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# THE WORLD DIVIDED—BUT NOT THE WAY YOU THINK: GLOBAL RURALISM

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*This paper is the last in a six-part series addressing rural discrimination across a broad spectrum of issues. Written in connection with, and presented at, the Law, Poverty, and Economic Inequality Conference, this final article offers a limited initial foray into examining ruralism on a global stage, set in the specific context of rural poverty.*

*Developing solutions to rural poverty is particularly challenging for two primary reasons: the lack of homogeneity across rural areas and discrimination against rural areas. In developing policies and programs to combat rural poverty, the temptation is to strive for an overarching plan—one plan applied consistently across all rural areas. However, rural poverty lacks those unifying characteristics that would permit the application of a single program on a worldwide basis, or in the case of the United States, even on a nationwide basis. The lack of*



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*homogeneity across rural areas guarantees that a one-size-fits-all approach to rural poverty will necessarily fail. Accordingly, lawmakers and policymakers must look more specifically at the geographical areas to be served by rural poverty policies and programs to ensure that such policies and programs are not based on inaccurate or inadequate foundations and assumptions. To lawmakers and policymakers, who tend to seek generalities and commonality in developing laws, policies, and programs, a geography-specific approach to rural poverty sounds both counterintuitive and unfair. Geography-specific approaches, by definition, do not have general applicability but instead turn on location. Although lawmakers regularly tuck geography-specific provisions into bills, the notion of granting benefits to some places and not to others is often condemned as unfair favoritism.*

*In addition, in at least some instances, rural discrimination comes into play, whether intentional or inadvertent. The lack of unfettered resources means that government funding is always a matter of setting priorities, and rural poverty, even severe rural poverty, is not always seen as a priority. To be sure, governments have the power to abandon any attempts at ameliorating rural poverty. But to the extent that governments or other entities undertake to address rural poverty, their attempts will continue to fail until the realities of lack of rural homogeneity and rural discrimination are acknowledged and taken into account in creating programs and policies.*

## INTRODUCTION

A common global metaphor of the 1990s was the "North-South divide," which separated the world into wealthy developed countries ("the North") and the poorer developing countries ("the South").[1] Although

1. *See* Adil Najam, *The View from the South: Developing Countries in Global Environmental Politics*, *in* THE GLOBAL ENVIRONMENT: INSTITUTIONS, LAW, AND POLICY 225, 226 (Regina S. Axelrod et al. eds., 2d ed. 2005) (noting that the North-South divide "was a staple of scholarly and populist political

enormously oversimplified,[2] this image tended to focus on wealth and poverty as associated with the economic development of nation states.[3] This image has power, by making wealth and poverty visual and mapping it on a globe—but it masks the true face of poverty.

Worldwide, the issue of poverty is receiving greater attention. In 2000, the United Nations adopted eight Millenium Development Goals, the first of which was "Eradicating Extreme Poverty and Hunger."[4] A 2005 global poll spanning sixty-eight countries found that "[p]overty was the top concern on all continents, and in 60 of the 68 countries surveyed."[5] Indeed,

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discourse during the 1970s . . . . After having spent most of the 1980s in hibernation, the phrase again gained currency during the 1990s.").

> [The so-called North-South divide is the] divide between the developed countries of the North, which have 'advanced or relatively advanced income levels and social conditions and a more or less completed process of national integration, and the developing countries of the South, where . . . dual economies and dual societies are characteristic, and where, in many cases, hunger and poverty remain the dominant way of life for millions of people.

*Id.*

2. *See id*. at 226-27.

3. *See* Jean-Philippe Therien, *Beyond the North-South Divide: The Two Tales of World Poverty*, 20 THIRD WORLD QUARTERLY 723 (1999), abstract available at http://www.cerium.ca/Beyond-the-North-South-Divide-The (last visited 07/21/08) ("For more than a generation, the North-South divide was central to the explanation of world poverty.").

4. United Nations, *Resolution Adopted by the General Assembly: United Nations Millenium Declaration*, A/RES/55/2 (Sept. 18, 2000), *available at* http://www.un.org.

5. Alain Noel, *The New Global Politics of Poverty*, 6 GLOBAL SOCIAL POLICY 304, 305 (2006), *available at* http://gsp.sagepub.com/cgi/reprint/6/3/304 (last visited 07/21/08) (citing Leger Marketing, Voice of the People 2006: What the World Thinks on Today's Global Issues, Montreal: Transcontinental).

twenty-six percent of the surveyed participants reported that they considered poverty "the main problem facing the world . . . far ahead of issues such as terrorism (12%), unemployment (9%), or war and conflicts (8%)."[6] Even in the United States, where the eradication of poverty has not been a recent focus, Democrat John Edwards made the issue of poverty one of the central themes of his 2008 presidential campaign.[7]

Poverty is a universal, global issue. Although there are certainly differences in the numbers and percentages of poor citizens and in the severity of their poverty, there is no country that can claim it has eradicated poverty. Moreover, the issue of poverty is simultaneously unifying and divisive. Nearly all would like to see poverty eradicated (the unifying part), but strong differences of opinion exist as to the most effective method of achieving that goal (the divisive part). Some emphasize personal responsibility; some emphasize government intervention; some emphasize free markets and economics-based principles[8]; some emphasize the role of religious and social agencies.

6. Noel, *supra* note 5, at 305.

7. *See* John Edwards for President 2008, *available at* http://www.johnedwards.com/issues (last visited 07/21/08).

8. Alain Noel has noted that in the 1980s, there was a "neoclassical revival in development economics, around the idea that it was more important to 'get the prices right' through the workings of free markets than to try to find the 'right policies' for state intervention." Noel, *supra* note 5, at 312. Noel observes that this approach "translated into fiscal austerity, market liberalization and privatization." *Id*. As a result, he argues, "poverty became a secondary issue." *Id*.

As the North-South divide illustrates, both in the United States and worldwide, geography plays a crucial, but neglected, role in poverty, and particularly in rural poverty.[9] This paper looks not only at poverty in the United States, but also at issues of poverty and economic inequality worldwide. It is this broader, all-encompassing, worldwide lens that provides the springboard for my contribution discussing rural poverty and global ruralism. This brief, initial foray into a discussion of global ruralism is a limited one, one that merely introduces the issues and identifies some of the obstacles; it does not purport to provide an exhaustive summary or an empirical study.

I have written about the phenomenon of ruralism, but my writings have been limited to an examination of such rural issues within the United States.[10] I have defined "ruralism" as a form of discrimination against rural

9. *See infra* notes 25-27, 35-38 and accompanying text.

10. *See* Debra Lyn Bassett, *Ruralism*, 88 IOWA L. REV. 273 (2003) [hereinafter Bassett, *Ruralism*]; *see also* Debra Lyn Bassett, *Place, Disasters, and Disability, in* LAW AND RECOVERY AFTER DISASTER: HURRICANE KATRINA (Robin Paul Malloy ed., Ashgate Press, forthcoming 2009); Debra Lyn Bassett, *The Overlooked Significance of "Place" in Law and Policy: Lessons from Hurricane Katrina, in* RACE, PLACE, AND THE ENVIRONMENT AFTER KATRINA (Robert D. Bullard ed., Westview Press, forthcoming 2009); Debra Lyn Bassett, *The Rural Venue*, 57 ALA. L. REV. 941 (2006); Debra Lyn Bassett, *Distancing Rural Poverty*, 13 GEO. J. POVERTY L. & POL'Y 3 (2006) [hereinafter Bassett, *Distancing Rural Poverty*]; Debra Lyn Bassett, *The Politics of the Rural Vote*, 35 ARIZ. ST. L. REV. 743 (2003); Debra Lyn Bassett, *The Hidden Bias in Diversity Jurisdiction*, 81 WASH. U. L.Q. 119 (2003).

dwellers on the basis of factors stemming from living in a rural area.[11] As I have observed from my earliest writings, "rural" lacks a clear definition and lies together with "urban" along a continuum.[12] However, this definitional imprecision does not eliminate "rural" from our vocabulary nor does it diminish the existence of ruralism—just as the overlapping of racial heritage has not eliminated the existence of racism.

In this article, I move from this more familiar analysis of rural discrimination in the United States to the world stage. Some of the verities of rural discrimination will not map perfectly onto the globe, but just as surely the broadest outlines of my critique of U.S. urban hegemony in thinking about rural poverty do find analogs well beyond U.S. borders. In making this journey, I begin with a brief review of the unique ways that a rural location affects models and thinking about policies to improve the lives of rural dwellers, identifying accepted statistics regarding rural poverty both in the United States and worldwide.[13] In Part II, I analyze the potential impact of ruralism on rural poverty on a national and international

11. *See* Bassett, *Ruralism*, *supra* note 10, at 279 ("Ruralism involves discrimination on the basis of factors stemming from living in a rural area."); *see also* Bassett, *Distancing Rural Poverty*, *supra* note 10, at 21 ("[T]he physical and psychological distancing of the rural from the urban has created a bias in favor of the urban so significant as to result in stereotyping and discrimination against the rural.").

12. *See* Bassett, *Ruralism*, *supra* note 10, at 287 ("The terms 'urban' and 'rural' have imprecise and potentially overlapping definitions . . . .").

13. *See infra* notes 16-43 and accompanying text.

scale.[14] Finally, in Part III, I sketch out a series of "assumptions"—really systematic distortions—that must be discarded before effective programs and policies to alleviate rural poverty can be developed.[15]

## I.
## COMPARATIVE RURAL POVERTY

### *A. Rural Poverty in the United States*

In my previous writings about rural issues in the United States, I have specifically discussed the significance of rural poverty on several occasions.[16] The federal government defines poverty as "[a]ny individual with income less than that deemed sufficient to purchase basic needs of food, shelter, clothing, and other essential goods and services . . . ."[17] The income standards determining the poverty line vary according to household size and composition. In 2007 (the most recent government data available), the poverty threshold was $10,787 for an individual under age sixty-five; $16,705 for one adult and two children; and $24,744 for two adults and three children.[18]

14. *See infra* notes 44-76 and accompanying text.

15. *See infra* notes 77-94 and accompanying text.

16. *See* Bassett, *Ruralism*, *supra* note 10, at 301-06. *See generally* Bassett, *Distancing Rural Poverty*, *supra* note 10.

17. U.S. DEP'T OF AGRIC., ECON. RESEARCH SERV., RURAL DEVELOPMENT RESEARCH REPORT NO. 100, RURAL POVERTY AT A GLANCE 6 (2004).

18. U.S. CENSUS BUREAU, POVERTY THRESHOLDS 2007, *available at* http://www.census.gov/hhes/www/poverty/threshld/thresh07.html (last visited 06/11/08).

Despite the objective definition of poverty, the incidence of poverty is not uniform across the dimension of place. Although the numbers of poor are higher in urban areas, the rates of poverty are higher in rural areas[19]—rural dwellers are significantly more likely to be poor than urban dwellers.[20] Indeed, poverty rates in the United States have consistently been higher in rural areas every year since 1959.[21] Thus, although approximately eighty percent of the U.S. population lives in urban areas and only approximately twenty percent live in rural areas, rural areas consistently exhibit higher rates of poverty.[22]

19. *See* Bassett, *Distancing Rural Poverty*, *supra* note 10, at 9 (citing RURAL SOCIOLOGICAL SOC'Y TASK FORCE ON PERSISTENT RURAL POVERTY, PERSISTENT POVERTY IN RURAL AMERICA 175 (1993)).

20. *See* David A. Cotter, *Addressing Person and Place to Alleviate Rural Poverty*, PERSPECTIVES ON POVERTY, POL'Y, & PLACE (RUPRI Rural Poverty Res. Ctr.), Aug. 2003, at 9 (noting that this is the case "even after accounting for a considerable array of household and labor market variables"); *see also* Bruce Weber & Leif Jensen, *Poverty and Place: A Critical Review of Rural Poverty Literature* (RUPRI Rural Poverty Res. Ctr., Working Paper Series), June 2004, at 20 ("[T]here is something about living in a rural area that increases one's odds of being poor. This conclusion holds even when one controls for individual and household characteristics. Two people with identical racial, age, gender and educational characteristics in households with the same number of adults and children and workers have different odds of being poor if one lives in a rural area and the other lives in an urban area. The one living in a *rural* area is more likely to be poor.") (italics in original).

21. Leif Jensen, Diane K. McLaughlin & Tim Slack, *Rural Poverty: The Persisting Challenge*, *in* CHALLENGES FOR RURAL AMERICA IN THE TWENTY-FIRST CENTURY 118, 120 (David L. Brown & Louis E. Swanson eds., 2003).

22. THE POPULATION AND ECONOMY OF EACH U.S. STATE 3 (Courtney M. Slater & Martha G. Davis eds., 1st ed. 1999) ("About 80 percent of the U.S. population lived in metropolitan areas in 1997, and this proportion has changed little since 1990.").

In addition to poverty rates generally, the federal government has designated some places as areas of "persistent poverty." Persistent poverty counties have had a poverty rate of twenty percent or higher in every decennial census since 1970.[23] Persistent poverty statistics are of particular interest because they provide a better indication of whether poverty is chronic or transient. Although the number of individuals who fall below the poverty line at any given time is certainly important, one can always ask whether some levels of poverty are due merely to unfortunate temporary conditions, as contrasted with levels of poverty that are chronic and ongoing. In the United States, 386 counties fall within the persistent poverty county designation, of which 340—eighty-eight percent—are rural.[24]

Persistent rural poverty is a nationwide issue. Persistent rural poverty is found in the Deep South, the Great Plains, Appalachia, northern New England, the Southwest, the Great Lakes states, and other regions.[25] The tie is the remoteness of the rural area rather than the particular region.

23. RURAL POVERTY RESEARCH CTR., WHAT ARE PERSISTENT POVERTY COUNTIES?, *available at* http://www.rprconline.org (last visited 06/11/08).

24. *Id*.

25. ELIZABETH BEESON & MARTY STRANGE, MONT. RURAL EDUC. ASS'N, WHY RURAL MATTERS: THE NEED FOR EVERY STATE TO TAKE ACTION ON RURAL EDUCATION (2000), at 2, http://www.mrea-mt.org/rural_matters.html (last visited 06/11/08).

Persistent poverty is most common in the most remote rural places.[26] The level of poverty is striking in rural areas—of the 500 poorest counties in America, 459 are rural.[27]

Rural poverty in the United States is a problem of long standing. Despite our country's declaration of a "War on Poverty" in the 1960s,[28] rural poverty remains. In particular, geographically identified pockets of persistent poverty have remained constant.[29] With this background, the

26. Kathleen K. Miller & Bruce A. Weber, *How Do Persistent Poverty Dynamics and Demographics Vary Across the Rural-Urban Continuum?*, MEASURING RURAL DIVERSITY, Jan. 2004, at 6, *available at* http:///srdc.msstate.edu/measuring/series/miller_weber.pdf (last visited 06/10/08) (noting that "[t]he percent of counties in persistent poverty increases almost monotonically as one moves from large metro to nonadjacent nonmetro counties.").

27. RURAL POLICY RESEARCH INSTITUTE, Kathleen K. Miller & Thomas D. Rowley, *Rural Poverty and Rural-Urban Income Gaps: A Troubling Snapshot of the "Prosperous" 1990s*, *available at* http://www.rupri.org/Forms/p2002-5.pdf (last visited 06/11/08); *see also* OSHA GRAY DAVIDSON, BROKEN HEARTLAND: THE RISE OF AMERICA'S RURAL GHETTO 77 (University of Iowa Press 1996) (noting that of the 150 worst "Hunger Counties" in the United States, 97% are in rural areas).

28. The "War on Poverty" was not America's only attempt to eradicate rural poverty. *See* James G. Maddox, *An Historical Review of the Nation's Efforts to Cope with Rural Poverty*, 50 AM. J. AGRIC. ECON. 1351, 1352 (1968) (noting four historical periods of reform: President Lincoln's administration and the years following the Civil War, President Wilson's administration, the New Deal era, and the administrations of Presidents Kennedy and Johnson).

29. *See* AMY GLASMEIER, LAWRENCE WOOD & KURT FUELLHART, MEASURING ECONOMIC DISTRESS: A COMPARISON OF DESIGNATIONS AND MEASURES 22 (2003), *available at* http://www.povertyinamerica.psu.edu/products/publications/measuring_economic_distress/ (last visited 06/11/08) ("[W]hat is truly remarkable and disturbing is the persistence of [economic] distress in a select set of communities in the U.S."); Karl N. Stauber, *Why Invest in Rural America—And How? A Critical Public Policy Question for the 21st Century*, ECON. REV., 2d Quarter 2001, at 36, *available at* http://www.kc.frb.org/publicat/econrev/pdf/2q01stau.pdf (last visited 06/11/08).

next section suggests that rural poverty exhibits many, but not all, of these characteristics on a global scale.

### *B. Worldwide Rural Poverty*

In addressing worldwide poverty, definitional issues arise. Some of these definitional issues also arise in discussions of poverty in the United States; some are unique to worldwide poverty. In particular, the difficulties in defining "rural" and "urban" are common to both,[30] whereas the manner in which poverty is defined and measured can vary worldwide.[31]

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30. *See supra* note 12 and accompanying text; *see also* International Fund for Agricultural Development, *Rural Poverty Report 2001: The Challenge of Ending Rural Poverty, Chapter 2: The Rural Poor* 17, *available at* http://www.ifad.org/poverty/ (last visited 06/17/08) [hereinafter IFAD, *Ending Rural Poverty*] (noting that countries' "distinctions between rural and urban are arbitrary and varied").

> The most common definition of the borderline is 5000 persons, as in India; often it is 2500 persons or fewer, as in Mexico, or 10,000 or more, as in Nigeria. Other countries, including Brazil and China, do not specify a population size but use various characteristics, from typical metropolitan facilities to legal or political status. The lower the rural-urban borderline is set, the fewer people are classified as rural.

IFAD, *Ending Rural Poverty*, *supra*, at 17; *see also id*. at 18 (asking "[c]an we have a common definition of 'rural'?"). "The International Fund for Agricultural Development (IFAD) is a United Nations agency with a mandate to alleviate poverty, increase food production, and improve nutrition among the rural poor." ERIK THORBECKE & THEODORE VAN DER PLUIJM, RURAL INDONESIA: SOCIO-ECONOMIC DEVELOPMENT IN A CHANGING ENVIRONMENT, at back cover (1993); *see also* International Fund for Agricultural Development, *About IFAD*, *available at* http://www.ifad.org/governance/index.htm (last visited 06/17/08).

31. *See* IFAD, *Ending Rural Poverty*, *supra* note 30, at 19-20 (noting different ways in which poverty is defined and measured); *see also* Mahmood Hasan Khan, *Rural Poverty in Developing Countries: Issues and Policies*, IMF Working Paper No. 00/78, at 5-6 (2000), *available at* http://papers.ssrn.com/sol3/papers.cfm?abstract_id=879594 (last visited 06/19/08) (discussing the difficulties in defining poverty).

The difficulties in comparing poverty statistics worldwide led the United Nations to create the *Handbook on Poverty Statistics: Concepts, Methods and Policy Use*.[32] Among other concerns, the handbook notes the shortcomings of collecting poverty data worldwide, including methodology (panel data versus cross-sectional data)[33] and measurement error.[34]

World Bank, noting the need for a consistent reference poverty line, uses references of one and two dollars a day. In 2001, 1.1 billion individuals lived on less than one dollar a day and 2.7 billion lived on less than two dollars a day.[35] Worldwide, seventy-five percent of the poor—720 million people—live in rural areas.[36]

> Forty-four percent [of the dollar-a-day poor] are in South Asia, about 24% each in sub-Saharan Africa and East Asia, and 6.5% in Latin America and the Caribbean. Seventy-five percent of the dollar poor work and live in rural areas; projections suggest that over 60% will continue to do so in 2025.[37]

32. UNITED NATIONS STATISTICS DIVISION, HANDBOOK ON POVERTY STATISTICS: CONCEPTS, METHODS AND POLICY USE, *available at* http://unstats.un.org/unsd/methods/poverty/Chapters.htm (last visited 06/16/08).

33. Paul Glewwe & John Gibson, *Analysis of Poverty Dynamics, in* UNITED NATIONS STATISTICS DIVISION, HANDBOOK ON POVERTY STATISTICS: CONCEPTS, METHODS AND POLICY USE 324, 334-36, *available at* http://unstats.un.org/unsd/methods/poverty/Chapter8.htm (last visited 06/16/08).

34. *Id*. at 336-38.

35. World Bank, *Overview: Understanding Poverty, Measuring Poverty at the Global Level, available at* http://go.worldbank.org/K7LWQUT9L0 (last visited 06/16/08).

36. International Fund for Agricultural Development, *About IFAD, available at* http://www.ifad.org/governance/index.htm (last visited 06/17/08); World Bank, *Agriculture and Rural Development, available at* http://www.go.worldbank.org/KD6G3BVDZ0 (last visited 06/02/08).

37. IFAD, *Ending Rural Poverty*, *supra* note 30, at 15.

These numbers likely would surprise many, because they contradict the prevailing image that poverty is urban. Globally, the image of urban slums dominates—images from Calcutta, Rio, or New York City. These images lead us to assume that rural areas somehow are better off, particularly when taken together with assumptions that people in rural areas grow their own food and therefore can get by with fewer financial resources.

Worldwide, however, "[t]he incidence and severity of rural poverty almost everywhere [throughout the world] exceed urban poverty."[38] As I noted earlier, rates of poverty in the United States are higher in rural areas even though urban poverty affects greater numbers. Similarly, in Latin America, "high levels of urbanization mean that most of the poor live in urban areas."[39]

Similar to the "persistent poverty" counties phenomenon in the United States, rural poverty has a spatial dimension worldwide as well.

38. *Id*. at 21; *see also* International Fund for Agricultural Development, *Assessment of Rural Poverty: Central and Eastern Europe and the Newly Independent States*, at xiii, *available at* http://www.ifad.org/poverty/region/pn/PN_e_1.pdf (last visited 06/17/08) (noting that "rural people in the CEN region [the countries of Central and Eastern Europe and the Newly Independent States, including Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, the Republic of Moldova, Romania, and the former Yugoslav Republic of Macedonia] often have a higher risk of poverty than urban residents do. . . . In Albania, for example, almost 90% of the poor live in rural areas . . . .").

"Generally, the poorest of the rural poor live in remote areas . . . ."[40] The remoteness of the area can contribute to poverty in a number of ways. For example, "[p]overty in Latin America is highest in some of the more remote, less densely populated areas . . . . Many of the poorest regions in Latin America are located at high altitudes or have low levels of rainfall."[41] Similarly, China's rural poor are concentrated "within remote and mountainous townships."[42]

As we have seen from the U.S. experience, rural poverty is not limited to undeveloped countries, but persists in developed countries as well. Although some countries have made some progress in reducing rural poverty, the problem remains a serious one. Even in China, which attracted worldwide attention for reducing rural poverty, poverty is still widespread and remains particularly acute in remote rural areas.[43] The question then

39. IFAD, *Ending Rural Poverty*, *supra* note 30, at 21.

40. *Id*.

41. *Id*.

42. World Bank, *China: Overcoming Rural Poverty*, *available at* http://poverty2.forumone.com/library/view/8077/ (last visited 06/17/08).

43. *See* Rural Poverty Portal, *Rural Poverty in China*, *available at* http://www.ruralpovertyportal.org/english/regions/asia/chn/index.htm (last visited 06/19/08) ("Despite China's strong and sustained economic growth, poverty is still widespread, especially in remote rural areas."). Several commentators have observed that China's official poverty statistics are based on an exceptionally low poverty threshold, which artificially reduces the number of individuals deemed to be living in poverty.

> As is now well known, China's rural poverty line is extremely low: those below it are not just poor, but destitute: unable to meet their most basic needs for food, clothing and shelter. . . . [B]y using less stringent criteria of poverty—such as USD $1

becomes why rural poverty persists—which is the subject of the next Section.

## II.
## GLOBAL RURALISM

All of my writings about ruralism cite extensively to the work of prominent rural sociologists and several significant law review articles which have long identified the concepts underlying ruralism.[44] In moving from a discussion of ruralism limited to the geography of the United States to a discussion more international in scope, there is again a body of important preexisting work.

In the 1970s, Michael Lipton identified the phenomenon of urban bias, noting that rural areas "contain[] most of the poverty," but because urban areas have "most of the . . . power," resource allocations reflect

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> per day per capita income—a much higher proportion of the population can reasonably be considered to be poor . . . .

China Development Brief, *From Equal Poverty to Dynamic Inequality* (2000), *available at* http://www.chinadevelopmentbrief.com/node/218 (last visited 06/19/08); *see also* International Food Policy Research Institute, *available at* www.ifpri.org/pubs/abstract/138/rr138ch01.pdf (last visited 06/19/08) ("[I]f, instead of using the official poverty line, poverty is measured using the international poverty line of US$1.00 per day . . . then China still had more than 100 million rural poor and 20 million urban poor in 1998.").

44. *See, e.g.*, CORNELIA BUTLER FLORA ET AL., RURAL COMMUNITIES: LEGACY & CHANGE (1992); JANET M. FITCHEN, ENDANGERED SPACES, ENDURING PLACES: CHANGE, IDENTITY, AND SURVIVAL IN RURAL AMERICA (1991); RURAL SOC. SOC'Y TASK FORCE ON PERSISTENT RURAL POVERTY, PERSISTENT POVERTY IN RURAL AMERICA (1993); Craig A. Arnold, *Ignoring the Rural Underclass: The Biases of Federal Housing Policy*, 2 STAN. L. & POL'Y REV. 191 (1990);.James B. Wadley & Pamela Falk, Lucas *and Environmental Land Use Controls in Rural Areas: Whose Land Is It Anyway?*, 19 WM. MITCHELL L. REV. 831 (1993).

urban priorities and therefore the living standards of the poorest people have stagnated.[45] Lipton's work focused primarily on poor Third World countries. The work of Lipton and others help to inform my foray into the international sphere.

Many theories and suggestions have been posited for the persistence and prevalence of rural poverty globally. These theories and suggestions cover a broad range of possibilities, ranging from politics, to discrimination, to climatic changes, to corruption, to the international economy. One list of theories includes all of the foregoing in greater detail:

> political instability and civil strife; systematic discrimination on the basis of gender, race, ethnicity, religion, or caste; ill-defined property rights or unfair enforcement of rights to agricultural land and other natural resources; high concentration of land ownership and asymmetrical tenancy arrangements; corrupt politicians and rent-seeking public bureaucracies; economic policies that discriminate against or exclude the rural poor from the development process and accentuate the effects of other poverty-creating processes; large and rapidly growing families with high dependency ratios; market imperfections owing to high concentration of land and other assets and distortionary public policies; and external shocks owing to changes in the state of nature (for example, climatic changes) and conditions in the international economy.[46]

45. MICHAEL LIPTON, WHY POOR PEOPLE STAY POOR: A STUDY OF URBAN BIAS IN WORLD DEVELOPMENT 13 (1976).

46. Mahmood Hasan Khan, *Rural Poverty in Developing Countries: Implications for Public Policy*, *available at* http://www.imf.org/external/pubs/ft/issues/issues26/ (last visited 06/16/08).

Determining one precise cause of rural poverty on a global scale likely is impossible. Rural poverty may result from different factors in different countries, and sometimes may result from a confluence of a number of factors. This Section examines the possibility that ruralism, which includes both discrimination and urban bias, plays a dominant or leading role.

As I observed above, Michael Lipton explored the proposition of urban bias in a seminal work published in 1976.[47] Lipton noted that

> The rural sector contains most of the poverty, and most of the low cost sources of potential advance; but the urban sector contains most of the articulateness, organization and power. So the urban classes have been able to "win" most of the rounds of the struggle with the countryside; but in doing so they have made the development process slow and unfair.[48]

Lipton later summarized his theory of urban bias as involving "(a) an *allocation*, to persons or organizations located in towns, of shares of resources so large as to be inefficient and inequitable, or (b) a *disposition* among the powerful to allocate resources in this way."[49]

Lipton's urban bias theory was not without its critics, and Lipton was accused, among other things, of not proving the existence of urban bias, of confusing space with class, of being insufficiently attentive to

47. LIPTON, *supra* note 45.
48. *Id*. at 1.

urban poverty, and of ignoring rural power in some areas and countries.[50] Undeterred, Lipton's subsequent work has addressed his critics and he continues to write about the existence of urban bias, drawing recently on research in sub-Sahara Africa.[51]

Lipton's conception of urban bias overlaps with ruralism. Power tends to be concentrated in urban areas, and powerful people—academics, researchers, politicians, and economists, among others—are concentrated in urban areas throughout the world. In my writings about ruralism, I have frequently referred to the existence of an "urban focus."[52] The distinction is primarily that Lipton's urban bias theory is aimed specifically at the allocation of resources, whereas ruralism, while including resource allocation, also includes discrimination on a broader scale, such as subjective factors and social bias.

49. Michael Lipton, *Urban Bias*, *in* ENCYCLOPEDIA OF INTERNATIONAL DEVELOPMENT (T. Forsyth ed., 2005).

50. *See* Terry J. Byres, *Of Neopopulist Pipe Dreams*, 6 J. PEASANT STUDIES 210 (1979); Terry J. Byres, *Land Reform, Industrialisation and the Marketed Surplus in India: An Essay on the Power of Urban Bias*, *in* AGRARIAN REFORM AND AGRARIAN REFORMISM (D. Lehmann ed., 1974).

51. Robert Eastwood and Michael Lipton, *Pro-Poor Growth and Pro-Growth Poverty Reduction: Meaning, Evidence and Policy Implications*, 18 ASIAN DEVELOPMENT REV. 22 (2000). *See generally* ROBERT H. BATES, MARKETS AND STATES IN TROPICAL AFRICA (1981) (discussing urban bias in sub-Sahara Africa).

52. *See, e.g.*, Bassett, *Ruralism*, *supra* note 10, at 278, 328, 341; Bassett, *Distancing Rural Poverty*, *supra* note 10, at 9. I have also used the term "urban bias" in my writings, although with a more general meaning than that employed by Lipton. *See* Bassett, *Ruralism*, *supra* note 10, at 330; Bassett, *Distancing Rural Poverty*, *supra* note 10, at 5, 21, 22.

At its core, ruralism involves discrimination against that which is rural. Malevolent intent is not a prerequisite to ruralism; discrimination can result from net impact without conscious intention. Similarly, evidence may demonstrate the existence of discrimination despite the possibility of other, nondiscriminatory explanations for that evidence. As a more general example, an organization may claim that it bases its hiring exclusively on "objective qualifications," such as the quality of the college or university attended. Such so-called "objective" qualifications are not always as objective as they might initially seem, due to, among other factors, legacy admissions (in which relatives of graduates from the university or college receive preferential admission), and the degree to which standardized test scores determine admission when many have challenged such tests as benefiting certain populations over others.

In the same vein, ruralism can occur even when there was no specifically announced intention to discriminate against those who live in rural areas, but nevertheless, the impact of policies, practices, and other actions serves to favor urban residents and to disfavor rural residents. Ruralism may or may not be accompanied by unflattering assumptions about or stereotyping of rural dwellers; may or may not be accompanied by condescension; and may or may not be intentional.

Taxation has been one frequent area of rural discrimination. "In many developing countries, policies have consistently discriminated against agriculture through high levels of taxation and other macroeconomic policies that have adversely affected agricultural performance and the rural tax base, resulting in a net transfer of resources out of rural areas."[53] Biotechnology, for all its hopes, threatens to increase rural inequality.[54] The Paraguayan administration was accused of violating

53. *See* Andrew N. Parker, *Decentralization: The Way Forward for Rural Development?*, at 2 (1995), World Bank Policy Research Working Paper No. 1475, *available at* http://papers.ssrn.com/sol3/papers.cfm?abstract_id=620575 (last visited 06/19/08).

> Taxation was most severe, ranging from 45-60 percent, in the three African countries sampled—Cote d'Ivoire, Ghana and Zambia; it was moderately severe (25-45 percent) in Argentina, Colombia, Dominican Republic, Egypt, Morocco, Pakistan, Philippines, Sri Lanka, Thailand and Turkey . . . . Public investment in agriculture and subsidies for agricultural inputs aim to provide compensation for the negative impact of government interventions. However, whether by design or by properties inherent in the instruments chosen (e.g., credit and other production subsidies), such interventions tended to benefit large farmers and "did not compensate, or compensated very little, for the substantial income outflows resulting from interventions in output markets, and in most cases, public investment in agriculture did not compensate for the negative effects of price interventions. . . . In sum: government and the nonagricultural sectors were the winners in most cases, and agriculture the loser."

*Id*. at 5 (quoting M. SCHIFF & A. VALDES, THE PLUNDERING OF AGRICULTURE IN DEVELOPING COUNTRIES 8 (1992)).

54. *See* Carmen G. Gonzalez, *Trade Liberalization, Food Security, and the Environment: The Neoliberal Threat to Sustainable Rural Development*, 14 TRANSNAT'L L. & CONTEMP. PROBS. 419, 451 (2004).

> From the standpoint of food security, the benefits of biotechnology are highly uncertain. First, there is widespread consensus that genetically modified crops . . . have not increased

its obligations under the United Nations International Covenant on Economic, Social and Cultural Rights by "a score of" social organizations for violating "the rights of rural communities to access to land, housing, work, food and water."[55] In parts of Africa, ineffective institutions have been alleged to exclude the rural poor from services.[56] In India, seventy-five percent of the funds earmarked to provide employment in impoverished rural areas was allegedly "'siphoned and pocketed by government officials' in an organi[z]ed way."[57] In Northern Ireland, rural communities are subject to fragmented development policies that have an

> yields. Second, biotechnology threatens to exacerbate food insecurity by increasing rural inequality. Biotechnology is being promoted by the same transnational corporations that engaged in the massive export of pesticides to developing countries. These enterprises seek to maximize profits by marketing their products to large-scale, commercial farmers in affluent countries while neglecting the needs of small, resource-poor farmers in the developing world. By focusing on lucrative export crops and favoring affluent farmers, biotechnology may force small-scale producers out of the market, thus depriving them of production-based entitlements. Furthermore, genetically modified crops may reduce the need for manual labor (for example, weeding and pesticide application), thus eroding the labor-based entitlements of poor rural dwellers.

*Id.*

55. David Vargas, *Paraguay: State Accused of Violating Rights of Rural Poor* (Nov. 13, 2007), *available at* http://ipsnews.net/news.asp?idnews=40037 (last visited 06/17/08). Quotes within the article stated that Paraguay "constantly discriminates" against rural communities, and "has neither respected nor protected the people in rural areas." *Id.*

56. IFAD, *Ending Rural Poverty*, *supra* note 30, at 29 ("In West and Central Africa and Near East and North Africa, the lack of effective institutions excludes the rural poor from services and prevents their voices being heard.").

acknowledged negative impact on those rural communities and the environment.[58] Are these isolated anecdotes, or is there reason to believe that rural areas tend to be devalued worldwide?

In looking beyond the geography of the United States to inquire whether ruralism exists on a more global level, there is at least some indication of international ruralism, perhaps because many countries have shared similar patterns of urbanization. Although larger numbers of people have chosen to live in some locations over others for centuries, modern notions of "developed countries" did not spring forth in full form, but rather, urbanization occurred over time. When the fulcrum point was reached where a greater percentage of a country's population lived in urban areas, this created the justification to spend more resources on urban areas

57. Reuters, Simon Denyer, *India's "Republic of Work" Fails Rural Poor* (Feb. 6, 2008), *available at* http://www.reuters.com/article/asiaCrisis/idUSDEL146366 (last visited 06/17/08).

58. Sharon Turner, *Transforming Environmental Governance in Northern Ireland, Part One: The Process of Policy Renewal*, 18 J. ENVT'L L. 55 (2006).

> Although two Select Committees and DOE (NI) itself has expressed very serious concerns as to the negative impact of this policy in terms of damage to the environment and landscape, its implications for regional transport policies, the cost of providing services to dispersed dwellings and impact on rural communities, the policy nevertheless remains unchanged. . . . [A] report of the National Trust Planning Commission . . . characterized the cumulative effect of policy discussion concerning this situation as "a wringing of hands about the unfortunate adverse effects accompanied but no real action to address the issue. Policy is aimed at ducking and weaving around the personal interests of the beneficiaries of current policies."

*Id*. at 77.

on a nationwide basis specifically because more people lived there. In a number of instances, at the time that urbanization jumped in a particular country, writings suggesting ruralism appeared.[59] In addition, the perceived benefits and amenities of living in urban areas largely developed over time. In more recent times, these perceptions were aided by the development of various forms of mass media, which contributed reports and stories across a broad spectrum of areas. Years ago, perceptions of urban and rural living largely were based on personal experience together with occasional books or newspaper articles. Today these perceptions are supplemented by television shows, nearly instantaneous television and Internet news reporting, and more accessible reporting across all areas, including trends, styles, and marketing generally. Mass media tends to be located in urban areas, and therefore perhaps it is not surprising that reporting would tend to focus on urban populations.

In the United States, there are numerous examples of rural stereotyping in film, television, and literature.[60] Indeed, a prominent study

59. *See* FERNANDO HENRIQUE CARDOSO, BILL CLINTON & BRIAN WINTER, THE ACCIDENTAL PRESIDENT OF BRAZIL: A MEMOIR 52 (2006) (noting that urbanization caused the poor in Brazil to flee rural discrimination and move to the city); Karl Marx & Friedrich Engels, *The Communist Manifesto*, *in* ESSENTIAL WORKS OF MARXISM 17 (Arthur P. Mendel ed., 1961) ("[The bourgeoisie] has created enormous cities, greatly increased the urban population as compared with the rural, and thus rescued a considerable part of the population from the idiocy of rural life.").

60. *See* Bassett, *Ruralism*, *supra* note 10, at 293-99.

by the W.K. Kellogg Foundation concluded that television news stories about rural life were infrequent, and when they did occur, they were largely negative.[61] Such stereotyping might be considered social discrimination which, although unpleasant and alienating for the rural target/recipient, is experienced by many minority population groups and also appears to exist with respect to many rural populations outside the United States.[62] Indeed, discerning ruralism from other forms of social discrimination can pose a challenge because various forms of discrimination often overlap, just as an African-American woman may experience discrimination on the basis of both race and gender. Ruralism often overlaps with discrimination on the basis of race, gender, ethnicity, religion, and class—and may be more difficult to discern because ruralism is not as well recognized as many other forms of discrimination.[63] It is certainly of interest whether rural dwellers are subject only to social discrimination, or whether they also are subject to issues of access and economic discrimination.

61. PERCEPTIONS OF RURAL AMERICA: MEDIA COVERAGE, W.K. KELLOGG FOUNDATION 32-33 (Jan. 2003), *available at* http://www.wkkf.org/Pubs/FoodRur/MediaCoverage_00253_03795.pdf (last visited 09/15/07).

62. *See, e.g.*, Feng Deng et al., *A Proposal of Institutional Innovations for Urban-Rural Coordinated Development in China, available at* http://ssrn.com/abstract=1076967 (2007) (last visited 06/17/08) (noting "long-term discrimination against peasants").

63. *See* Rural Poverty Portal, *Rural Poverty in Nepal, available at* http://www.ruralpovertyportal.org/english/regions/asia/npl/index.htm (last visited

Issues of access can be acute in remote rural areas, and can have a profound impact on an individual's education, health, and livelihood. One Australian government website states that access issues may impact "the right to education, the right to the highest attainable standard of health, the right to an adequate standard of living, [and] the right to vote" for rural Australians.[64] The website also observes that "[p]eople living in remote, rural and regional Australia often find it harder to fully enjoy their human rights because of their location."[65]

> Barriers to progress often form a vicious circle. (a) Many remote rural populations lack social services, which in turn affects their productive ability. (b) Physical (remoteness) and social barriers to markets interact similarly. (c) Remoteness and low population density result in inadequate infrastructure provision in East and Southern Africa, Asia and the Pacific and Near East and North Africa. This affects not only productivity but also access to social services, making the rural poor more vulnerable to famine and disease, and prolonging sickness. (d) Poor access to health facilities, sanitation and immunization impairs the productivity, income and nutritional status of the poor in all regions, in turn making them less able to escape poverty or seek out health care. . . .[66]

06/17/08) ("Social discrimination plays a significant role in keeping the most disadvantaged people in rural Nepal poor and marginalized.").

64. HUMAN RIGHTS & EQUAL OPPORTUNITY COMMISSION, THE HUMAN RIGHTS OF RURAL AUSTRALIANS, *available at* http://www.hreoc.gov.au/Human_RightS/rural_australians/index.html (last visited 06/17/08).

65. *Id*.

66. IFAD, *Ending Rural Poverty*, *supra* note 30, at 27-28.

In addition to issues of access, actual laws, policies, and programs can also suggest rural discrimination. Rural discrimination tends to be very difficult to identify with any certainty because an intention to discriminate against rural areas is unlikely to be expressed. Nevertheless, nearly two decades ago, observant and perceptive commentators in the United States identified rural discrimination in two areas due to their negative impact on rural areas—federal housing policy[67] and the siting of toxic chemical dumps and industrial waste in rural areas.[68] Other laws, policies, and programs also negatively impact rural areas, and more recent studies have

67. Arnold, *supra* note 44, at 191 (finding anti-rural bias in the design and operation of federal housing programs and in the resources allocated). Professor Arnold also noted urban bias more generally, observing that "American cultural bias toward that which is urban . . . is created by a pervasive belief in the rightness and inevitability of urbanization." *Id*. at 195.

68. *See* Federal News Service, *Renew America Press Conference on Environmental Damage in Rural America* (Aug. 29, 1989), at 4 ("More and more . . . the movement is for urban and industrial waste to be disposed of in less politically powerful, less heavily populated rural areas, that can be run over in this political process."). This issue continues. *See* STEVE H. MURDOCK ET AL., HAZARDOUS WASTES IN RURAL AMERICA 2 (1999) ("Rural residents are in effect being asked to host a facility that stores wastes produced primarily in businesses and populations from larger urban areas. As a result, hosting areas' residents often believe that siting such projects in their areas is unfair; that it is inequitable for them to be asked to store waste by-products that are produced in other areas."); *see also* Noah Sachs, *The Mescalero Apache Indians and Monitored Retrievable Storage of Spent Nuclear Fuel: A Study in Environmental Ethics*, 36 NAT. RESOURCES J. 641, 671 (1996) (noting that "locating [hazardous waste] facilities in rural areas (sometimes decried as rural discrimination) can contradict the first principle [that areas that enjoy the benefits from waste generation should bear the costs of disposal]").

found such negative impact in areas ranging from bankruptcy laws[69] to welfare.[70]

Laws, policies, and programs that favor urban dwellers and disadvantage rural dwellers may be created for any number of reasons. The drafters of such laws, policies, and programs may innocently or carelessly have overlooked rural considerations. Drafters may have intentionally disregarded rural considerations due to a lack of interest in, or an actual disrespect for, rural dwellers. Or, perhaps most likely, the drafters may have intentionally disregarded rural considerations in favor of urban considerations due to a combination of the greater numbers of urban constituents and cost-benefit analyses favoring urban dwellers.

These latter two reasons—larger numbers of urban constituents and cost-benefit analyses—raise additional issues at the global level. Worldwide, the majority of the world's population now lives in urban areas,[71] and as noted earlier, eighty percent of the U.S. population lives in

69. *See* Katherine M. Porter, *Going Broke the Hard Way: The Economics of Rural Failure*, 2005 WIS. L. REV. 969 (analyzing how the federal bankruptcy laws disadvantage rural residents).

70. *See* Lisa R. Pruitt, *Missing the Mark: Welfare Reform and Rural Poverty*, 10 J. GENDER, RACE & JUSTICE 439 (2007).

71. United Nations Population Fund, *State of World Population 2007, available at* http://www.unfpa.org/swp/2007/english/introduction.html (last visited 07/21/08) (noting that in the year 2008, for the first time in history, more than half of the world's population will live in urban areas).

urban areas.[72] However, in democratic countries such as the United States, despite our "majority rule" approach, we generally have insisted that the majority cannot unfairly take advantage of minority populations. Accordingly, to the extent that drafters may feel accountable to greater numbers of constituents, that accountability must be tempered by taking positions that are fair and responsible, rather than benefiting the urban at the expense of the rural. With respect to cost-benefit analyses and other economics-based rationales, some caution is necessary as well. Due to the spatial remoteness and lower population density of rural areas, economics-based justifications such as economies of scale, cost-benefit analyses, and market efficiencies will, by definition, tend to benefit urban areas and tend to discriminate against rural areas.[73]

Whatever the reason or motivation, economic discrimination against rural dwellers has the potential generally for reducing the effectiveness of laws, policies, and programs for rural dwellers, and in some instances can exacerbate rural poverty specifically.

72. *See supra* note 22.

73. *See infra* note 84-85 and accompanying text (discussing the use of economics-based foundations and assumptions).

In identifying rural discrimination on a broader, worldwide scale, the same issues arise, and similar discrimination appears to exist.[74] Again, the negative rural impact may occur largely from unanticipated consequences[75] or more intentionally.[76] Rural discrimination exists, at least

74. Available examples, of course, are limited by the deemed newsworthiness of the report or the interest of the writer in a particular issue. The examples provided are always further limited by the potential reporting or research errors.

75. *See* Gonzalez, *supra* note 54, at 423 (noting, as an historical example, that "[a]fter World War II, international development assistance programs inadvertently exacerbated food insecurity and environmental degradation by aggravating rural poverty and promoting monocultural production techniques. For example, . . . the provision of surplus U.S. grain as aid undermined the livelihoods of poor farmers in the developing world by depressing agricultural prices."); *see also* Zhu Lijiang, *The Hukou System of the People's Republic of China: A Critical Appraisal Under International Standards of Internal Movement and Residence*, 2 CHINESE J. INT'L L. 519, 519 (2003) (explaining that the Chinese hukou system, which requires households to register with the Chinese government and imposes various restrictions accordingly, "has imposed a significant negative impact on every Chinese citizen, especially those who normally reside in rural areas.").

> [T]he *hukou* regulations divide . . . society into two segments: nonagricultural (urban) and agricultural (rural). Furthermore, a person's *hukou* is determined by his or her mother's *hukou* rather than by birthplace. A mother with rural *hukou*, for example, could only give her children a rural *hukou* despite the fact that the children may have been born in a city and even fathered by an urban resident. One cannot acquire legal permanent residence, and thus generally a job and all the community-membership-based benefits and privileges, in places other than where one's *hukou* is. Only through the proper authorization of the government can one change one's *hukou*—residence and status, especially the categorization from rural to urban. These are a few other very narrow channels for crossing the *hukou* barriers: passing college entrance exams, joining the military and becoming an officer (and thus a cadre qualified to have an urban *hukou*), and some marriage schemes. The increasing gap between rural and urban economics, caused by the *hukou* system, has led to increasing disparity between living standards in the "two Chinas."

Lijiang, *supra* (italics in original).

to some degree, on an international scale. Nevertheless, the degree and severity of rural discrimination likely varies from country to country and from situation to situation. In light of this likelihood, the next Section looks at some of the hurdles in creating policies or approaches to rural poverty that can be applied on a country by country basis across the globe.

## III.
## ISSUES IN ADDRESSING RURALISM AND RURAL POVERTY: INFORMATION AND ASSUMPTIONS

Regardless of whether one believes that ruralism is rampant or sporadic, perhaps all can agree that discrimination on the basis of rurality is generally undesirable and should be avoided. Rural areas often face difficult hurdles and struggles even without overt discrimination. Toward that end, this Section identifies issues that require attention if a coherent policy for addressing worldwide poverty is to be developed.

The most powerful remedy for rural discrimination is information. In the past, differences in treatment based on gender and race were viewed as simply how things were, until these differences finally were recognized as discrimination. Today, some appear tired of hearing about various forms

76. *See* Gonzalez, *supra* note 54, at 442 (noting, as an historical example, that "[t]he Green Revolution promoted food insecurity by favoring wealthy farmers at the expense of poor farmers and landless laborers. The Green Revolution was inherently biased in favor of wealthy farmers because it required significant capital investment."); *see also id*. at 444 ("A 1995 study reviewing over 300 published reports on the Green Revolution produced over a thirty-year period

of discrimination and suggest impatiently that opportunities are equal for everyone. Unfortunately, however, vestiges of sexism and racism, as well as ruralism and other forms of discrimination, remain.

Attentiveness to rural implications and awareness of underlying assumptions sound promising in the abstract, but, of course, "underlying assumptions" have that moniker for a reason—they are, in fact and in practice, assumptions that are unexamined. When lawmakers and policymakers hail from urban areas, they may find it difficult to look past their urban assumptions in order to examine rural realities. To aid in recognizing these underlying urban assumptions, I have set forth some of the more common assumptions below that tend to arise with respect to rural poverty. Although these assumptions are interrelated, each requires independent consideration.

Awareness of underlying assumptions and considering the potential for negative rural impact is essential if we are to ameliorate ruralism. The key to meaningful "information" requires an examination of the assumptions that can lead decisionmakers around the world to understate or disregard rural discrimination in policymaking.

### *A. Centralized Location Assumptions*

found that eighty percent of the reports concluded that the Green Revolution exacerbated rural poverty and inequality.").

Urban models tend to assume that the use of a centralized distribution center will lower administrative and distribution costs, and will permit recipients to receive benefits more efficiently. In urban areas, and in suburban areas with reliable and inexpensive mass transit, this assumption often will hold true. However, rural populations, especially remote rural areas, tend to be geographically dispersed and remote rural areas often lack alternative forms of transportation.[77] Thus, the urban assumption of the superiority of centralized locations often will be invalid for rural populations. Depending on the country and the specific so-called "centralized" location, the distance between the centralized location and the rural program participants might be several miles or several hundred miles.[78] Accordingly, legislators and policymakers addressing rural poverty should inquire as to access issues for the rural poor, rather than assuming that a centralized location is desirable.

### *B. Transportation Assumptions*

77. *See infra* notes 79-82 and accompanying text.

78. These distances themselves have different meanings when transportation disparities are taken into account. Not only may transportation disparities include actual distances and the actual transportation options available, but also include additional factors, such as whether one must travel through an area of armed conflict.

Even in developed countries where many of the rural poor own vehicles, those vehicles tend to be older and less reliable,[79] and older vehicles often consume more gasoline, which in the current climate of high gas prices greatly reduces their utility.[80] Recent news stories in the United States have reported an increase in the use of buses and other public transit in light of the increase in gas prices[81]—an option made possible, of course, by the fact that urban areas have alternative forms of transportation available to their residents. Although some of these urban alternative

79. *See* Univ. of Wis., Center for Community Econ. Dev., Community Econ. Newsletter, *Transportation Barriers to Employment of Low-Income People* 1 (Apr. 1998), *available at* http://www.aae.wisc.edu/pubs/cenews/docs/ce258.txt (last visited May 9, 2006) (noting that "[e]ven when ownership occurs, there are many questions about vehicle reliability and function").

80. *See* Clifford Krauss, *Gas Prices Send Surge of Riders to Mass Transit*, N.Y. TIMES, May 10, 1008, *available at* http://www.nytimes.com/2008/05/10/business/10transit.html?hp (last visited 06/19/08).

81. *See* Dug Begley, *As Gas Prices Increase, More Inland Commuters Use Public Transit*, PRESS-ENTERPRISE, June 10, 2008, *available at* http://www.pe.com/thingstodo/other/stories/PE_News_Local_S_commuters11.3495fdb.html (last visited 06/19/08) ("Many commuters are using public transportation because they're fed up with filling their gas tanks, officials said."); Gene Haagenson, *Gas Prices Increase Bus Use*, ABC LOCAL, June 3, 2008, *available at* http://www.abclocal.go.com/kfsn/story?section=news/local&id=6181227 (last visited 06/19/08) ("The high price of gasoline has people across the country trying to figure out how to save money. Many are turning to public transportation as a way to escape the pain at the pump."); Krauss, *supra* note 80, *available at* http://www.nytimes.com/2008/05/10/business/10transit.html?hp (last visited 06/19/08) ("With the price of gas approaching $4 a gallon, more commuters are abandoning their cars and taking the train or bus instead."); Lena H. Sun, *Travelers Turn to Public Transit*, WASH. POST, June 3, 2008, *available at* http://www.washingtonpost.com/wp-dyn/content/article/2008/06/02/AR2008060201545.html (last visited 06/19/08) ("Soaring gas prices are pushing more Americans to take public transit . . . .").

forms of transportation may be more reliable than others and may vary in number and in kind from city to city, they typically include some mix of mass transit (such as subways or light rail), trains, streetcars, trolleys, buses, taxicabs, and various shuttle services. Due to these urban options, urban legislators and policymakers may assume that rural areas also have alternative transportation options. However, although there has been some progress in providing rural public transit to some rural areas, rural public transit is still unavailable to more than forty percent of rural dwellers in the United States.[82] Moreover, many rural areas have no alternative transportation at all—there are no buses, no shuttles, no cabs.[83] In less developed countries, the only available transportation in remote rural areas

82. Am. Pub. Transp. Ass'n, *Public Transportation: Wherever Life Takes You*, *available at* http://www.publictransportation.org/reports/asp/mobility_rural.asp (last visited 06/18/08) (noting that 41 percent of rural community residents have no access to transit).

83. *See* Timothy Baldwin, *The Constitutional Right to Travel: Are Some Forms of Transportation More Equal than Others?*, 1 NW. J. L. & SOC. POL'Y 213, 213 (2006) ("Few roads, particularly in suburban and rural communities, offer any form of public transportation."); Nina Glasgow, *Older Americans' Patterns of Driving and Using Other Transportation*, 15 RURAL AMERICA 26, 26 (Sept. 2000), available at http://www.ers.usda.gov/publications/ruralamerica/sep2000/sep2000f.pdf (last visited 06/18/08) ("[P]ublic transit and paratransit services (door-to-door transportation designed for older and disabled individuals who are unable to use public transit) are limited or lacking in many, especially rural, communities."); Eileen S. Stommes & Dennis M. Brown, *Transportation in Rural America: Issues for the 21st Century*, 16 RURAL AMERICA 2, 4 (Mar. 2002), *available at* http://www.ers.usda.gov/publications/ruralamerica/ra164/ra164b.pdf (last visited 06/18/08) ("Rural public transit, the rural analogue to bus service in metro areas, is

may be by foot or bicycle, and some areas may essentially be inaccessible. Accordingly, transportation is a major issue for the rural poor and the availability of transportation cannot be assumed in designing and implementing rural poverty programs.

### *C. Economics-Based Foundations and Assumptions*

In designing and implementing programs, including rural poverty programs, economics-based foundations and assumptions are often employed. We have become accustomed to hearing justifications for policies, practices, and programs that are based on concepts of market efficiency, cost-benefit analyses, and economies of scale. In a business context where the corporation's sole motivation is profit, such economic concepts are a rational approach to achieving that goal. However, when profit is not the only underlying motive, such economic concepts do not always provide a useful foundation. Indeed, one commentator has argued that market-oriented policies amount to a general surrender of public responsibility for poverty.[84]

In the context of rural poverty both in the United States and abroad, economics-based foundations and assumptions, by definition, have little utility. Rural poverty populations tend to be remote, which increases

available in approximately half of the rural counties nationwide . . . . Few are found in the most rural, isolated areas.").

transportation and other costs, and increases inefficiencies. Rural poverty populations also tend to be geographically dispersed with low population densities. Fewer numbers of people spread out over great distances decreases economies of scale.[85] These remote rural population factors render economics-based foundations and their accompanying assumptions unhelpful in designing and implementing rural poverty programs.[86]

Accordingly, in designing and implementing rural poverty programs worldwide, governments need to set aside profit-oriented economics-based foundations and assumptions. Instead, the realities of remote rural landscapes must be considered, and programs must be designed and implemented to fit those rural realities, rather than attempting to apply a one-size-fits-all program to both urban and rural areas.

### *D. Resistance to Place-Based Programs*

Policies and remedies for rural poverty tend to be classified as either "person-based" or "place-based." In the United States, such policies

84. NEIL GILBERT, TRANSFORMATION OF THE WELFARE STATE: THE SILENT SURRENDER OF PUBLIC RESPONSIBILITY 4, 67, 180 (Oxford Univ. Press, 2004).

85. *See* Parker, *supra* note 53, at 2 ("The spatial dispersion of people living in rural areas increases the cost and difficulty of providing rural goods and services effectively.").

86. *See* FITCHEN, *supra* note 44, at 156-57 ("Rural areas do not have 'the economies of scale,' and in the economic model, economies of scale become directives for funding."); *see also id*. at 157-58 ("It is simply more costly to serve small, dispersed populations of poor people than large, concentrated ones, not only in terms of the obvious higher cost of transportation but also in that when the

and remedies typically are "person-based," meaning that they target individuals or households.[87] Examples of person-based programs include food stamps and housing vouchers. Alternatively, policies and remedies may be "place-based," meaning that they target particular poor areas.[88] Examples of place-based programs include subsidies and business tax credits. U.S. economists have tended to disfavor place-based policies,[89]

service is actually taken out to the more remote areas of the country, there are fewer people there to be served.").

87. *See* James H. Spencer, *People, Places and Policy: A Politically-Relevant Framework for Efforts to Reduce Concentrated Poverty and Joblessness* 4-6 (Dec. 2002) (working paper, on file with the Univ. of Haw. at Manoa Coll. of Soc. Sci. Pub. Policy Ctr.), *available at* http://www.publicpolicycenter.hawaii.edu/images/PDF/James_Spencer1.pdf (last visited 06/15/08) (noting that "[t]he major U.S. antipoverty programs . . . [reflect that] a scholarly dichotomy of people *versus* places has become cemented in the policy imagination.") (italics in original); *see also* William C. Wheaton, Commentary, 2000 BROOKINGS-WHARTON PAPERS ON URB. AFF. 53, 94, *available at* http://muse.jhu.edu/journals/brookings-wharton_papers_on_urban_affairs/v2000/2000.1quigley.pdf (last visited 06/15/08) ("In theory, person-based policies are aimed at assisting selected categories of individuals—regardless of location.").

88. *See* Spencer, *supra* note 87, at 6; *see also* Mark Drabenstott & Katharine H. Sheaff, *The New Power of Regions: A Policy Focus for Rural America—A Conference Summary*, ECON. REV., 2d Quarter 2002, at 1, 3, *available at* http://www.kc.frb.org/Publicat/econrev/Pdf/2q02drab.pdf (last visited 06/15/08) ("Place-based policies . . . focus mainly on infrastructure . . . . People-based policies . . . invest[] in the human capital of rural residents.").

89. *See* David Kraybill & Maureen Kilkenny, *Economic Rationales For and Against Place-Based Policies*, July 2003, at 2, *available at* http://www.ruralsociology.org/annual-meeting/2003/Kraybill.Kilkenny.pdf (last visited 06/15/08) (noting that in discussing rural development policies, "[p]lace orientation is often disparaged, while people orientation is presented as desirable. Economists in the mainstream of the economics discipline have long viewed place-oriented development policies as a form of protectionism promoted by local, landed interests who wished to resist inevitable change. Rather, mainstream economists have generally had a preference for people-oriented policies . . . ."); Rural Poverty Research Ctr., *Place Matters: Addressing Rural Poverty*, Apr.

and one of the arguments against place-based poverty programs generally is the fear that certain areas might become poverty traps.[90] However, in both the United States and elsewhere, geographical location already plays a large role in poverty rates.[91]

Indeed, spatial concentrations of poverty have become sufficiently obvious worldwide that calls for place-based rural poverty policies have increased both in the United States[92] and internationally.[93] If lawmakers

2004, at 6, *available at* http://www.rprconline.org/synthesis.pdf (last visited 06/15/08) ("[E]conomists have traditionally been averse to place-based social policies in favor of programs targeting the behavior or needs of individuals, be that through cash assistance or tax relief or the myriad other government supports. Such individual-based policies are motivated by the belief that people are poor because of a human capital deficit.").

90. *See* World Bank, *Declining Rural Poverty Has Been a Key Factor in Aggregate Poverty Reduction*, at 49, *available at* http://www.siteresources.worldbank.org/INTWDR2008/Resources/2795087-1192112387976/WDR08_03_Focus_A.pdf (last visited 06/19/08) ("One concern with marginal areas is the possible existence of geographic poverty traps. Evidence of such traps has been shown in China, for example.").

91. *See supra* notes 23-24 and accompanying text (discussing persistent poverty counties in the U.S.); *see also* AMY GLASMEIER, LAWRENCE WOOD & KURT FUELLHART, MEASURING ECONOMIC DISTRESS: A COMPARISON OF DESIGNATIONS AND MEASURES 22 (2003), *available at* http://www.povertyinamerica.psu.edu/products/publications/measuring_economic_distress/ (last visited 06/11/08) ("[W]hat is truly remarkable and disturbing is the persistence of [economic] distress in a select set of communities in the U.S."); World Bank, *Declining Rural Poverty Has Been a Key Factor in Aggregate Poverty Reduction*, at 49, *available at* http://www.siteresources.worldbank.org/INTWDR2008/Resources/2795087-1192112387976/WDR08_03_Focus_A.pdf (last visited 06/19/08) ("[When geographic poverty traps exist,] reducing rural poverty requires either a large-scale regional approach or assisting the exit of populations.").

92. *See, e.g.*, Drabenstott & Sheaff, *supra* note 88, at 13 ("One answer may be to think about more 'place-based' kinds of policy for rural regions."); Kay Humphrey, *Native American Populations Show Strong Community Ties*, INDIAN COUNTRY TODAY, Oct. 24, 2001, at 2, *available at*

and policymakers seriously want to reduce rural poverty, the existence of geographical pockets of severe rural poverty is information that should be used to reduce poverty in those regions.

### *E. Assumptions of Agriculture and Sameness*

Lawmakers and policymakers tend to assume that rural areas are primarily agricultural, and that the rural poor primarily are engaged in agricultural employment. Although worldwide most rural areas are indeed agricultural, this is not true in the United States, where only approximately

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http://www.indiancountry.com/content.cfm?id=2734&print=yes (last visited 06/15/08) ("The United States is behind in understanding the value of place-based policies in rural areas."); Stanley Johnson, *Focusing on Differences: A New Approach for Rural Policy?*, MAIN STREET ECONOMIST, July 2001, at 1, 2, available at http://www.kc.frb.org/RuralCenter/mainstreet/MSE.0701.pdf (last visited 06/15/08) (stating that rural policy "should focus on place rather than on sectors"); Mark D. Partridge & Dan S. Rickman, *Persistent Pockets of Extreme American Poverty: People or Place Based?*, at 18 (Rural Poverty Research Ctr., Working Paper No. 05-02, 2005), *available at* http://www.rprconline.org/WorkingPapers/WP0502.pdf (last visited 06/15/08) ("[P]lace-based economic development policies should be considered as another poverty-fighting tool in conjunction with person-based policies in the most challenging regions.").

93. *See, e.g.*, ORG. FOR ECON. CO-OPERATION & DEV., CASE STUDY: PLACE-BASED POLICIES FOR RURAL DEVELOPMENT: THE MICRO-REGIONS STRATEGY, MEXICO 5 (2003), *available at* http://www.oecd.org/dataoecd/62/7/34857346.pdf (last visited 06/15/08) ("The work that the [Organisation for Economic Co-operation and Development] Rural Working Party has carried out in the last years has converged towards the acceptance that traditional top-down approaches and sectoral subsidies to rural areas have not given the expected results and that there is a need for place-based policies which can capture the diversity of rural areas and respond timely to their new challenges."); UNITED NATIONS ECON. COMM'N FOR EUR., THE WYE GROUP HANDBOOK: RURAL HOUSEHOLDS' LIVELIHOOD AND WELL-BEING 19 (2005), *available at* http://www.unece.org/stats/rural/chapterII.pdf (last visited 06/15/08) (stating that the objectives for rural policies should include "[s]hifting from a sectoral to a place-based approach").

six to seven percent of the rural population live or work on farms.[94] Accordingly, on an international level, an agricultural assumption will generally be true but may not be correct in a specific instance, and in the United States, an agricultural assumption will generally be incorrect, although it could be true in a specific instance.

### *F. The Challenges of Rural Diversity*

The difficulties in overcoming accepted stereotypes in the area of ruralism are compounded by geographic differences in rural configurations, and rural areas can vary dramatically even within the same country. Within the United States, for example, rural areas range from the hilly green landscapes of rural New England, to the flat golden rural Great Plains, to the arid rural Southwest desert. Yet despite their differences, attentiveness to rural areas can be enhanced in some very straightforward ways.

In addition to differences with respect to their reliance on agriculture, rural areas vary widely as a general matter, and thus any generalized assumptions risk inaccuracy. The only unifying factor for rural areas is the fact that they happen to satisfy a particular, usually population-based, definition—but *everything* outside that definition has the potential to

94. *See* Univ. of New Hampshire-Carsey Institute, *Changing Rural Demographics*, *available at* http://www.carseyinstitute.unh.edu/johnson_interview.html (last visited 06/18/08) ("[O]nly 6.5 percent of the nonmetropolitan labor force is engaged in farming.");

differ. Viewed through an international lens, rural areas include all types of geographic topographies, and include all races, all religions, all socioeconomic groups, and all ages. Rural areas include those with all types of disabilities and all types of jobs. Some rural areas are within reasonable proximity to urban centers; other rural areas are geographically remote. Some rural areas have rich, fertile soil, others are agriculturally useless. Some rural areas have adequate water resources, others do not.

These great variances among rural areas and rural residents illustrate the danger both of rural assumptions and of programs that are not tailored to the intended rural recipients. Rural poverty is an issue much too important to leave to inaccurate assumptions which, in turn, can lead to inadequate or wasteful—and unsuccessful—policies and programs.

## CONCLUSION

Rural poverty is an issue of long duration that has resisted decades of eradication efforts even within the United States. On a global scale, the task is many times more difficult in magnitude. Attempts to ameliorate rural poverty have been complicated by the diversity of rural landscapes and rural residents, by rural discrimination, and by policies based on erroneous assumptions and generalizations. Poverty is devastating no matter its location, but on a worldwide basis, the most extreme poverty is

*see also* Porter, *supra* note 69, at 978 ("It is a myth that most rural Americans are

found in geographically remote areas. Unfortunately, it is the remoteness of the area, rather than its specific geographical topography, to which rural poverty is tied.

Developing solutions to rural poverty is particularly challenging for two primary reasons: the lack of homogeneity across rural areas and discrimination against rural areas. In developing policies and programs to combat rural poverty, the temptation is to strive for an overarching plan—*one* plan applied consistently across all rural areas. However, rural poverty lacks those unifying characteristics that would permit the application of a single program on a worldwide basis, or in the case of the United States, even on a nationwide basis. The lack of homogeneity across rural areas guarantees that a one-size-fits-all approach to rural poverty will necessarily fail. Accordingly, lawmakers and policymakers must look more specifically at the geographical areas to be served by rural poverty policies and programs to ensure that such policies and programs are not based on inaccurate or inadequate foundations and assumptions. To lawmakers and policymakers, who tend to seek generalities and commonality in developing laws, policies, and programs, a geography-specific approach to rural poverty sounds both counterintuitive and unfair. Geography-specific approaches, by definition, do not have general applicability but instead turn

farmers.").

on location. Although lawmakers regularly tuck geography-specific provisions into bills, the notion of granting benefits to some places and not to others is often condemned as unfair favoritism.

In addition, in at least some instances, rural discrimination comes into play, whether intentional or inadvertent. The lack of unfettered resources means that government funding is always a matter of setting priorities, and rural poverty, even severe rural poverty, is not always seen as a priority. To be sure, governments have the power to abandon any attempts at ameliorating rural poverty. But to the extent that governments or other entities undertake to address rural poverty, their attempts will continue to fail until the realities of lack of rural homogeneity and rural discrimination are acknowledged and taken into account in creating programs and policies.