes and means and deciding which institutions organise collective life. The criterion of life informs three connected judgments: which conditions a measure sustains or destroys, whether affected people can shape it and what institutional change protecting life requires.

The question of who decides which knowledge systems count also opens a dialogue between peoples' knowledge systems. In his study of South African ubuntu jurisprudence, Kamga discusses ubuntu as a situated, lived account of personhood shaped through relations with others and as a source that has informed legal reasoning in South Africa.[82] This account enters into dialogue with Hinkelammert and Mora's life-death criterion through a shared attention to the embodied and relational conditions of human life. Kamga's account also shows why this dialogue must attend to the political use of a knowledge system.

81 FJ Hinkelammert *El mapa del emperador* (DEI 1996) 42; F Hinkelammert *El sujeto y la ley: el retorno del sujeto reprimido* (2003).

82 SD Djoyou Kamga 'Cultural values as a source of law: Emerging trends of ubuntu jurisprudence in South Africa' (2018) 18 *African Human Rights Law Journal* 625-649.

Ubuntu informed South Africa's transition and jurisprudence. Yet, its mobilisation in the reconciliation process has also been criticised where the pursuit of national unity left reparation unresolved and could shield perpetrators from accountability.[83] Read from the life-death standpoint, this tension raises a question about the institutional consequences of invoking communal values: whether they help transform relations that sustain injustice or are used to preserve them. The dialogue between systems of knowledge, therefore, includes scrutiny of how institutions interpret and mobilise them.

Marx's formulation of the humanism of praxis sharpens the critique of relations that debase, enslave, abandon or despise human beings.[84] Through Hinkelammert and Mora, this critique grounds the demand to transform economic, legal and political relations whenever they undermine the life of the other. Moore's account of capitalism in the web of life helps specify the historical system at issue: capital's organisation of human and extra-human nature, rather than humanity as an undifferentiated whole.[85] This framing supports using 'Capitalocene' to identify the system driving ecological degradation.

Judgment T-622 of 2016 illustrates the legal relationship between the conditions sustaining life and plural ways of living. The Colombian Constitutional Court grounded biocultural rights in the interdependence of nature, resources and ethnic communities' cultures and territories. Protecting biodiversity requires preserving the ways of life it sustains. The Court recognised the Atrato River, its basin and tributaries as a subject of rights and ordered joint legal representation by the national government and the claimant ethnic communities, with one guardian from each, alongside a commission of guardians.[86] Read alongside Hinkelammert and Mora, this reasoning supports the argument that economic and institutional arrangements must be evaluated against the human and

83 As above.

84 K Marx 'A contribution to the critique of Hegel's philosophy of right: Introduction' (1844), https://www.marxists.org/archive/marx/works/1843/critique-hpr/intro.htm (accessed 30 September 2026).

85 JW Moore 'How to read capitalism in the web of life: Towards a world-historical materialism in the web of life' (2022) 28 *Journal of World-Systems Research* 153-168.

86 Constitutional Court of Colombia Judgment T-622 of 2016 paras 5.11-5.18 & 9.27-9.32; operative order 4.

natural conditions they sustain or undermine. It also illustrates how that evaluation can require changes in the organisation of legal protection.

The discussion of Kakuma offers a further, distinct application of the criterion. Assessing self-reliance requires attention to access to food, working conditions, the consequences of indebtedness, and the relationships through which people sustain themselves. The published research discussed above enables these conditions to be examined beyond a measure of financial independence.[87] Their relevance to the present argument concerns whether the arrangements governing access to the means of living enable people to sustain their lives, and whether they can influence those arrangements. The *Atrato* decision and the refugee setting involve distinct legal regimes. Their connection here is how institutions respond to the conditions that sustain life and to the people affected by their operation.

A significant counterargument arises from the emancipatory content of the right to development itself. African contributions to its formulation and interpretation have made it a resource for challenging unequal international relations and asserting peoples' agency.[88] The 1986 Declaration also provides grounds for questioning the subordination of human well-being to economic imperatives. Article 2 places the human person at the centre of development and links development policy to meaningful participation and the fair distribution of benefits. Article 8 addresses access to basic resources and services and calls for reforms to eradicate social injustices.[89] These provisions support an understanding of development whose purposes exceed economic growth.

These provisions' transformative force requires a critical standpoint. Participation and redistribution can leave economic purposes unquestioned and require conformity to a predetermined conception of well-being. The embodied experience of those undergoing 'painful adjustments' grounds judgment of development's purposes, recognised needs and legitimate means. Where economic or institutional requirements undermine life, realising the right demands transforming the relations producing that subordination. Its emancipatory promise gains practical force through critique grounded in the life-death criterion.

87 Mohamed Ali (n 76) 5-8 & 18-19; Bruni and others (n 77).
88 Okafor & Dzah (n 1) sec 4.2.
89 DRtD (n 1) arts 2 & 8.

The Declaration gives this judgment legal form: Self-determination and control over resources concern authority over collective life; meaningful participation extends influence to purposes and implementation; access to food, housing, employment and other basic resources concern policy's material effects. Through the life-death criterion, these commitments ask whose needs institutions recognise, whether their means sustain life and what must change when they fail.

Critics of post-development press two questions that this argument must answer. Kiely objects to treating all theories of development as equivalent and to an uncritical celebration of local resistance; his objection also calls for concrete political alternatives.[90] Ziai distinguishes a neo-populist strand with reactionary implications from a sceptical strand oriented towards radical democracy.[91] The present argument, therefore, retains the emancipatory provisions of the right to development and assesses specific arrangements rather than rejecting every use of development. It does not idealise communities, peoples' knowledge systems or local institutions: Their internal relations also must be judged from the embodied lives of those subject to them. The life-death criterion directs a reconstructive task: contesting requirements that destroy conditions of life and changing the legal and economic relations that impose them. The *Atrato* decision illustrates one institutional form of such change, while Kakuma identifies questions about participation and the means of living that its distinct regime must address.

This contribution develops the standpoint and practical consequences of critique. Its central criterion comes from Hinkelammert and Mora's Latin American critical thought; the chapter brings it into dialogue with peoples' knowledge systems and examines its legal implications in African and Latin American contexts. The life-death criterion and the humanism of praxis make the embodied lives of those bearing the costs of development the reference point for judging its purposes and institutions. A fulfilled life remains open to plural historical and cultural forms, while the relations organising those forms must sustain life. The right to development can support this transformation when its

90 R Kiely 'The last refuge of the noble savage? A critical assessment of post-development theory' (1999) 11 *European Journal of Development Research* 30-55.

91 A Ziai 'The ambivalence of post-development: between reactionary populism and radical democracy' (2004) 25 *Third World Quarterly* 1045-1060.

emancipatory content is activated from the experience of those whose conditions of existence are at stake.

5 Conclusion

The right to development's necessary, unfinished aspiration is for every human being and all peoples to participate in shaping the material, social, cultural and political conditions of a fulfilled life. The freedom from want representations and modernising prescriptions examined here projected a situated image of well-being onto development discourse. The 1986 Declaration has distinct origins and broader meaning; self-determination, participation and cooperation can challenge an unequal economic order. The tension arises when particular relations of work, production, consumption and nature govern which needs and ways of satisfying them count as legitimate.

The 1951 report's 'painful readjustments', discarding 'ancient philosophies' and disintegrating social institutions, expose the consequences of means chosen to realise rights. For those bearing them, peoples' complex knowledge systems and sustaining relations are at stake. Their dismantling requires judgment and contestation of proposed transformations' purposes, costs and effects, beyond asserting economic progress's necessity.

The African extractive examples show effects on territory, land, water, food and livelihoods without explaining arrivals in Kakuma. The camp raises a distinct institutional question: Can displaced people influence decisions about movement, work and food? Environmental crisis can intensify longstanding pressures whose consequences depend on political, economic and institutional relations. Across these settings, whose experience counts when an arrangement is defended as necessary for development?

Hinkelammert and Mora's life-death criterion places the embodied life of those affected at the centre of this judgment. The humanism of praxis carries the inquiry beyond assessing whether institutions formally promise rights or efficiently pursue predetermined ends. It asks whether the relations they organise sustain human life within the natural conditions on which it depends, and whether those bearing their costs can transform them. The *Atrato River* judgment illustrates one legal response to the interdependence of a community's ways of life and the conditions that sustain them.

The right to development contains resources for such a critique. Its commitments to meaningful participation, self-determination, fair distribution and access to basic resources can challenge arrangements that subordinate people to economic imperatives. Their emancipatory force depends on taking the lives of those affected as a point of departure, including when the arrangements at issue claim to act in their name. A fulfilled life remains open to plural understandings developed within peoples' systems of knowledge. The criterion advanced here requires that the institutions and economic activities through which any such understanding is pursued remain answerable to the reproduction and flourishing of life. From this standpoint, the right to development can become a means of questioning and transforming the conditions imposed in its name.

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