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UNIVERSITY OF CALIFORNIA
RIVERSIDE

Justifying Development Aid: Communicative Freedom and Capabilities

A Dissertation submitted in partial satisfaction
of the requirements for the degree of

Doctor of Philosophy

in

Political Science

by

Kendralyn H. Webber

June 2018

Dissertation Committee:

Dr. Georgia Warnke, Chairperson
Dr. John Medearis
Dr. Marissa Brookes

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2018

The Dissertation of Kendralyn H. Webber is approved:

Committee Chairperson

University of California, Riverside

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DEDICATION

This dissertation is dedicated to Oumou and all of the women out there whose stories have yet to be told, whose voices have yet to be heard.

ABSTRACT OF THE DISSERTATION

Justifying Development Aid: Communicative Freedom and Capabilities

by

Kendralyn H. Webber

Doctor of Philosophy, Graduate Program in Political Science
University of California, Riverside, June 2018
Dr. Georgia Warnke, Chairperson

Development policy and practice is often criticized for being both ineffective and unethical. This dissertation focuses on the latter. Given that so many atrocities were committed in the past in the name of “developing” poor countries and people, how can we justify development aid today? What sort of normative principles should underline development policy and practice to avoid ethnocentrism and to preserve local culture and self-determination? I argue that the capabilities approach (as articulated by Amartya Sen (1992, 1999) and Martha Nussbaum (1999, 2000, 2011)), supplemented by communicative freedom (developed by Jürgen Habermas (1990) and Seyla Benhabib (2011)), is the answer. Together, the capabilities approach and communicative freedom form an iterative process and work to reinforce one another. Communicative freedom (*voice*) is a set of ideal deliberative procedures for legitimizing development agendas, policy, and practice. The capabilities approach (*capabilities*), alternatively, give a pragmatic account of what material and non-material resources individuals need to exercise *voice*. Throughout this dissertation, I draw upon the experiences of people and development organizations in West and East Africa to make my case.

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CHAPTER 1

Thomas McCarthy and the Inevitability of Modernization: A Response to Post-development

Introduction

Development aid has received criticism from several ends and actors of the international stage, from academics, aid workers in the field, and governmental officials. These criticisms can be categorized into two broad concerns—one that questions the ethical or moral justification for intervening in “changing” or “developing” another society at all and the other that assumes ethical legitimacy but questions the efficacy of international development activities. I wish to take up the first question in this dissertation and argue for the continued importance of development aid. However, I will also argue that while some kinds of aid are acceptable, others are not.

Scholars of the “post-development” school have repudiated “western” intervention or assistance all together, citing the horrors and mishaps related to colonization and the perpetuation of ethnocentric policies and ideas. Some have even argued that the term “development” used in so many academic and non-academic discourses (whether human or international “development”) implies that those of poorer nations require “developing” or are not fully human until they progress economically (see Escobar 1995, Esteva 1992, or McCloskey 1987). Or more simply, this term implies that the “developers” are superior and those whom they are assisting or prescribing for are “inferior.” It is important then to be clear about what “development” or “aid” means and what its goals are. The kind of development I am concerned with and advocate for is not

monolithic in economic terms—quality of life cannot be measured with simple indicators such as GDP per capita or life expectancy. Instead, what sort of life chances or options does an individual have? And how much power, autonomy, or expressive capacities does one’s voice have? These requisites for social justice then lead to further questions about what kind of role the “west” can and should tangibly play in helping to ensure them.

The structure of the chapter is as follows: first I will review the history of development ideologies in conversation with Thomas McCarthy, then I will survey post-development’s response and rejection of modernism. Finally in the third section, I respond to the concerns of both post-development and McCarthy by arguing for a modified capabilities approach. The third, and final section suggests that assistance from economically advantaged societies is justifiable and indeed morally imperative as long as governments, intergovernmental organizations, and non-profit organizations base their assistance on developing capabilities and communicative freedom.

Development Theories

Thomas McCarthy’s *Race, Empire, and the Idea of Human Development* (2009) provides a comprehensive review and disaggregation of various developmental theories spanning from Kant to modern political theorists. Although developmental theories are inter-related and support one another’s ideology, we can broadly separate these thinkers as 1) those that promote ideas of racism and biological inferiority, 2) those that promote economic exploitation and assimilation of indigenous peoples, and 3) those that advocate modernization, where economic development is desirable and universal and underdevelopment is understood as insufficient and not fully “human.”

Race

Categorizing and purporting human racial hierarchies is ubiquitous throughout history—Aristotle himself argued for the enslavement of various “inferior” or non-Greek human groups who according to him, lacked the capacity for rationality. However, McCarthy starts with Immanuel Kant in his synopsis of racial philosophical ideologies, arguing that Kant’s ideas comprised some of the most significant underpinnings of ethnocentrism, and more specifically, Eurocentrism as we understand it today (McCarthy 2009, 58). Kant promoted the unification of nation states into one legal-political entity, a kingdom of the highest good that would be possible only if political unification were matched with a moral unification of mankind as well. Relatedly, Kant distinguished between those human populations that had advanced in morality and political institutions and those that had not—arguing that the advanced should become responsible for transforming the “underdeveloped.” Documenting differences between races and genders in his course manual, *Anthropology from a Pragmatic Point of View* (1798), he distinguished four races: red, black, yellow, and white who despite differences in their skin color were nevertheless, he argued, all variants of the human race rather than different species altogether. Behavioral or cultural differences among the races according to Kant, could be explained by region, climate, and geographical differences of origin. Blacks were unmotivated and had developed few skills or cognitive capacities due to the harsh and difficult climate from which they originated. Asians had little spirit and drive, while Native Americans were physically weak and resistant to “culture.” Alternatively, whites’ temperate climate led them to develop into industrious, motivated, and “cultured”

humans (Kant 1777). The best way then to improve the other non-white races and raise them to the level of whites was by purifying such individuals with Christianity. McCarthy writes, “So here too, it seems, as with progress in law and politics, art and science, European developments will set the pace and provide the models for the rest of the world (McCarthy 2009, 56).”

Social Darwinism, which proposes that biological, mental, regional, or genetic differences between individuals result in superior and inferior humans, emerged in the late nineteenth century and was used extensively to justify and rationalize subjugating populations considered “non-white” or not originating from Western Europe. Many ideologies that stem from Social Darwinism advocate for an “improving” or “perfecting” of the human race. Darwin’s *On the Origins of Species* (1859) supported rationality in racism. It allegedly “proved” that humans are the consequence of nature’s unyielding challenges to humanity’s behavior, mental, and physical traits; those that win the game of survival are the most “fit” humans and the most desirable. McCarthy points out that evolutionary thinking began to permeate American intellectuals and public discourse by the end of the nineteenth century (McCarthy 2009, 74). For instance, Joseph Le Conte declared in *The Race Problem in the South* (1892) that Darwin’s revelations revolutionized the way Americans could understand the “negro problem” in southern states. For Le Conte, inferior races required subordination—slavery was ideal; however Negroes had evolved sufficiently to re-establish a new contract, but one that still consisted of dependence on the “white man”. Accordingly, blacks should not be allowed to vote or hold political office. While scientific racism lost its academic credibility in the 1920s, with developments in

genetics and finally the rise and related condemnation of Nazism, many sociologists and anthropologists emphasized a hierarchy of mankind based upon culture rather than biological traits (McCarthy 2009, 87). Racial ideologies were thus not eliminated but supplanted by ideas of cultural inferiority instead. McCarthy writes, “Extreme residential segregation, failed schools, dire poverty, chronic unemployment, and the breakdown of the black family are thereby regarded as effects of irresponsible behavior rather than as its causes or as both its causes and effects (87).”

Empire

The second and third categories of developmental thinking were more economically motivated than the first, but were still complimentary to and reinforced by the racist ideologies that divided humans in chiefly biological terms. Social Darwinism served to rationalize oppression and exploitation while Neoimperialism and Neocolonialism sought wealth, power and influence by extracting resources and exploiting indigenous populations for cheap or even unpaid labor. Such political systems of exploitation, whether direct (French) or indirect (British) required most importantly the assimilation of local populations and the destruction of traditional power and social structures to various extents (Crowder 1964). Local, somewhat democratically elected village chiefs were replaced with new ones who would be loyal to the colonizer first and foremost. Education systems in Francophone areas sought to “make” French citizens, teaching French only in local schools and delegitimizing local tribal languages. The French language bias continues today, as West Africans can rarely maintain formal jobs with high wages without being fluent in French. If not entirely motivated by ideology,

assimilation of local people served colonists and imperialists by fostering skills and behavioral norms conducive to “doing business” in Africa.

McCarthy notes that liberal theory, not devoid of sociocultural development norms, informed much of the Eurocentric policies that guided Europe and later the United States in dealing with “indigenous peoples” around the world. John Locke served as an apologist for English colonization during the 17th century, arguing that Africans and North Americans were still in the “state of nature,” failing to achieve the same levels of rationality or productivity their European counterparts had. For Locke, the indigenous population obstructed Europeans’ right to pursue their own interests and prosper.¹ It is also likely not coincidental that John Locke was an original shareholder of the mercantile, Royal African Company, which held a monopoly over West Africa and profited considerably from the gold mining and the slave trade. Likewise Mill contributed to the delusions of colonialism and imperialism, rethinking motives of exploitation and gain as motives related to civilizing and paternalistically managing indigenous populations. For Mill, westernization was necessary for developing indigenous capacities while attachments to local customs served as an impediment and civilizations such as the British empire were best suited to remove them, “...The full development of the capacities of the individual and of the species requires individual freedom, while the great enemy of development is conformity to custom (McCarthy 2009, 127).” The aim for Mill was not to create a unified cosmopolitan state as Kant desired, but simply to maximize general

¹ McCarthy cites a large literature that surveys the relationship between John Locke’s

well-being for all humans—“developing” indigenous groups was the only way to improve their quality of life.

When the United States undertook mercantilist foreign policies in the late 19th century to increase material wealth, the idea that inferior races must submit to superior races served to justify its actions. As articulated in Rudyard Kipling’s *The White Man’s Burden* (1899), Anglo-Saxon interests and international intervention, whether in the form of colonization or in the form of imperialism, were said to be for the benefit of local indigenous populations as well. The “West” would contribute to human progress, culturally and biologically improving those with whom they came in contact. Stemming from Darwin’s idea that racial characteristics were the outcome of natural selection, the Anglo-Saxon “race” was undoubtedly the most well suited and naturally gifted.

McCarthy points out for example that during America’s increased interest in power and influence abroad during the late 1800s, social Darwinism complimented and reinforced the U.S’s supposed right to establish liberal political institutions in parts of Asia and Latin America even if it required military force and political subjugation of local peoples. He writes “This imperialist variation on the familiar theme of manifest destiny received a powerful and influential articulation in social Darwinist terms, which provided not only a readily comprehended interpretation of international affairs but also a persuasive justification of America’s role in them (McCarthy 2009, 81).” The Spanish American War in 1898 was justified on such grounds along with the assimilation of people in the Philippines, Cuba, Puerto Rico etc. What is important to McCarthy, is that various versions of social Darwinism and cultural racism sought to “naturalize” and “justify”

power relations —the United States during the post-reconstruction era is only a portion of a much longer narrative concerning development thinking and white supremacy (81).

Human Development

Although decolonization and independence of the many “under-developed” countries was completed by the mid twentieth century, variants of developmental ideologies and policies persisted. As the U.S. emerged as an economic and political hegemon after World War II, it replaced Europe in the effort to reshape other nations abroad. McCarthy cites Louis Hartz’s view in describing America’s self-consciousness at the time, “America’s evangelical impulse to spread freedom, democracy, and economic opportunity it enjoyed to other societies ran the constant risk of transmuting into an imperialist messianism blinded by the certainty of its own righteousness (193).”

Improvement of material conditions coupled with “appropriate” political institutions, and America’s “goodwill” in nation building along these lines continues to permeate academic scholars and foreign policy today, McCarthy argues.

Modernization theory began to dominate American foreign policy in the 1960s. Development became a universal standard for all societies—this type of “development” employed ideals that consisted of industrialization, urbanism, secularization, capitalism, the free-market, and democratization. Rostow’s seminal book *The Stages of Economic Development* (1960) provided developing countries and U.S. foreign policy makers with a manual for achieving such modern ideals. A dichotomy at this time was created—countries were developed or underdeveloped and accordingly, modern or traditional. To become modern was the universal ideal and to be modern was to look like “America.”

Development economists became superior experts, dominating institutions such as the World Bank or USAID (McCarthy 2009, 196). They could quantify modernization with measurements of economic and social progress such as GNP per capita or the Human Freedom index. Foreign investment, technology transferring and sharing, free trade, and related Keynesian economic policies were suggested in addition to cultural-societal prescriptions such as mass education and popular sovereignty.

Modernization theory eventually lost credibility, seen as a global attempt to implement “new deal” liberal principles. When these principles failed in the U.S. with the “war on poverty”, Watergate scandal, race and political riots, Vietnam protests etc., modernization theory also seemed less tenable (206). It seemed that the United States had acted to nation-build abroad, only to cover up its real pursuit for power and economic exploitation. Others such as Milton Friedman and Friedrich von Hayek argued that state-led development simply didn’t work as proven by the breakdown of Bretton Woods and the 1973 oil crisis. In response, the Washington Consensus emerged as a new form of developmental thinking in the late 1980s, emphasizing austerity, deregulation, and trade liberalization. Many underdeveloped countries had already accrued insurmountable amounts of debt since independence. The IMF and World Bank agreed to provide assistance and debt relief in return for implementing political and economic policies based upon the Washington Consensus. Underdeveloped countries were forced to liberalize trade, privatize state owned industries, cut government spending, and take other measures to promote economic growth. Many argue that such so called “structural

adjustment plans”, called “slimming down plans” by local populations, caused more economic devolution and stagnation than growth.²

The lesson is that development thinking persists. Indeed, what is key for McCarthy is that this recent shift from Keynesian to neoliberal economics was led by political elites, world leaders, and ideological networks who had political agendas in mind and the means to pursue them. Ideology often informs policy; George W. Bush’s attempt to “democratize” Iraq for the sake of “peace and security” and the emerging “war on terrorism” are examples. There continues to be a dichotomy—“us” and “them” and a need to “westernize” or encourage the development of a group of people. For McCarthy, the National Security Strategy of 2002, the invasion of Iraq in 2003, and Bush’s second inaugural address show that American exceptionalism continues to inform U.S. foreign policy, “The best way to protect America’s interest is to promote American values (McCarthy 2009, 216).” Given the persistence of various forms of race and empire McCarthy cites Paul Berman’s “decolonization of the mind”, sympathizing with his rejection of development thinking altogether. At the same time, he asks where doing so leaves us.

Post Development Theory

At the root of the paternalism of the international agencies dealing with the Third World lies a terrifying ethnocentrism. If we pursued a true and genuine internationalism, or universalism, it would be

² See for instance Joseph Stiglitz, *Globalization and Its Discontents* (New York: W.W. Norton, 2002)

necessary to invite ‘experts’ from the last remaining ‘primitive’ regions of the world to draw up a list of the deficiencies from which we, the people of the *developed* countries, suffer—loneliness, depression, stress, neuroses, insecurity, violence, and so on.

-Serge Latouche, *The Development Dictionary* 1992

Rebuttals to development ideologies emerged first in the 1980s, continuing its momentum into the 1990s. While some scholars explore the malpractices or inefficiencies associated with development policies, post-development scholars reject the very premise of such ideologies, advocating for an alternative to modernization—examples of this line of argument can be found in Wolfgang Sachs’ (1992) *The Development Dictionary*, Jonathan Crush’s (1995) *Power of Development*, and Arturo Escobar’s (1995) *Encountering Development*. While they make several different arguments, all lead to the rejection of the idea of “development” or “progress” whether materially, cultural, politically, or morally. Specific post-development critiques include: a rejection of traditional economics and the idea of “scarcity” together with notions that “more is better”, skepticism that a global middleclass is achievable, discourse analysis of development vernacular as a form of power, and the denouncing of “development” as an ideology or end altogether. Development is an ambiguous word for these writers, meaning various different things, but most importantly it is a “mindset” which needs to be rejected and abandoned. Crush writes, “Let us get serious and have enough moral courage first to challenge our own elitism and vested interests. Let us free ourselves from the trappings of Westernized development fetishism;

let us unlearn the Western values and development thinking which have infested our minds. However, unlearning is not complete without relearning....All of this, of course, requires that we consciously deconstruct our colonial mindset (Crush 1995, 277).”

Moreover, Wolfgang Sachs describes development as a, “...perception which models reality, a myth which comforts societies, and a fantasy which unleashes passions (Sachs 1992, xvi).”

The origins of this offensive “development mindset” can be traced back to two moments in history—the Scientific Revolution, beginning with Francis Bacon in the sixteenth century, and the end of WWII, specifically Harry Truman’s inaugural speech of 1949. Vandana Shiva argues that Bacon was not only the founder of modern science, but relatedly, the founder of the “western man” who embodied patriarchy and masculinity—signifying the end of God’s will for man and the beginning of man’s subjugation of women as well as nature (Shiva 1997, 162). The ability to manipulate reproduction with science complimented capitalism’s mandate to exploit resources in the name of “growth” and “progress.” Shiva writes, “This view of science as a social and political project of modern Western man is emerging from the responses of those who are defined into nature and made passive and powerless: Mother Earth, women, and colonized cultures (164).” For Shiva, science has and continues to be inaccessible, excluded from any criticism, and continues to promote the interests of the “Western man”.

For Sachs the “development” era began with Truman’s declaration that the “south” was an “underdeveloped” area, needing reform and “improvement.” This proclamation was more than a label; it promoted and justified U.S. hegemony providing

“the cognitive base for both arrogant interventionism from the north and pathetic self-pity in the south (Sachs 1992, xvi).” Truman declared this hierarchy and world order for the purpose of creating measures placing the United State on top. As such, Sachs declares this discourse and categorizing of societies is exactly what needs to be rejected and transcended.

It is peculiar that post-development does not cite imperialism and colonialism in the 18th through 20th century as important historical eras. In fact, Nederveen Pieterse (2000) criticizes post-development for this, arguing that post-development scholars misunderstand and misrepresent the history of “development.” Grischow and McKnight (2003) point to evidence that Europeans understood their colonization of Africa, India, and other parts of the world as a comprehensive form of development intended to spread capitalism, create social order, “civilize” indigenous people, and extend their control over the extraction of resources. They further argue that post-development scholarship’s promotion of “local knowledge” and “community” based development, unintentionally perpetuates a similar colonial method of trusteeship and exploitation of tribal structures to exert control and influence. Thus, it appears that post-development cannot escape the very historical tradition apart from which it attempts to set itself. This is one important reason to reconsider and re-conceptualize the alternatives and prescriptions that emerge from post-development, as I will attempt to do later.

Several post-development scholars employ Michel Foucault’s discourse analysis as a method, arguing that the way that we talk about “development” reflects power relations and dynamics (Escobar 1995) (Sachs 1992) (Brigg 2002) (Esteva 1985, 1987) (Rahnema

1997). Arturo Escobar, the most widely known for using discourse analysis, argues that after 1945 development became a space for systems of relations, concepts, theories, and strategies. Both the content and authors of these “systems” are important; those who could author the discourse, set the rules, and had the expertise or authority to contribute to the conversations created systems of knowledge and relations that were beneficial to them. Escobar cites the wealthy nations, the United Nations, university and research centers in developed nations, the International Monetary Fund, and the World Bank as examples of these authors. Discourse, as written by members of these societies and institutions, directed and determined the social reality of people in the “global south.” Escobar writes, “Development was—and continues to be for the most part—a top-down, ethnocentric and technocratic approach, which treated people and cultures as abstract concepts, statistical figures to be moved up and down in the charts of ‘progress’ (Escobar 1995, 44).” For Escobar, the separation between the “reformers” and those “needing reform” is a way by which affluent countries exert their power and influence over other people. However, it is not the material inequities that emerged from such power dynamics that he is concerned with, but the power dynamic itself: those who are “underdeveloped” are excluded from conversations and lack agency to define goals for themselves.

Not only do post-development thinkers see development as a mechanism for oppression and economic exploitation, but they also criticize development thinking’s normative claims about the desirability of high standards of living. Vandana Shiva writes,

“Culturally perceived poverty need not be real material poverty: subsistence economies which serve basic needs through self-provisioning are not poor in the sense of being deprived. Yet the ideology of development declares them so because they don't participate overwhelmingly in the market economy, and do not consume commodities provided for and distributed through the market (Shiva 1988, 10).” For her, the normative understanding of quality of life promoted by development experts and advocates is naïve and most likely the result of western economic interests rather than goodwill. Likewise, according to Gustavo Esteva, “The ‘law of scarcity’ was construed by economists to denote the technical assumption that man’s wants are great, not to say infinite, whereas his means are limited though improvable (Esteva 1992, 16).” For these thinkers, asking if global poverty is solvable is the wrong question to ask. Instead, we should ask if the “needs”, “problems”, and “solutions” we have defined for human well-being are the *right* ones in the first place. Esteva argues that development thinking in the twentieth century defined these incorrectly—scarcity is a myth; the “market system” is untenable and undesirable.

Post-development thinking is not without its critics. Kiely (1999) claims that post-development overly romanticizes pre-modern times, while similarly Corbridge (1998) points out there are too many positive effects stemming from modernization such as medicine, making it immoral to reject modernity entirely. Cowen and Shenton (1996) contend that post-development writers turn out to be just as authoritarian as the development practitioners they are criticizing because they themselves attempt to prescribe how people ought to live. In contrast, Nederveen Pieterse (2000), Nustad (2001),

and Brigg (2002) admit that the post-development literature is deficient in a variety of ways but defend its usefulness nevertheless, citing discourse analysis insights as its greatest contribution. They argue that by employing Foucault's methods, post-development has illuminated the nexus between knowledge, power, and development, causing us to rethink the role that power plays in development practices. As such, post-development has compelled us to reevaluate the "development" apparatus, that apparatus comprising the organization of people who decide what the goals of development are and how to achieve them.

The ambiguity of the post-development genre's policy prescriptions going forward, however, has also opened it to further criticism. Jan Nederveen Pieterse (2000) sympathizes with the critiques post-development scholarship offers, but she thinks labeling it in terms of "alternatives to development" is a misnomer because no such alternatives are offered (Pieterse 2000, 188). Escobar (1995) states that post-development thinkers advocate not for "development alternatives" but something entirely different, or something that transcends development. It is not quite clear exactly what this is, however, as he simply emphasizes the need for a renewed interest in local culture and knowledge, a promotion of local, pluralistic, and grassroots movements, and finally, skepticism of already existing scientific discourse. Esteva (2014) similarly argues for communitarian-like approach, a form of social organization he calls the "commons" which would be horizontal, grassroots based, without a state, without formal leadership, and void of the market, consumerism, or "privatized" resources/commodities.

At the closing of *The Post-Development Reader* (1997), Majid Rahnema offers several prescriptions for achieving a “post-development” world, arguing that a new “paradigm” and new “language” is imperative. However, Rahnema acknowledges that a return to “pre-development” circumstances in the global “south” is not desirable either. A post-development era would still be concerned with improving material circumstances, “They [those who have been “developed”] want change that could help people to enhance their inborn and cultural capacities: change that would enable them to blossom ‘like a flower from the bud’...that could leave them free to change the rules and the contents of change, according to their own culturally defined ethics and aspirations (384).” Rahnema clearly believes that certain people currently *lack* but *ought* to have agency and participation in development and social change discourses. However, Rahnema, like other post-development writers, gives us little to no instructions on how to empower, change discourses, and alter paradigms. What is important is that post-development seems to be asking for improvements in living condition, so long as there is no imposing of the “market system”, capitalism, and western culture, norms, and values.

Thomas McCarthy and the Inevitability of Modernization

Thomas McCarthy advocates for a pathway to development that considers such pasts but understands development assistance as a necessary means to modernization.

A critical theory of development has to remain aware of the horrors historically perpetrated in the name of human development and to struggle consciously against the ambiguities and dangers inherent in

developmental modes of thought. At the same time, it cannot deny the evident advance of human learning in numerous domains and the enhancement of our capacity to cope with a variety of problems. For both internal and external reasons, there can be no “going home again,” no return to authentic pasts (McCarthy 2009, 233)

For McCarthy, the “west” can and should still play a role in development; it is still possible for such actors to provide resources and prescriptions necessary for modernization and economic growth while respecting cultural differences and indigenous society’s autonomy. It is important to note that to McCarthy uses “modernization” in a broad and all-encompassing way—meaning the transformation of both material and social life.

After the horrors of the twentieth century, the most keenly felt deficiency of modern progress may well be the evident gap between massive advances in the available means of power—technological, economic, political, military—and the failure to develop effective normative structures—moral, legal, political—to contain and direct those powers onto paths of peace and justice (149)

European imperialism, American exceptionalism, neo-conservatism, and other similar ideologies have implied that modernizing means becoming “western” economically,

socially, and politically (201). McCarthy admits that the developed world's attempts to prescribe have often disqualified local expertise and stripped societies of their agency and voice (189). However, he argues that "varieties of modernization" are feasible and that racist or ethnocentrism can be avoided if development "thinking" is pursued with the following guidelines. First, we must acknowledge that modernization is inevitable but also that multiple modernities (that vary from the "American" model) are possible and should be fostered via local level deliberation, criticism, and debate (222). Second, we must recognize that theories of development are not value free. It is dangerous to consider these theoretical frameworks as scientifically objective as that is exactly what closes us off from the reflective judgment or criticism necessary to avoid ethnocentric tendencies (224). Third, McCarthy points to the necessity of including more non-western voices into professional and academic discourses to increase understanding and representation in interpretations of the past and prescriptions for the future (225). Because modernization has been a brutal and horrific process, this understanding ought to also guide the ways in which wealthier nations can repair the harms done to poorer countries in the past. Finally, wealthier nations need to help "level the playing field" for developing countries and address tangible issues such as trade barriers, wealth inequality, and environmental degradation (228).

McCarthy imagines a global discourse to manifest itself in institutions of democracy, characterized by accountability, representation, and participation. Cultures or societies, whether they are part of economically developed or underdeveloped parts of the world, will participate in these forums and make epistemic and evaluative claims.

McCarthy suggests that this discourse will help us transcend the “western” notion of modernization and produce alternatives and locally based particularities. However, he appears to be limited or apprehensive in his own conviction that this global discourse is possible, stating only that it is “not unreasonable to hope for the advent of a cosmopolitan world order (165).” Such an order, he thinks is “unlikely to emerge as a fortuitous side effect of the self-interested actions of global economic, political, and military actors (165).” Hence, he urges us to continue to pursue it as a “moral-political goal” and consider it as a “possible future”, one that we “can and should try to bring about (165).”

Yet, McCarthy leaves us wondering *how exactly* we may encourage a global discourse. What policies should economically advantaged and even economically disadvantaged countries pursue to achieve this? He claims that institutional policies will have to transform in response to this “...if norms of global justice are to be accepted as legitimate on all sides, they will have to accommodate global cultural diversity, and that will require leaving institutional space for the reasonable divergences in interpretation and application to be expected (187).” Nevertheless, it is unclear exactly how to create that institutional space.

I argue that the capabilities approach and communicative freedom can provide us with a much more specific answer on how to proceed.³ The capabilities approach, first

³ The “capabilities approach” was first articulated by Amartya Sen, but has been modified and expanded upon by scholars such as Martha Nussbaum. When using the term, “capabilities approach” I am referring to the literature as a whole. When using the phrase “communicative freedom” I use this to represent an umbrella of similar arguments made mostly by Jurgen Habermas and Seyla Benhabib.

articulated by Amartya Sen (1992, 1999, 2005) and later modified by Martha Nussbaum (1999,2000,2003,2011), defines the goal of development to be a maximizing of an individual's capabilities and functionings. This means that an individual will have the resources, means, and opportunity to pursue what they value, whether it is education, career, monetary success, happiness, health or the like. Alternatively, the claims of communicative freedom, advanced by theorists such as Jürgen Habermas (1990) and Seyla Benhabib (2011), argue for a set of ideal deliberative procedures for justifying the normative frameworks that inform policy. Like the capabilities approach, this literature attempts to avoid defining a "good life" Instead, all those affected by a particular norm or policy are autonomous, free to raise claims and challenges and able to participate equally in their adjudication. These discourses are characterized by equal respect, reciprocity, and a reason-giving requirement. Communicative theorists use guidelines such as "I can not deny you what I would deny myself" and everyone has a "right to have rights." In the following chapters I will refer to communicative freedom as *voice*, a person's *voice* is determined by their ability to participate in institutions outlined by communicative freedom as well as their access to such spaces.

In this dissertation, I will argue that *voice* cannot be fully realized without, at the same time, enhancing *capabilities*. Chapter 2 and 3 will explore communicative freedom and the capabilities approach further and the reasons why they are insufficient on their own. Finally, Chapter 4 will reveal the ways that *voice* and *capabilities* can and should guide "western assistance" in economically disadvantaged areas of the world.

Conclusion

This chapter has surveyed various arguments that support and reject modernity and economic development. Ideas of “development” have been coupled with and reinforced racism, ethnocentrism, and exploitation of humans and resources. For this reason, a literature emerged in the late part of the twentieth century which called for a rejection and abandonment of developmental thinking and policies. For post-development theorists, the only way to eliminate racist ideologies is by also eliminating the idea of “development.” Alternatively, McCarthy contends that modernity is inevitable and also compatible with cultural diversity, citing that “multiple modernities” have already emerged and may continue to. McCarthy recommends that a Kantian cosmopolitan/Habermasian discourse is the best way to proceed. However, he is vague in his policy prescriptions. Alternatively, I have argued that this global discourse must also be complimented by a *capabilities* approach. In addition, these ideals should guide development assistance in the future.

CHAPTER 2

Communicative Freedom: Legitimizing Development with Discourse

Introduction

If we aim to support development without imperialism, colonialism, and marginalization as Thomas McCarthy suggests we ought, how might we do so? I argue that communicative freedom is part of the answer. Communicative freedom (*voice*) establishes a set idealized procedures and conditions for coming to legitimate decisions in regards to social and political arrangements. My argument is that development policy and practice needs to adhere to these procedures and conditions as well: people in the developing world should participate under conditions of communicative freedom in setting the development agenda, designing policies to realize that agenda, and implementing and evaluating those policies.

In the first section, I review the theoretical underpinnings of communicative freedom by exploring the work of Jürgen Habermas and Seyla Benhabib. While Habermas in many ways can be considered the “inventor” of communicative freedom, Benhabib furthers the tradition, concerned with how such theoretical prescriptions can be applied to policy and political institutions. I use her more policy-minded version of communicative freedom to show why the application of communicative freedom may require the social goods that the capabilities approach requires. The experiences of Sub-Saharan Africans who live under some of the most severely impoverished and oppressed

conditions in the world provide fruitful evidence for the failures of communicative freedom without the capabilities approach.

Communicative Freedom

Habermas's discourse ethics is aimed at the justification of norms and claims to "rightness". He seeks to reaffirm moral universalism; norms transcend contexts, unlike "values" which are specific to cultures or individuals. At the core of his moral universalism is communicative rationality. In this section, I first review Habermas's "theory of communicative action"—his understanding of the relationship between language, communication and strategic action is important to understanding discourse ethics and generally, its application to the political sphere. Second, I discuss the "ideal speech situation" which describes idealized conditions for reaching a legitimate consensus. I explore Habermas's theory of discourse ethics and the principles of reciprocity, equality, inclusiveness, and rationality that follow. Finally, I consider Benhabib's contributions to communicative freedom in more practical forms, specifically her theory of "democratic iterations." Taken together, Habermas and Benhabib give us an idea of what it broadly means to have real *voice*.

Theory of communicative action (TCA)

Habermas's "*Theory of Communicative Action*" (TCA) (1987) is the theoretical groundwork for his later work on discourse ethics. TCA was motivated by Habermas's desire to subvert relativism in the face of postmodernism and, instead, defend moral universalism. TCA maintains that language is the medium by which truth, meaning, and rightness are established. According to Habermas, every time a speaker and a hearer

engage in any sort of communication, via the medium of language, distinct types of validity claims are raised. TCA is based upon the earlier work of “speech act” theorists, John Searle and J.L. Austin. Speech act theorists view communication as pragmatic—we use it to coordinate actions or change things in the world through speech acts. According to Habermas, when participants engage in communicative action they raise three types of validity claims—claims to rightness, sincerity, and truthfulness (305-308). For instance, if Becky and John agree to meet for lunch tomorrow at noon at a particular restaurant, the speaker and hearer have implicitly agreed to three things. 1) Rightness—that it is appropriate, in terms of what a society or culture considers acceptable behavior, for them to meet in public for lunch. 2) Sincerity—that they will believe each other will, in fact, fulfill their promise and arrive at noon. 3) Truth—that the restaurant exists, is open, and available to have lunch at. Moreover, communicative action takes place against the background of what Habermas refers to as the “lifeworld;” those background conditions that are not explicitly thematized in a given speech act exchange.

Habermas describes communicative action as voluntary rather than coerced where the speaker is prepared to justify or warrant their claim by being able to reference reasons or evidence that the hearer would also accept as support for the claim.

Agreement can indeed be objectively obtained by force; but what comes to pass manifestly through outside influence or the use of violence cannot count subjectively as agreement. Agreement rests on common convictions. The speech act of one person succeeds only if the

other accepts the offer contained in it by taking (however implicitly) a “yes” and “no” position on a validity claim that is in principle criticizable (287).

Thus, communicative action is free and equal where participants enter conversations and arguments with intentions of coming to an understanding. Claims to truth and rightness are justified discursively through reasons accessible to all. Other sorts of justifications—claims about aesthetic value and so on—have more localized scope.

The opposite of communicative action is what Habermas calls “strategic action.” Strategic action occurs when at least one participant uses a speech act to impose on, manipulate, or coerce another participant. He writes, “in strategic action one actor seeks to influence the behavior of another by means of the threat of sanctions or the prospect of gratification in order to cause the interaction to continue as the first actor desires (Habermas 1990, 58).” In contrast, communicative action is aimed at mutual understanding and consensus. Habermas explains that, “...in communicative action one actor seeks rationally to motivate another by relying on the illocutionary binding/bonding effect (*Bindungseffekt*) of the offer contained in his speech (58).”

With regard to norms, Habermas’s theory of communicative actions establishes a discourse ethics. Habermas writes, “The agent makes the claim that his behavior is right in relation to a normative context recognized as legitimate (15).” Norms can be tested and challenged; the presenter must be prepared to provide justifications if the hearer asks for such. Moral norms then are intersubjective and rational in that they require good

reasons. Hence, Habermas criticizes Kant, arguing that norms cannot be justified from a monological perspective. Habermas writes, “ If we keep in mind the action-coordinating function that normative validity claims play in the communicative practice of everyday life, we see why the problems to be resolved in moral argumentation cannot be handled monologically but require a cooperative effort (Habermas 1990, 66).” Moral argumentation requires submitting normative judgments to others for testing and confirmation on their rational acceptability.

Discourse Ethics

Habermas’s discourse ethics model makes several distinct but connected claims about deliberative processes concerning validity claims to rightness. These principles are underlined by the presuppositions that agents make prior to engaging in discourse and moral argumentation. One’s willingness to engage in the process implies that the agent is willing to partake in communication aimed at mutual understanding. For Habermas, speaker and hearers are oriented in a way that improves their efficacy or ability to really come to an understanding (Habermas 2001, 35). The orientation of speakers and hearers includes a set of pragmatic presuppositions. According to Habermas, the most important of these presuppositions are as follows: publicity and inclusivity (no one should be excluded), equal rights (everyone has to same opportunity to participate in discourse), sincerity (communication lacks illusion and deception), and an absence of coercion (arguments are resolved by the force of the better argument rather than intimidation, etc.) (34). These presuppositions contain strong idealizations but are nevertheless are “by no means constructs. Rather they are actually efficacious in the behavior of the participants

themselves (35).” Speakers and hearers must draw these inferences for moral argumentation to be a “truth seeking procedure.”

Legitimate agreements are arrived at and universalized insofar as argumentation requires reason-giving. The reason-giving condition forces participants to raise validity claims and give reasons for them that they can defend when challenged. Thus, rationality is inherently inter-subjective; something is rational if I am able to give reasons and explanations for my claims to which others can agree. Agreements are the product of the force of the better argument—we must become “collectively convinced” to validate a norm (67). Moreover, the very act of making a normative claim means that such individual is willing to give good reasons; otherwise they would not submit the claim to testing and enter argumentation in the first place.

Discourse ethics involves reciprocity; affected individuals cooperate with each other, testing claims discursively and creating what Habermas calls a “common will (Habermas 1990, 67).” Speakers and hearers are “decentered” in that they “include one another in a world they construct together so as to be able to judge and consensually resolve controversial actions in the same standards of evaluation (Habermas 2001, 32).” Universal egalitarianism must be assumed in order to generate a shared life world from which we can judge actions by the same standards of evaluation (32). Discourse is symmetrical, in that all *affected* adopt the perspectives of *all others*.

Participation must also be free, equal, and uncoerced “...argumentation is designed to make possible not impartiality of judgment but freedom from influence or autonomy in will formation (Habermas 1990 71).” Norms are legitimate only if all parties

have equal rights to participate in discourse for “nothing better prevents others from perspectively distorting one’s own interests than actual participation.”(67) Moral argumentation presupposes that participants are sincere and that discourse is free of deception and illusion; if we are to come develop a “common will” all must be free to submit claims and such claims must be given equal weight or equal consideration.

The ideal speech situation is inclusive; the very fact that a participant is oriented towards mutual understanding requires a pragmatic presupposition that all relevant information and reasons get “put on the table” by all interested participants (Habermas 2001, 35). All members of a society must be able to agree upon any norm that may affect their life in some capacity. This presupposes that each member is worthy of recognition and agency. Habermas’s two “formalized” conditions are as follows:

Principle 1 (U): All affected can accept the consequences and the side effects [that] its [a proposed moral norm's] general observance can be anticipated to have for the satisfaction of everyone's interests (and these consequences are preferred to those of known alternative possibilities for regulation)(Habermas 1990 65)

Principle 2 (D): Only those [moral] norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity as participants in a practical discourse (66)

Discourse ethics is in juxtaposition to strategic action, as discussed earlier. In strategic action, agents see each other as instruments or means to achieving their own egocentric goals. Discourse ethics, on the other hand, calls for an entire break from the

egocentric points of view (6). In the ideal speech situation, speakers are interested in bringing about a “change of heart” in the hearers with the use of good reasons rather than influencing hearers with coercion, force, threats, or bribes. Discourse is “immunized” against forms of repression or inequality and takes seriously anyone with the ability to speak and act (88).

In everyday life, claims to rightness regulate our actions, or in other words, normative validity can be thought of as binding agreement that has an “action-coordinating function”. Speakers and hearers reaffirm those moral norms by acting in ways that honor reciprocal agreements. For instance, we agree to be pulled over by the police officer for speeding and by doing so reaffirm the “rightness” of the officer’s ability to enforce the law. Or we reaffirm the “rightness” of a teacher’s authority in the classroom by listening quietly when they begin lecturing. However, it is important to note that moral discourse as described by Habermas arises only when such normative agreements are disrupted or reconsidered (67). Norms are always open to reconsideration; using reasons, speakers may try to convince hearers to agree to renegotiate a particular norm’s validity— rejecting it, submitting it as a new form of “rightness”, or reinterpreting it. Our collective life, common will, and what *we can all agree to* isn’t static but always alterable.

Cultural Values and Norms

While norms transcend context and concern what is *right*, cultural values concern questions of the *good* in particular contexts and settings. Habermas writes,

“[Cultural values] congeal into historical and biographical syndromes of value orientations through which subjects can distinguish the good life from the reproduction of life. But ideas of the good life are not something we hold before us as an abstract “ought.” Rather, they shape the identities of groups and individuals in such a way that they form an intrinsic part of culture or personality. Thus the development of the moral point of view goes hand in hand with a differentiation within the practical into moral questions and evaluative questions (Habermas 1990, 108).”

For Habermas, we cannot look to values to directly determine how things “ought” to be; questions of the right are the only validity claims subject to the principles of discourse ethics. Rather, participants in the ideal speech situation are to take a position in which they “abstract” themselves from traditions and ethical customs within their society (Habermas 1992, 257). This is because ethical questions are inherently a different kind of question, which don’t require an entire break with the egocentric point of view while moral questions alternatively do. Values come directly from one’s own lifeworld history. Ethical violations call into question “my self respect and possibly the respect that others show me, but not equal respect for all, and hence not symmetrical respect that everyone should accord the integrity of all other persons (Habermas 1993, 6).” Normative validity requires an abstraction from one’s lifeworld because evaluation of such a generally

observed maxim is only possible when one takes up a “perspective of all affected” and imagines “everyone in comparable situations (8).”

While I agree with other scholars that the interplay and distinction between norms and values may be more problematic and less clear than Habermas admits, I am not concerned with those issues (see Warnke 1995, Moon 1995). What is important is that Habermas’s theory has a strong conception of *voice*; only those norms are legitimate to which all those affected could agree. This of course assumes that agents have the capacity to make, accept, or reject arguments and that agents are truly autonomous, free willed actors. This also assumes that agents are situated in a community, which also upholds principles of equality, inclusiveness, reciprocity, and symmetry. The fostering of the capacities and external conditions necessary to engage in discourse will become important to my argument later in this paper. But, as Habermas (1992) has noted himself, the ideal speech situation is an *ideal* rather than a strict set of formal conditions that we could perfectly achieve. Instead, the purpose of discourse ethics is to offer a set of guidelines for getting legitimate, just, and authentic agreements. Moreover, I suggest that communicative freedom gives us an ideal set of conditions for deliberating over development policy and practice.

The Right to Have Rights

Seyla Benhabib aims to prove that there is a rational basis for a thin set of universal human rights. She asks, “Given that the Universal Declaration of Human Rights (UDHR) is the closest document in our world to international public law, how can we explain this attempt on the part of many philosophers to restrict the content of human

rights to a fraction of what is internationally agreed to—at least on paper? (Benhabib 2011, 61).”

To answer this question, Benhabib first distinguishes between four different types of universalism that philosophers have debated: 1) essentialist universalism, 2) justificatory universalism, 3) moral universalism, and 4) juridical universalism (61-62). Essentialist universalists include theorists such as Thomas Hobbes and Adam Smith, who believe that there are ultimate truths related to human nature and human behavior. Justificatory universalists such as Habermas and John Rawls, look to the procedures for justifying norms that anyone would choose or to which everyone can agree under idealized conditions. Moral universalists defend the inherent worth and dignity of humans despite their race, ethnicity, religion, and so on. Finally, juridical universalists remain skeptical of moral truths but require that in order for political and legal institutions to be legitimate they must rest on a set of norms and principles that value all humans.

For Benhabib, the existence of UDHR demonstrates that the international community has agreed on universalism in juridical terms. But she argues that juridical universalism presupposes moral and justificatory universalism as well. Justificatory universalism rests on communicative freedom—guiding the giving and receiving of reasons and justifications for rights but communicative freedom presupposes moral universalism insofar as communicative freedom is not possible without “equal respect for the other being capable of communicative freedom (64).” The only version of universalism not evident in current political and legal human rights arrangement, then, is essentialist universalism. Benhabib writes, “Moral universalism does not entail or dictate

a specific list of human rights beyond the protection of the communicative freedom of the person; nor does justificatory universalism do so (65).”

Benhabib argues that the ability to make rights claims is prior to anything “needs” based. This is because for one to make a need or material claim, one must still be socially embedded and recognized by others as an agent and rightful author of the law. Thus, for Benhabib communicative freedom is essentially a basic “right to have rights.” She calls her theory “agent-centric”, meaning that everyone ought to be able to accept or reject social and political norms that affect them. It is not just that they are capable of voicing their preferences, but that their preferences will be heard, recognized, and equally weighted in considerations by all affected members of society (71). She notes, however, that her model differs from some other “agent-centric” human rights models because it understands an individual’s rights and will formation as being socially situated rather than monolithic. The “right to have rights” is contingent upon an agent’s membership in a community. She writes, “ I can formulate an account to myself and of what it is that I wish to do and how to find the right words to express what I mean [but]...The capacity for providing such accounts presupposes an internalization of the standpoint of the others in whose eyes and ears my acts will accomplish something and my words will mean certain things (68).” So although the individual may claim certain rights, they cannot do so without being socially situated. An agent comes to themselves, formulating goals and ends they wish to pursue, by the very fact that they share a social world with others and can convert those wishes into shared contexts of speech and action.

Benhabib argues that normative justification presupposes principles of equality, reciprocity, and symmetry in discourse (71). Speakers, hearers, and the agreements that they come to are only valid and legitimate if all parties recognize each other as moral beings, “my recognition of your right to have rights is the very precondition for you to be able to contest or accept my claim to rights in the first place (70)” Benhabib explains it in a similar fashion, “ If I refuse you as being entitled to rights because you are so other than me, then I deny our common humanity (69).” Participants cannot expect to have my claims heard, recognized, and respected if they do not do the same for others—this would undermine the common humanity and shared social world necessary to establish norms in the first place. Benhabib also argues for a “reason giving” requirement; rights claims must be substantiated and defended with reasons. Valid reasons are arrived at through the discourse process. She requires, “In order to justify to you why I ought to act in certain ways, I must respect your capacity to agree or disagree with me on the basis of reasons the validity of which you accept or reject (67).” Reason giving is a “justificatory enterprise” and inextricable from the view that human beings are free and deserve equal respect. This is because normative justification is contingent upon the ability of speakers and hearers to reject or consent to the validity of reasons.

Benhabib understands her justification to be founded in presuppositional analysis; if we are to buy into discourse ethics then we are automatically “presupposing” basic human rights tenets. Human rights are legal and political measures that protect an individual’s right to communicative freedom. These minimal rights may include but are not limited to basic liberties, a right to expression, freedom to petition, and

representation. Consequently, for Benhabib, democracy is a given and requisite for discourse. She writes, “We treat each human person as a moral being capable of acting on the basis of reasons the validity of which she has accepted or, as the case may be, rejected; furthermore, democratic self-governance is a confirmation of one’s standing as a free and equal being living under laws the legitimacy of which she can always challenge, contest and question (89).” Discourse ethics requires democracy because the attributes of an individuals engaging in discourse can only be guaranteed by inherently, democratic institutions.

Democratic Iterations

To an arguably greater extent than other theorists, Benhabib is concerned with the effects communicative freedom can and should have on policy, global society, and formal international institutions. She develops a concept she labels “democratic iterations,” which she defines as a “complex process of public argument, deliberation, and exchange through which universalist rights claims are contested and contextualized, invoked, revoked, posited and positioned throughout legal and political institutions, as well as in the associations of civil society (129).” In other words, democratic iterations are a space where conversations within both formal jurisdictional institutions and more informal transnational or social movement groups occur. The goal of democratic iterations is democratic justice and legitimacy. Democratic iterations ensure legitimacy by requiring that conversations concerning rights are equal and inclusive.

Benhabib points out that many of the criticisms of international law stem from a misunderstanding or misguided belief that such laws would compromise democratic

legitimacy. Some criticism such as “sovereignist territorialism” argues that international law poses a threat to national state authority and traces the law’s legitimacy back to the right to self-determination (119). For their part, “neo-Marxists” claim that international laws cover up motivations to spread global capitalism while neo-colonial skeptics believe humanitarian aid and intervention enable world powers to subordinate poor, weak states and perpetuate imperialism.

Benhabib rejects these concerns by citing the international law’s normative and “jurisgenerative” power to empower individual agency without destroying the authority and autonomy of the state. “Jurisgenerative power” is a term Benhabib uses to describe ways by which laws create “extra-legal normative” form; developing new vocabularies for public claims-making and opening new channels for civil society and transnational networks to work together in overcoming coercion (126). National norms do not necessarily have to be subordinate to supranational norms (124). Instead, democratic iterations are processes by which cosmopolitan norms are contextualized at the national level. This process, Benhabib proposes, gives both sets of norms (supranational and national) new hermeneutic contexts, improving their adaptability to particular circumstances and contexts and ensuring their legitimacy (124). The process empowers individuals rather than a central international command structure because laws and universal norms still must be interpreted and applied to specific contexts. Benhabib reminds us that laws are not valid on their own but require perpetual interpretation and application, depending on different hermeneutical circumstances. Further, meanings and

norms derived from the international stage but implemented at local levels can be constantly questioned, criticized, altered, and transformed.

What is most imperative to Benhabib is that “democratic iterations” provide local actors with tools, new vocabularies, and meaning systems to alter their local social and political environments. She cites specific examples of the migration of human rights outlined in the UN Universal Declaration into domestic obligations and judicial institutions, leading to the creation of “expert” bodies that influence or create social movements (132-135). For instance, an organization called “Women Living Under Muslim Laws (WLUML)” used international conferences and treaties such as CEDAW “The Convention on Elimination of All Forms of Discrimination Against Women” as a tool for making rights claims in their own countries. The women who formed the WLUML action committee came from nine different Muslim-majority countries (Morocco, Sudan, and Pakistan to name a few) and lobbied for change in ways specific to their own society, with some arguing for the elimination of religious scriptures and others simply arguing for reinterpretations of the same scriptures. Other examples include transnational networks working on ending the genocide in Darfur, helping AIDS victims in Sub-Saharan Africa, pushing back against female genital mutilation, and securing rights for undocumented migrant workers (135).

Other theorists such as James Bohman (2007) make similar arguments, seeing global society and transnational networks as conditions for, rather than obstructions to, the democratization of the state from the bottom up. The key point is that a commitment to communicative freedom does not mean a commitment to a global order. Rather, a

cosmopolitan commitment to communicative freedom enhances the ability of individuals and groups to make new rights claims or reinterpret existing ones.

Towards a stronger conception of “Voice”

Taken together, Habermas and Benhabib give us an idea of what it broadly means to have “voice.” Communicative freedom is a set of idealized procedures and conditions legitimating moral norms and legal and socio- political arrangements. Such idealized procedures establish the conditions for *voice*. Exercising *voice* entails submitting normative claims to hearers for testing, offering good reasons for one’s claims and being able to “abstract” oneself from one’s cultural thickness. *Voice* can also be thought of as a set of societal conditions in which speaker and hearers are granted equal recognition and equal consideration. As Benhabib has suggested, communicative will formation requires the right to self-government which is exercised through democratic institutions (88).

In the context of development agenda setting, policy, and practices, then, *voice* is particularly important to those who are “being developed” for the very fact that they have been historically excluded from development discourse. As McCarthy and post development scholars have already pointed out, the consequences of this exclusion have been severe. But even without development’s unfortunate history, we need a set of idealized deliberative procedures as the framework for discussing development agendas, policies, and practices. Communicative freedom does just this; it is a set of idealized conditions to strive to ensure agreements to which all those affected could agree.

Why Communicative Freedom is insufficient on its own

Habermas and Benhabib assume that agents are fully *capable* of participating in discourse. I argue that communicative freedom confronts four problems, however. First, communicative freedom suffers from a “hermeneutical resource” deficit—a term for which I am indebted to Miranda Fricker (2007). Communicative freedom requires that an agent possesses sufficient linguistic resources to debate proposals. Raising rights claims necessitates the language and vocabulary to do so. But these resources can be deficient. Second, communicative freedom requires that discourse between speakers and hearers be guided by principles of reciprocity and generality. However, implicit biases are likely to impact the credence that hearers may grant to speakers. Exploring this problem further, I draw on Miranda Fricker’s account of “testimonial injustice”; injustices individuals incur as a consequence of structural prejudices that cause hearers to discredit a speaker’s trustworthiness, credibility, and claims to knowledge. The hermeneutical and testimonial injustices imposed on an agent also culminate into a third impediment to communicative participation. Oppression may be internalized by an agent, causing them to believe they are not worthy of being heard or even likely to be heard. Lastly, communicative freedom calls for a universal right to *voice*, but forgets about the difficulty of implementation. As we see with violence against women, for instance, laws that attempt to promote discourse principles are often symbolic and fail to translate into real social change.

Hermeneutical Injustice: Social Experience, Imagination, and Linguistic Deficiencies

Even if a state, society, or community were to ensure that its institutions and procedures aligned with principles of communicative freedom; marginalized groups may

be unable to realize their full communicative potential. This is because communicative freedom does not account for the effects of power structures and hierarchies on speakers and hearers alike. Speakers, for instance, may have difficulty pinning down the injustice they nevertheless experience. Miranda Fricker calls this a “hermeneutical injustice”: “the injustice of having some significant area of one’s social experience obscured from collective understanding owing to a structural identity prejudice in the collective hermeneutical resource (Fricker 2007, 155).” As feminists and Marxists have already pointed out, the “dominated live in a world structured by others for their purposes—purposes that at the very least are not our own and that are in various degrees inimical to our development and even existence (147)”. To say that someone is “hermeneutically marginalized” is to say that an individual suffers from experiential and related linguistic deficits. Fricker argues that hermeneutical injustice is the result of structural prejudice; social practices, institutions, and value-laden interpretations of them are formed by the powerful and in a way that are beneficial to the powerful. For these reasons, Fricker argues that hermeneutical injustices are difficult to detect and also hard to overcome. Only when marginalized groups are able to expand their collective social understandings do they “come to consciousness.”

As evidence for hermeneutical injustice, Fricker cites examples of women in the U.S. “discovering” sexual harassment and post-partum depression. Susan Brownmiller, a member of the US women’s liberation movement in the 1960s, reflects in a memoir on the revelations that came to many woman after gathering in groups to share their emotional reactions, specifically depression, after giving child-birth and their husbands’

and other members of society's responses to it. The space that MIT provided for women to share such experiences enabled them to create their own reinterpretations of the experience, reframing it as a result of hormonal imbalances rather than their own personal, character deficiencies (149). Fricker tells another story about Carmita Wood who quit her job at Cornell University because a male professor repeatedly made her feel "uncomfortable" in a way that Wood had a difficult time articulating. Wood describes her discomfort recalling that, "the eminent man would jiggle his crotch when he stood near her desk and looked at his mail, or he'd deliberately brush against her breasts while reaching for some papers (150)." It wasn't rape but she knew that it didn't feel right. Fricker explains that Woods was "cognitively handicapped by the hermeneutical lacuna... The cognitive disablement prevents her from understanding a significant patch of her own experience; that is, a patch of experience which it is strongly in her interests to understand, for without that understanding she is left deeply troubled, confused, and isolated, not to mention vulnerable to continued harassment (151)." It wasn't until Wood shared her experience and story with other female colleagues that she found others had had similar experiences. It took further story sharing and brainstorming for the women to create and generate the term "sexual harassment." These women transcended their own epistemic understandings to essentially create a new social meaning.

Thus, my first criticism of communicative freedom is that it fails to ensure a diverse set of language and meaning systems and consequently also reinforces distortions in self-perceptions that make agents less likely to advocate for themselves. The lack of knowing or being able to understand one's experiences hinders them from being able to

challenge their current experiences and demand social change. In every case that Fricker cites, a hermeneutical injustice is overcome via story sharing and collective understanding. Communicative freedom is surely not at odds with this; it proposes that norms and meaning systems should be determined via communication and collective understanding. However, it fails to acknowledge the subversive and nuanced ways in which structural prejudice may infect and even block these conversations.

Even more important is that Fricker's examples are based upon the experiences of women from the developed world where gender hierarchies have already been challenged and the resources available to women are much greater than those of the developing world. Susan Brownmiller and the women she discusses were employed by elite universities; they were educated; they were at least granted "workshop" spaces and had enough leisure time to engage with one another. This is what it took to overcome what Fricker calls a "hermeneutical injustice." Take Mali by way of contrast where only 29% of adult women are literate (UNICEF 2015). In the rural areas, women generally never attend primary school. They live on the edge of survival; many are malnourished and lack access to clean water. These women also have enormously limited leisurely time. Waking up before the sun rises, they labor in the fields and gardens all day long, transporting water back and forth, pounding millet for meals, collecting shea nuts from the trees to make oil—this all, while caring for a small infant and many young children. Mali is a patriarchal society and it is common for men to have two or even three wives. First wives will often express a sense of relief when their husbands marry a second or third wife as the "new" wife will surely lighten the load when it comes to housework. Nevertheless, they

lack access to new social meanings and the spaces to develop them because of their leisure time and education deficits. If consciousness raising is one way to ignite or stimulate the consciousness of an agent to express grievances or enact social change it is a practice to which Malian women lack access.

Labeling systems for particular social practices and customs often justify or even deny forms of oppression. There is, for example, no word for “rapist” in Bambara, a local tribal language in Mali. The only words that come near the English definition of rape include 1) a “Molon” someone who is lazy, untrustworthy, or a parasite or 2) “Bin Kani”, someone that a woman was seduced by or “fell unto a man”. Or take the practice of female genital mutilation (FGM) or circumcision, which is most widespread in Mali, Guinea, Mauritania, Egypt, Sudan, Ethiopia, Eritrea and Somalia. In Bambara it is called “Musu Bolokolen” or “woman of bloody hand.” The social connotation of this phrase conveys something similar to “womanhood” or “adulthood” in the English language. Malians view that practice as a “rite of passage” necessary for social and economic success in that FGM makes a young girl “marriage eligible”. It is important to note that the cultural importance of FGM relates to women’s institutional and material deprivations. Despite the law stating otherwise, by social and religious customs only men can inherit and own land. Female circumcision is a prerequisite for marriage and marriage is the only way to get access to resources (via land). A Malian woman may not be aware of the alternatives or think to probe for alternatives. Language goes a long way to constructing what is seen or observed in the real world.

This lack of awareness suggests that communicative freedom cannot be fully realized without a minimum set of *capacities*. Benhabib and Habermas are too quick to assume that an agent is capable of imagining social realities different from their own. Benhabib writes, “I am assuming that all human beings who are potential or actual speakers of a natural or symbolic language are capable of communicative freedom, that is, of saying “yes” or “no” to an utterance whose validity claims they comprehend and according to which they can act (68).” But agents saying “yes” or “no” to a validity claim tells us very little about whether they are exercising will freely and autonomously. Malian women lack appropriate hermeneutical resources. Democratic institutions that promote discourse principles are not enough to wrestle with this deficiency.

Testimonial Injustices: Self-Fulfilling Nature Of Stereotypes and Credibility Deficits

In addition to hermeneutical injustice, Fricker examines “testimonial injustice” which she defines “as an inequity that is the result of a speaker essentially not being taken seriously or lacking credibility among hearers.” Testimonial injustice is a “distinctively epistemic injustice...in which someone is wronged specifically in her capacity as a knower (Fricker 2007, 20).” Sometimes a speaker such as a doctor or lawyer is given too much credibility. Other times, a speaker is given too little due to a systematic identity prejudice.

Fricker uses the Tom Robinson case in Harper Lee’s *To Kill a Mockingbird* to demonstrate her point. Tom Robinson, a black man, is accused of raping a white female named Mayella Ewell. Robinson often stops by Ewell’s house to assist her with things around the house. One day, however, she throws herself on him in an attempt to kiss him and Robinson runs away. When the prosecutor inquires why Robinson stopped by

Ewell's house so often, he admits that he felt *sorry* for her. The prosecutor makes it clear that it is inappropriate and equally, unbelievable that a black man would feel *sorry* for a white woman. Atticus Finch, Robinson's attorney, urges the jury to check their own racial prejudices and assumptions that, "all Negroes lie, that all Negroes are basically immoral beings, that all Negro men are not to be trusted around women (25)." Despite insurmountable evidence that he is innocent, the jury finds Robinson guilty because of their deeply ingrained distrust for black men as speakers or agents worthy of being heard and believed. Fricker notes that Robinson also, consequently, experiences practical injustices and harms; after supposedly attempting to escape from prison, he dies of a gunshot wound.

Testimonial injustice is a distinctive form of epistemic injustice in which the harm done is difficult to measure. Fricker writes, "Unlike those goods that are fruitfully dealt with along distributive lines (such as wealth or health care) there is no puzzle about the fair distribution of credibility, for credibility is a concept that wears its proper distribution on its sleeve (19)." Tom Robinson was wronged specifically in his capacity as a knower; no distribution of goods could compensate for the harm done to him. Such harm is, specifically, a form of disrespect or denial of his right to speak and be heard.

Communicative theorists severely underestimate the impact that testimonial injustice may have on systematically oppressed groups. Despite the presence of deliberative institutions, women, for instance, may internalize their credibility deficits and play a role in perpetuating their own oppressive gender hierarchies.

Indeed, the practices of FGM testify not only to hermeneutical but to testimonial injustice. It reflects credibility deficits imposed on women by depicting them as adulterous, disloyal sexual beings, and simply incapable of controlling their sexual urges. Recent survey data on male attitudes towards FGM from Somalia and Mali confirm this view:

How is it that you don't cut (circumcise) your women in the United States? Don't the women go around sleeping with everyone? You have to cut your women. Otherwise they go around having sex with everyone. It's not their fault that their heads are broken. They can't control their sexual urges. That's why you have to cut them. [Middle-aged Malian Man,] (Interview by the author, January 5th, 2016)

If the bride is not infibulated, the Somali man, after digging a hole in front of the door of the bride's family, returns her to her parents. This is to mean "your daughter is open like this hole, so I don't want open girl because she is not virgin and she will not be faithful to her husband." This act totally disappoints the family and results in a heavy depression on their (the family's) side. That is why the society practices infibulations until recent time. [56-year-old male Somali] (Abathun et al. 2016)

I don't know what was in the past, but to my knowledge we did circumcision to calm the girl. If she is not circumcised, she will be sexually active, and as a result, she will not be faithful to her husband. [45 Harari male] (Abathun et al. 2016)

The above are small excerpts from a body of literature that finds sexual purity and loyalty or obedience to husbands as the primary reasons for FGM (see Njue and Askew 2004,

UNFPA 2004, Gele, Johansen and Sundby 2012). In the African countries that engage in FGM, the practice is justified by the claim that women lack basic cognitive capacities and the ability to restrain their sexuality. Their heads are “broken”, they are unable to control “sexual urges”; they are “unfaithful” as well as lacking “calm” if they remain uncut.

Fricker posits that testimonial injustice results in several “harms” done to the speaker and the speaker/hearer’s epistemic community. The primary harm done to the speaker is that they are denied basic human capacities such as the capacity to be a “giver of knowledge”. The secondary harm relates to the social meaning of the first denial; in the case of Tom Robinson or women who suffer FGM, the denial of a basic human capacity as a giver of knowledge translates into the reinforcement of unequal power structures. Third, testimonial injustice is a basic obstacle to truth and knowledge for the community to which both the speaker and hearer belong. Fricker writes, “putting knowledge into the public domain reveals testimonial injustice as a serious form of unfreedom in our collective speech situation—and on a Kantian conception, the freedom of our speech situation is fundamental to the authority of the polity, even to the authority of reason itself (Fricker 2007, 43).” And lastly, Fricker equates testimonial injustice as a form of prejudicial exclusion. When individuals are systemically excluded from trustful conversation, the very formation of “self” is inhibited (55). I expand on this last harm in the following section, however it is important to note that this distortion of “self” makes it difficult to detect testimonial injustice. Indeed elder women help to perpetuate FGM, but just because they do not speak out against it doesn’t mean that harm is not being done. Rather, women

have internalized their credibility deficit and men's prejudicial interpretations of female identity.

But even when women do speak up, there is cause to believe they will not be heard or taken seriously. For instance, high maternal mortality rates in parts of Sub-Saharan Africa are largely attributed to a failure to take women's complaints about pain seriously (see Tuncalp et al. 2012, D'Ambruoso et al. 2005). South Africa's maternal mortality rates more than quadrupled between 1998 and 2007 (Human Rights Watch 2011). Maternity patients in South Africa report physical and verbal abuse by health practitioners, neglect for hours or even days while in labor, being turned away from clinics while in labor, and being forced to leave immediately after giving birth. South African maternity patients recount their experiences:

When she went into labor...Babalwa was reluctant to go; she knew of other women whom nurses had sent away without help. After laboring for 12 hours at home, Babalwa went to Dora Nginza Hospital. Once there, she waited an hour-and-a half to be examined by a nurse, who then accused her of "lying about being in labor" and sent her to the waiting area. Three hours later, Babalwa delivered a stillborn baby: the doctor and the nurse who assisted at the birth did not explain the possible reason for the stillbirth. Babalwa, who was angry and confused, said that she wanted to lodge a formal complaint to protest the way she was treated but that she did not know how to do so. (Human Rights Watch 2011,1)

I had gone to deliver at Dora Nginza Hospital in 2008. There was a lady in labor, but the nurse told her she was pretending. She called the nurse and said, "I am in pain," but the nurse shouted at her to be quiet, saying, "When you were making the baby you enjoyed, so don't come and scream here." She told her to keep walking so that the baby could come quickly. The baby nearly fell while she was walking. The nurse again shouted at her telling her she wanted to kill her baby. (Human Rights Watch 2011, 34)

Again, we see that negative stereotypes work to discredit women's complaints, grievances, and experiences. Communicative freedom supposes that a speaker is *capable* of giving good reasons and *deserving* of good justifications. However, testimonial injustice distorts the relationship between a speaker and hearer. In the case of Fricker's *To Kill a Mockingbird* example, Tom Robinson lacks credibility because of his race and in the case of FGM or maternal health in Africa, women lack credibility because of their gender. Most importantly, when speakers suffer a credibility deficit or when they are granted too much credibility, discourse has been tainted in ways that may not be easily identifiable or obvious to either party. Correcting for the conditions that lead to testimonial injustice is necessary for the ideal speech situation to be approximated.

Self-fulfilling Stereotypes: not worthy of being heard

I have argued that speakers may be unlikely to speak because they lack hermeneutical resources, meaning that they have not been granted full access to social realities and linguistic meanings necessary to making new rights claims or rejecting the status quo. I have also argued that if a speaker were able to overcome hermeneutical injustices, they still may not be taken seriously because of "testimonial injustice." Agents

may not participate freely and autonomously in discourse for other reasons as well. Marginalized groups may have internalized their experiences, causing oppressed groups to conform to the prejudices and stereotypes imposed upon them by oppressors. This eventuality poses a significant problem to discourse principles; it may cause speakers to fail to advocate for themselves when it is, in fact, in the speakers' best interests to do so.⁴ Or it could also be possible that an agent fails to voice grievances because of previous experiences of being discredited as a speaker.

Fricker argues that testimonial and hermeneutical injustices work together to distort a person's sense of self. In other words, structural prejudices cause individuals to conform to such prejudices. Studies show that students respond to their teachers' expectations in their performance levels, actually making higher gains in IQ scores because their teachers have been told that the students have "unusual potential for intellectual growth" even though the researchers selected them at random (Rosenthal and Jacobson 1968) (Fricker 2007, 58). Other research shows that people have a tendency to elicit behavior from others according to their initial hypotheses (Nesbett and Ross 1980). In another example, African Americans performed worse than whites on a test when it was labeled an "academic ability" test. However, when African Americans were told nothing about what "type" of test they were taking, they performed at the same rates as whites (Steele and Aronson 2000). The former are examples of a well-established

⁴ See Dotson, Kristie (2011) "Tracking Epistemic Violence, Tracking Practices of Silencing" in *Hypatia* 26: 2, 237-57.

literature on “internalized oppression”⁵ Evidence of internalized oppression is not limited to race-based self-fulfilling stereotypes, but has been documented for gender, socioeconomic class, and sexuality as well.

FGM is very popular among girls and women in countries with high incidences of the practice—for example, 73% of women 15 to 49 years old in Mali think that the practice should continue (UNICEF 2013). A World Bank survey done in 2013 also found that 76.3% of Malian women believe that a husband is justified in beating his wife for any of the following reasons: 1) arguing with him, 2) burning the food, 3) going out without telling him, or 4) neglecting the children (World Bank 2013). In another 2013 survey, although only 41% of female respondents reported having experienced “physical violence” and only 34.9% of men reported using physical violence against women, 67.2% of women and 84.3% of men said that they had witnessed physical violence against their mothers (Slegh et al. 2013). While generational differences may explain some of this discrepancy, it is also plausible that women view others as victims more than they view themselves as victims. The World Bank survey also supports the notion that women in Mali have internalized their subordinate position to men, viewing themselves as seemingly deserving of physical abuse and more likely to view someone else as a victim.

Women who were employed and made a formal salary were also much more likely to report having experiencing gender-based violence, suggesting that education and economic resources make it more likely for women to express grievances about violence

⁵ See David, E. J. R. *Internalized Oppression: The Psychology of Marginalized*. New York: Springer Publishing Company, 2013 for a review of the literature.

against women (Slegh et al. 2013). In the case of FGM, studies suggest that the practice is abandoned when women move to urban areas, have higher levels of education attainment, and are wealthier (UNICEF 2013 and Rossem et al. 2015). The former demographics serve as a proxy for many things; women who are educated have greater hermeneutical resources, they interact with other ethnic groups and are exposed to social customs, and they become more aware of the negative health consequences of cutting. This suggests that women in the developing world internalize unequal gender hierarchies and norms, but that with formal education and more economic certainty, their attitudes do change. Communicative freedom's theoretical framework fails to address the socioeconomic status of agents.

Symbolic Laws, State Capacity Failures

Even if the international community and states were to fully realize the institutional and legal frameworks necessary to ensure *voice*, such institutions and legal frameworks can end up being symbolic but meaningless in practice. A large portion of the world, especially the developing world, lacks the infrastructure and resources to enforce the law. Communicative freedom may result in a re-writing or re-interpretation of the law as Benhabib suggests, but it does little to promote the implementation of such laws. Without police forces, extensive government institutions and oversight, and other public good investments necessary to enact change from within, oppressive and unequal social hierarchies persist.

Most countries in the world already have laws against sexual violence. However, the World Bank estimates that women ages 15-44 are more at risk from rape and

domestic violence than cancer, car accidents, war and malaria (UN Department of Information 2011). A survey in 2006 and 2007 found that 12% of all women in the Democratic Republic of Congo (DRC) had been raped, with a rate of 48 rapes every hour (Peterman, Palermo and Bredenkamp 2011). Estimates, however, are that only 1 out of 20 rape cases are reported to authorities (IRIN 2011). In response to pressures from the international community and human rights activist groups, The DRC altered and strengthened its laws on sexual violence but local traditions and norms clash with the new law. In Bantu culture (the dominant ethnic group in the DRC), rape and sex are highly taboo and a raped woman is considered “dirty and impure”—often leaving women who report rape ostracized and excommunicated from their communities. Further, out of the 49 cases that were actually taken to the Ministry of Justice in 2008, only 10 perpetrators were arrested (IRIN 2011).

In Mali, young girls of primary and secondary school age are especially vulnerable to sexual violence by their own teachers. Malian law criminalizes rape and other forms of sexual violence; however the prevalence of rape and assault in rural primary and secondary schools is extensive—sometimes leaving a 13 or 14 year old girl pregnant and almost always deterring parents from sending their reproductive aged girls to school. Mali adopted the “Convention on the Elimination of All Forms of Discrimination Against Women” in 1985 and pledged to implement related recommendations in the 1990s and early 2000s. Yet even though the de jure status of women may have changed, the de facto status of women in many ways still has not, as evidenced by the discussions above on FGM and violence against women in Mali. 24 out of the 29 countries in Africa where

FGM is practiced have passed some form of legislation or decrees banning the practice (UNICEF 2013). As such, even if legal norms change, social norms are not guaranteed to follow. Discourse ethics, again, may appear to be fully realized in legal and procedural terms but be deficient in practice.

Conclusion

In this chapter, I have argued that communicative freedom offers a strong conception of *voice* and that the deliberative procedures it puts forth should be the aim in development policy and practice. However, I have also argued that communicative freedom is insufficient on its own given hermeneutical injustices, testimonial injustices and self-deception deficits. Moreover, although deliberative institutions may seem to promote communicative freedom, they don't always reflect everyday practices. Communicative freedom fails to grapple with just how difficult it may be to realize discourse principles such as equality, generality, and reciprocity. Thus, it needs to be complimented and supplemented by a capabilities approach. The capabilities approach gives us an account of what is needed to participate in discourse.

CHAPTER 3

The Capabilities Approach: Universal Entitlements in Development

Introduction

The capabilities approach makes a thin normative claim—that development should be a means to improving well-being and enlarging the freedoms of individuals, but development should not be the end itself. This is in opposition to much of the development agendas and narratives that occupied much of the twentieth century with a monolithic focus on economic growth and prosperity. Moreover, I suggest in this chapter that the capabilities approach mitigates many of the problems underlined by post-development scholars. It promotes social justice while simultaneously challenging western development thinking paradigms. Indeed, evidence outlined in this chapter suggests the capabilities approach has already altered development agendas and practices in positive ways.

The chapter proceeds as follows: first, I discuss both Amartya Sen and Martha Nussbaum's capabilities approach frameworks. Nussbaum develops her own universal, fixed list of minimum capabilities that should transcend culture and context. Conversely, Sen denies that there are fixed, universal human capabilities. He instead argues for variable capabilities lists, dependent upon culture and context (Sen 2005). Lastly, I discuss the deficiencies of the capabilities approach, arguing that it needs a specific set of deliberative standards to compliment it—demonstrating that communicative freedom is the best fit.

Introduction to Amartya Sen's Capabilities Approach: An Evaluative and Normative framework

Amartya Sen, the founder of the capabilities approach, argues that social justice and freedom should not be seen as the goal of economic development but as in fact the *means* to it. While many philosophers like Adam Smith, John Stuart Mill, Karl Marx, and even Aristotle defended a basic notion of human dignity, Sen is the first to have pioneered a coherent conception of *capabilities*. He expands the definition of economic prosperity and well-being, moving away quantitative economic indicators such as GDP per capita or life expectancy as the only measures, to social values such as maximization of individual choice and agency.

For Sen, justice, development, freedom, and the “good life” are not entirely distinguishable from one another, and cannot be evaluated or promoted in isolation from one another. The capabilities approach is a distinctly interdisciplinary approach as a result. Sen recognizes the complexity of promoting freedom and a better quality of life, entangling things that philosophers, economists, political theorists, and development practitioners typically look at separately. However, this complexity also makes it difficult to pin down or summarize his theory. It is important to note that the capabilities approach should be looked at as a broad evaluative and normative framework. The capabilities approach, from Sen’s perspective, encourages us to change the way we *think* about social justice and development problems rather than telling us what we *should* substantively value in terms of social justice and development. Similar to post-development scholars, Sen argues for a broader understanding of well-being—

abandoning economic indicators and moving towards other measures related to cultural, spiritual, political, material, and social concerns.

Sen's capabilities approach can be simplified as an inverted relationship between freedom and development. Freedom constitutes both the means and ends of development. Poverty, he argues is simply a collection of "unfreedoms" or limits to human agency. Malnourishment, malaria, illiteracy, can be evaluated as deficiencies in the freedom to eat and avoid hunger, the freedom to avoid malaria, or the freedom to read. The goal of the capabilities approach then is twofold; to serve as 1) an evaluative mechanism (assessment of whether peoples' freedoms are lacking and need to be enhanced) and 2) an effectiveness mechanism (the actual achievement of development as dependent upon an individuals' agency) (Sen 1999, 4). For this reason, Sen is both a consequentialist and proceduralist, concerned with what an individual is *free* to achieve as well as what they *actually* achieve.

Thus, the capabilities approach explores the relationship between institutional arrangements, the primary goods contained and distributed within such institutions, and the exercise of peoples' freedom to convert those goods into some form of well-being. Sen proposes five different types of instrumental freedoms essential to maximizing *capabilities*:

- 1) political freedoms (broad civil rights such as freedom of speech or free and fair elections)
- 2) economic facilities (availability of access to markets, ability to participate in entrepreneurship or finance for instance)
- 3) social opportunities (political participation, literacy, access to education etc.)
- 4) transparency guarantees (freedom to deal with others with guarantees of disclosures and lucidity)
- and 5) protective securities (fixed and ad hoc

social institutions such as unemployment benefits or food assistance, any sort of social safety net) (Sen 1999, 38).

The problem of equality

Sen points out that every normative theory of social arrangements in political philosophy has sought some form of equality (Sen 1992, 12). They conflict with one another in many ways but agree that the equality of *something* is desirable. Ronald Dworkin demands “treatment as equals and equality of resources,” John Rawls proposes “equal liberty and equal distribution of primary goods,” and even Robert Nozick requires that “no one may have more liberty than anyone else” (13). The most interesting question for Sen then is: *why do all substantive theories of the ethics of social arrangements have some element of egalitarianism?* He argues that it must be because for a social arrangement to be justifiable and defensible, it must to some extent, be credible to all. Without some notion of equality, the theory would arbitrarily discriminate. Indeed, Sen agrees that some notion of Kant’s categorical imperative underlines such theories and that any legitimate social arrangement must have some element of equal consideration as well (17).

Correspondingly, it must be able to justify an inequality or disparate advantages of individuals while at the same time honoring requisites of impartiality and equal concern. In other words, Sen acknowledges that the *base* equality chosen will also have implications for how justifiable the *unequal* outcomes are. There are a plurality of spaces in which equality could be thought of as needing insurance (equal income, equal liberty, equal opportunity); each modern political philosopher chooses one or more spaces as egalitarian while inequalities in other spaces are tolerated.

The capabilities approach focuses on differences in individuals' abilities to convert commodities to well-being and freedom. Drawing upon Rawls's *Theory of Justice* (1971), Sen demonstrates that equality in certain spaces still leads to significant inequality in other spaces. Rawls's two principles of justice proposes a scheme of equal basic liberties and an arrangement of "primary goods," including income and the social bases of self-respect. that is to the advantage of the least advantaged. However, Sen argues that primary goods may not be convertible at the same rate for every individual. Take income for instance—a pregnant woman may have a harder time achieving *well-being* with the same amount of income that a single man at the same age would (Sen 1992, 27). Further, a *primary good's* conversion rate to *freedom* is also contingent upon personal characteristics and will vary greatly. Even if the single man and the pregnant woman had the same exact personal characteristics (abilities, predispositions, skills etc.) the man would still have more freedom to pursue his goals despite both receiving the same bundle of primary goods (27). Broadly speaking then, we can say that income and commodities are limited in their ability to provide meaningful information about a particular individual or group's quality of life. Sen writes, "...we are made to overlook the substantive inequalities in, say, well-being and freedom that may directly result from an equal distribution of incomes (given our variable needs and disparate personal and social circumstances) (30)."

The relationship between resources and equality is thus much more complex than economics normally assumes. Sen outlines five sources of human diversity and emphasizes that any theory entailing evaluation of quality of life must take these into consideration. (Sen 1999,71):

- 1) *Personal heterogeneities- people are endowed with different sets of physical advantages or disadvantages such as disability, age, illness, gender, etc. Thus, different amounts of income or other social goods would be required to compensate each individual for their particular physical endowments.*
- 2) *Environmental diversities-different climatic circumstances, hot or cold weather climates with extensive or limited climates, mean that different individuals have different needs related to clothing and food. Also, various geographic regions are more prone to “costly to treat” infectious diseases.*
- 3) *Variations in social climate- social arrangements and levels of social capital also determine an individual’s ability to convert income into well-being and freedom. Education attainment levels, marriage and land tenure laws, crime and violence are just a few examples.*
- 4) *Differences in relational perspectives- Sen calls this an “intersocietal rather than interindividual issue” meaning that commodity requirements may be higher in one society or culture over another to achieve some form of well-being or freedom. For instance, it is more costly to gain “respect” in a wealthy society due to the high cost of clothing standards in comparison to a poorer community.*
- 5) *Distribution within the family- In many cultures, income is shared by the family or household. Distribution of income may not be even depending upon norms and rules related to marriage and children or broader gender roles. Even if income is distributed evenly to individuals, the educational and economic opportunity for a mother of four children may be different from a young boy.*

What Sen is trying to convey is that the convertibility of primary goods into well-being and freedom is largely determined not only by the input (income in the above example) but by a wide variety of intermediating variables (personal heterogeneities, environmental diversities, variations in social climate, differences in relational perspectives, and distribution within the family.) Two different people holding the same bundle of primary goods will not have the same freedom to pursue their individual conceptions of the good life.

For that reason, we should not rely upon utilities (as argued by welfarists) or primary goods (as Rawls suggests) but rather what Sen calls “substantive freedoms”—the capability to choose a life one has reason to value (74). For Sen, quality of life should not be measured with a strict set of universal standards of achievements; rather, each individual may set their own standards of success whether emotional, monetary, material etc. The capabilities approach is about being able to *choose* these things; the “good life” and what it entails may vary from one individual to another.

What I am free to achieve and what I actually achieve

For Sen, issues of freedom and quality of life are inseparable and fluid—well-being and agency are essentially corresponding notions of freedom. Integral to Sen’s theory is the attribution of equal importance to what individuals *may* be free to choose, as well as what they in fact *do* choose. This is because Sen believes that both possible and actual outcomes provide valuable information about one’s freedom and well-being.

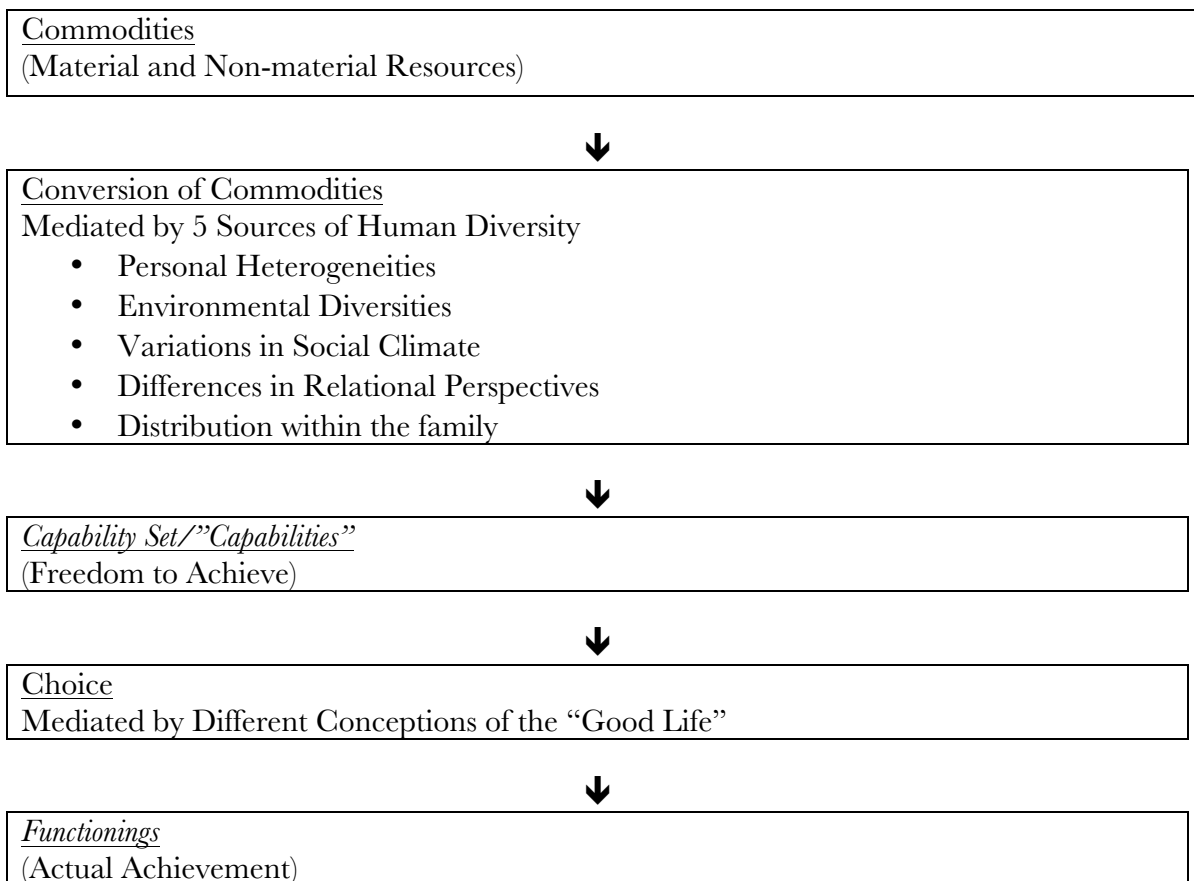
As such, the capabilities approach uses two metrics as evaluative mechanisms: 1) *capabilities*, also referred to as an individual’s *capabilities set* (the freedom to achieve

something) and 2) *functionings* (the actual achievement of something). *Functionings* are simple “beings and doings (Sen 1992, 39)”; this is what someone actually does or accomplishes in their life. Alternatively, he defines *capabilities* as “the various combinations of functions (being and doings) that the person can achieve. Capability is, thus, a set of vectors [or n-tuples] of functioning’s, reflecting the person’s freedom to lead one type of life or another...to choose from possible livings’ (40).” To demonstrate this difference between *capabilities* and *functionings* further, take for example a comparison Sen draws between two individuals who are not eating. Person A and B both achieve in some sense a function that is malnourishment and starvation—this is the actual outcome or the *functioning*. However, Person A is affluent and chooses to fast due to religious reasons, while Person B is poor and a subsistence farmer with an exhausted storage of food and no surplus income to purchase food. Person A in this case was free to choose starvation and malnourishment while Person B was not free to choose this outcome. The later metric is what Sen would call a *capability*. Sen would quite obviously conclude that Person A had an ideal set of *capabilities* that Person B did not.

The normative standard for social justice, then, entails that every individual should have the freedom necessary to pursue their own conception of well-being. The mechanism for achieving such equality and freedom is maximization of human capabilities and functionings—the *opportunity* and *ability* to pursue careers, education, monetary achievement, happiness, etc., or as Sen puts it, “the real opportunity that we have to accomplish what *we* value (31).” Moreover, the capabilities approach asks questions such as: *Are you healthy? Do you have resources available to your disposal to choose being*

healthy? Are you well-nourished? Is there a sufficient food supply? Thus, we cannot just look at an individuals' level of freedom or simply the resources available to them. We must look at their interplay; the connection between the two (resources and freedom/agency) and an individual's ability to convert commodities and resources into things that translate to quality of life. As figure 1 depicts below, the causal chain begins with commodities—a wide variety of material and non-material goods such as income, food, transportation, political power such as voting, financial resources such as access to credit etc.

Figure 1- Amartya Sen's Capabilities Approach



For Sen, every aspect of the above causal chain should be of interest to scholars and policy makers. This is because even though functionings (actual achievements) are the final and most visible outcome, actual achievement is mediated or effected by human diversity (with the five sources specified by Sen) and choice (differing conceptions of the good life). Later, I will discuss the policy implications of the capabilities approach and review the influence Sen has already had on development policy. But other scholars have also helped to articulate the capabilities approach; it is important to consider their contributions to development thinking and policy as well.

Martha Nussbaum's Capabilities Approach

While Sen laid the conceptual foundations for the capabilities approach in the 1980s and 1990s, many scholars have since made modifications and developed it further (see Alexander 2008, Robeyns 2003, Alkire 2002, Anderson 1999). Martha Nussbaum's modification is the most widely known and influential, likely because of her attempt to create a fixed, universal list of capabilities that would transcend culture and context. She calls this universal set of criteria "*Central Capabilities*"—political entitlements that a government should be obliged to ensure for all of its citizens because each member is inherently equal in human dignity. Nussbaum's theory offers a set of minimum thresholds necessary for social justice, focusing on, "the protection of areas of freedom so central that their removal makes a life not worthy of human dignity (Nussbaum 1999, 31)." She admits that the notion of human dignity is vague and difficult to articulate or specify (30). Dignity is inherently constituted by claims of equal treatment and respect for all humans regardless of individual characteristics. She qualifies further that treating individuals as

agents worthy of human dignity does not require equal outcome in every space, such as living conditions. A capabilities approach simply means that every individual should be able to actively *strive*.

Moreover, in explicating how violations of human dignity may occur; she argues that they violate either an individual's *internal capability* or an individual's *combined capability*. *Internal capabilities* consist of trained or developed individual traits. These traits may include economically viable skills such as cooking, being politically conscious and able to participate in politics, or even having a sense of self-worth or confidence necessary to engage in the first two. *Combined capabilities*, on the other hand, consist of the social, economic, and political environmental factors that mediate and affect a person's *internal capabilities*. The relationship between these two is important to Nussbaum, because one of her greatest concerns (as was Sen's) is that environmental factors may hinder an individual's ability to realize or fully exercise *internal capabilities*. *Internal capabilities* may be underdeveloped or not fully maximized by the environment as well. As such, she proposes ten *central capabilities* that at a minimum would be necessary to promote *internal capabilities* in correspondence with *combined capabilities* to live a life worthy of dignity. They are as follows:

1. Life (longevity, the right to live the longest life possible)
2. Bodily health (access to quality medical services, proper nourishment, water etc.)
3. Bodily integrity (the right to choose what happens to one's own body)
4. Senses, imagination, thought (ensured by education, literacy, mathematics, scientific training)

5. Emotions (ability to develop attachment to people, groups, ideas)
 6. Practical reason (critical reflection abilities)
 7. Affiliation (protections against discrimination)
 8. Other species (freedom to live in concern and relationship with nature)
 9. Play (freedom to engage in recreational activities)
 10. Control over one's environment
 - (a) Political (i.e. voting, activism, free speech)
 - (b) Material (i.e. property rights, equal employment opportunity, privacy)
- (Nussbaum 1999, 41).

Providing the social goods necessary to fulfill each of these criteria should be the goal of every nation's public policy according to Nussbaum (57). There are two important things to note about her list that will be important to my argument later on. First, she does not assume that the list is complete and final. She admits that her version of the capabilities approach is only a partial theory of social justice. The ten *central capabilities* are supposed to serve as social minimums; it may certainly be that in some cases, justice will require more (40). Secondly, the *central capabilities* are universal but that's not to say that there may not be a multitude of policies that could achieve a *central capability*. She admits that specification must take place at a national level, rather than international level and *capabilities* retain some flexibility in their interpretation and policy application (40).

Nussbaum sees the list as not only philosophically sound and justifiable but also necessary for *capabilities* to have any real affect on development policy. She writes:

But by defining the securing of rights in terms of capabilities, we make it clear that a people in country C don't really have an effective right to political participation, for example, a right in the sense that matters for judging that the society is a just one, simply because this language exists on paper: they really have been given a right only if there are effective measures to make people truly capable of political exercise (Nussbaum 2003, 38)

For her, the capabilities approach is preferable to all other variations within the liberal tradition because it is concerned with what people are actually able to do, to what extent people are empowered. A focus on negative freedoms (i.e. the U.S. Constitution's limitations on establishing a religion, infringing upon privacy, or censoring free speech) does less to achieve social justice. By focusing on limiting the government rather than empowering political members, oppressive social arrangements go unnoticed and unaddressed (38). Securing rights for individuals, in other words, sometimes requires the government to do provide institutional or affirmative material support. Moreover, a list with specific *central capabilities* goals is imperative to her because a government and its institutions cannot ensure them without knowing what they are in the first place. Her list is supposed to offer a basic conception of what *would at a minimum* be required for social justice.

Overall, Nussbaum commits herself to more than Sen, making claims about what everyone, regardless of culture or context, would agree to as requisites for a life worth living. Nevertheless, Sen and Nussbaum's differences are not as problematic as they seem

if we look at their frameworks as having two distinct uses. They both challenge development paradigms in their own distinct ways. Sen challenges us to think about development as more than just economic growth and offers practitioners with a multidimensional tool for *evaluating* the status quo. Nussbaum gives us a better understanding of what development policy should look like going forward and what the *goals* of aid should be.

Evaluation and Policy implications of the Capabilities Approach

Undoubtedly, the most important policy implication that follows from the capabilities approach is that economic growth should not be the singular value and goal of development. Rather, development should have a much more diverse set of goals; a *good* human life may value much more than income and GDP growth. The capabilities approach seeks to remind us that normative assumptions inform policy. The goals of these policy initiatives are essentially expressions of what *we* value, “There are many ways in which normative frameworks affect policy decisions and outcomes. To name a few: they shape the data that we collect; they influence our analysis; they give certain topics greater or less political salience; they feed or hinder social movements; they may motivate professionals for moral or ethical reasons and they can be more or less philosophically credible (Alkire and Deneulin, 2009 4).”

The impact of this claim can be seen in the United Nations Development Programme’s (UNDP) *Human Development Reports*, the principle author of which was Mahbub Ul Haq. Ul Haq wanted to capture human well-being with measures that went beyond those commonly used in economics, looking instead at what people are free to do

and what choices are available to them. The reports, published annually since its inception, evaluate countries on educational attainment rates, life expectancy, gender inequality, human security, environmental sustainability, etc. This data serves as a valuable evaluation tool, allowing for cross-country comparisons and in-country comparisons between people groups on issues related human flourishing and capabilities. For instance, the 2016 HDI report found that since 1990 significant improvements in several measures of HDI (Human Development Index) have been observed worldwide with a reduction in under-five mortality rates, increased access to social services like safe drinking water and sanitation, a 50% cut in people malnourished worldwide, and significant improvements in literacy and school attendance rates (UNDP 2016, 26).

Generally, we can say that people are better off in many ways related to wellbeing. However, because the report uses a multidimensional approach inspired by the capabilities approach, deprivations and inequities are easily identifiable within countries or among specific groups like gender and ethnicity groups. Despite the fact that women have better life expectancy than men, women have lower education attainment rates, lower labor participation rates, and more food insecurity within households. Global average income has been on the rise while wealth inequality has worsened; in 2000 the wealthiest 1 percent had 32 percent of the world's wealth, while in 2010 this number grew to 46 percent (31). Despite major advances in technology with increasing access to internet and the use of cellular devices, approximately 8.4 million people died in 2012 simply from environmental degradation including air, water, and land pollution causes

(38). Panama has a “high” human development rating, but two of its twelve provinces received the lowest score for human development (53).

These statistics and evaluation tools serve as eye-openers—illuminating problems and power or well-being inequities. Spence and Deneulin (2009) argue that policy enlightened by the capabilities approach will attempt both to enlarge peoples’ freedoms (what they *can* do and achieve) and to give *voice* to marginalized groups (improving the *agency* aspect). Yet, I will argue that while the theory has had much to say about the evaluation of policy, it has too little to say about processes that govern the output of policy.

Why the Capabilities Approach is not enough

In the following section, I explicate why the capabilities approach is insufficient on its own because it lacks a strong sense of communicative freedom or what I more generally call “*voice*” that is necessary for social justice. Sen and Nussbaum too quickly assume that the contextualization and application of capabilities will reflect the common will of those affected. As such, they have been too vague about the deliberative processes that should compliment the approach. The consequence is that those who have an interest in “capabilities” promoting policies are likely to be excluded from public reasoning spaces and policy outcomes.

The issue of a list & the role of public reasoning

Sen and Nussbaum hold differing views on the relationship between capabilities and the advantages of a fixed, universal list. For Nussbaum the latter is necessary if

capabilities are to guide the normative assumptions that influence public policy and legal outputs. She notes that if the capabilities approach is used to make cross-country comparisons about freedoms, well-being, etc., a fixed list may not be necessary because such an endeavor is interested only in descriptive data (28). However, if the intent is to prescribe and improve human conditions, such an endeavor requires asking normative questions: *What sort of capabilities are important? What makes a life worthy?* In other words, *what does an individual value or what do we value?* To Nussbaum, the list is simply a set of benchmarks or thresholds—what is at a minimum, necessary to living a life worthy and dignified. If any of her ten central capabilities were not realized for any particular persons, we would say that such a life was not fully and entirely human. The list is intended to be general. Her ten *capabilities* are supposed to transcend time, culture, region, religion, etc. and are thus truly universal.

Sen argues against a fixed list of capabilities, however, and does so for four reasons (Sen 2005, 159-160). First, the capabilities approach has many applications. He argues that one must understand what one is trying to evaluate and what the goal in evaluating it is. In one case a researcher may be interested in alleviating poverty in poor countries; in another case a policy maker may be interested in improving mental health in a wealthy nation. Each project would benefit from its own specified list, rather than drawing upon a fixed universal one. Second, circumstances such as advancements in technology might suggest the need for a more flexible list. For instance, in the 1980s when Sen first advanced the capabilities approach, cellphones or the internet were obviously not ubiquitous. But today, we may even have cause to say that lack of access to the

internet or cellular phones is an unfreedom or deprivation. Third, Sen believes that the approach will be more intellectually rigorous and relevant to political and social life if the public perpetually and consistently scrutinizes capabilities. For instance, he notes that feminism has made many contributions to revealing the unfreedom in which fixed family roles and relations can result (160). Lastly, Sen submits that certainly lists have value and application, but a fixed and final list would, “deny the possibility of progress in social understanding, and also go against the productive role of public discussion, social agitations, and open debates (160).”

This last objection to a fixed list raises the question of the role of public discussion in the capabilities approach. Decades after Sen first designed the capabilities approach he warns that its application has been misunderstood and misinterpreted, specifically in relation to issues of political implementation (Sen 2009, 232). The approach should, he thinks, be viewed primarily as a tool for assessing social disparities and inequality. He writes, “The assessment of societies and social institutions can be deeply influenced by the information on which the approach focuses, and that is exactly where the capability approach makes its main contribution (233).” The value of the approach lies in its ability to reveal individual advantages based upon opportunity rather than in a promotion of a specific study design based upon societal value judgments. Sen cautions that it should not be used to contrive blueprints for policy formulas (232). The capabilities approach offers useful information for policymaking in that it provides descriptive data, but it does not “lay down a blueprint for how to deal with conflicts between say, aggregative and distributive considerations (233).”

Although Sen favors a Rawlsian public reasoning in which ethical claims must withstand open and informed scrutiny—whether it is concerning domestic policy or human rights issues that transcend borders – he thinks the information the capabilities approach provides should enlighten policy and public reasoning, but that it has little to say about which public reasoning processes to endorse (Sen 2005,160). Nussbaum makes the process of public reasoning a capability by including a “political” aspect into her fixed list of universal capabilities. She defines a “political” capability as “being able to participate effectively in political choices that govern one’s life; having the right of political participation, protections of free speech and association (Nussbaum 1999, 42).” Moreover, she conceives of such participation as crucial to the implementation of the list of central capabilities she advances. She writes, “Good public reasoning about the list will retain a rich sensitivity to the concrete context, to the characters of the agents and their social situation (47).” Practical reasoning, employment, and political liberties—ensured by the central capabilities list—serve to empower individuals, giving them the tools necessary to deliberate effectively and simultaneously instilling a sense of empowerment that makes participation possible in the first place. Nussbaum suggests that the government is responsible for ensuring these “entitlements,” –granting it a moral authority in effect. This makes the design of deliberative institutions that complement capabilities articulation crucial.

How then should a list of preferred *capabilities* be arrived at? And how should the deliveries of those *capabilities* take form and who gets to decide this? It becomes clear that the capabilities approach needs to say something *substantial* about deliberation. Nussbaum

and Sen advise governments to resolve these issues via public reasoning but say little else. Yet, many cultures and societies fail to meet the approach's requirement that capabilities be contextualized and ensured by legitimate, deliberative democratic institutions. Developing countries are also, from resource standpoint, unable to fulfill their obligations to promote capacities. Instead, they must rely upon wealthier countries to donate the needed financial resources and institutional support.

In the next section I describe the “aid chain” –the process used by rich nations to help poor nations fulfill citizen entitlements to *capabilities*. I argue that the complexity of the aid chain and ambiguity of participatory and accountability structures makes the need for deliberative processes even more imperative. Second, I recount the visible consequences for the capabilities approach's inability to articulate a clear public reasoning.

Aid chain

Aid comes from two sources: 1) private development assistance via Non Governmental Organizations (NGOs), Civil Society Organizations (CSOs), Foundations, or Corporate Giving or 2) official development assistance from governments via their multilateral institutions. In 2016, official development assistance to poor countries was USD 142.6 billion (OECD 2017). The top donors (by volume) include: the United States, Germany, the United Kingdom, Japan, and France (OECD 2017). Top recipients include: Syria, Afghanistan, Pakistan, Ethiopia, India, Vietnam, and the Democratic Republic of the Congo (OECD 2015). Private development assistance was an equivalent of USD 44.6 billion in the world in 2015 and the United States was by far the largest

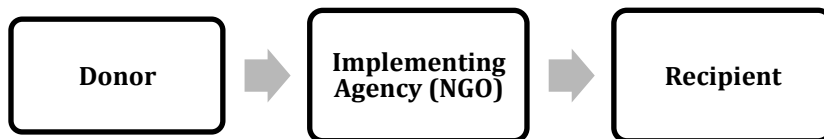
source of private donor money (Development Initiatives Investments 2015). While the world continues to see an increase in development assistance flows (private and official) every year (OECD 2017), this tells us little about how much aid reaches the end user (also called beneficiaries) and to what extent they exercise control over the use of aid.

Each actor who plays a role in the “aid chain” [as depicted below] has its own set of preferences, goals, and interests. Take for example “official development assistance” chains: a donor country like the United States selects a certain amount of money, grants it to a donor agency such as USAID or the UNDP, the donor agency can then give the money either to the beneficiary government or to an implementing agency/NGO such as Care International or Save the Children. This is an example of bilateral aid; a rich country gives assistance to a poor country. In other cases, rich countries multilaterally give money to a multilateral institution such as the World Bank or the United Nations and then the aid chain follows as in the prior example. In either case, the implementing agency is the only entity that has direct contact with recipients and is responsible for actually fulfilling the projects’ goals. In the case of “private development assistance”, the process may be somewhat simple in comparison, with an almost direct relationship between the private donor and the recipient.

Figure 2: “Official Development Assistance” aid chain



Figure 3: “Private Development Assistance” aid chain



The aid chain raises the question; who is setting the agenda and to what extent are the voices of recipients being heard? Although the ultimate purpose of development assistance is to enhance the well-being of recipients—making the participation of recipients in agenda setting and implementation all of the more relevant—there is substantial evidence that the *voice* and preferences of recipients often get ignored.

First, there is evidence that donors have more than just benevolent intentions. It is a widely documented phenomenon that donor political and economic interests determine the allocation of aid to its recipients rather than the development needs of recipients (McGillivray and White 1995, Berthelemy 2006, Dollar and Levin 2006). In fact, Alesina

and Dollar (2000) show that whether or not a recipient country is a previous colony is a much better predictor of aid allocation rather than economic need. The authors also theorize that aid is used by donor countries to essentially “buy” votes from their recipient countries on the UN Security Council. While a wealth of literature questions (see World Bank 1998, Easterly 2005, Loud and Nielson 2007) whether or not recipient countries use aid money well, less attention has been paid to whether or not donor countries *give* money well. The relationship between donors, donor agencies, beneficiary governments, implementing agencies, and recipients is dynamic and complex. Are donors accountable to recipients? Are donors responsive to recipient needs and preferences?

Indeed, the academic and development community has only conducted a few studies on this. *Consultations with the Poor*, which came to be known as *Voices of the Poor*, a world bank-led assessment was published in 2000 is still the most comprehensive and relevant study to date. The authors attempted to offer a study representative of the global “poor” by analyzing seventy-eight Participatory Poverty Assessment (PPA) reports from 47 different countries. PPAs were developed by the World Bank in the early 1990s in order to identify impediments to development within countries and to use such information to inform policy. PPAs are described as an, “iterative participatory research process that seeks to understand poverty from the perspective of a range of stakeholders and to directly involve them in planning follow up action (14).” The *Voices of the Poor* volumes explore four topics: 1) the way people in poverty define wellbeing vs. ill-being, 2) people’s priorities for wellbeing, 3) people’s experience with institutions such as local and national governments and NGOs and 4) gender relations. The authors identified

numerous themes and common experiences. However, the most relevant finding in relation to the “aid chain” was that both state institutions and NGOs failed to respond to the needs and preferences of the poor. When participants were asked to define poverty they pointed to material measures such as lack of water, food, and shelter but they also pointed to non-material measures such as powerlessness, vulnerability to corruption, and a lack of responsiveness among government officials (Nayaran et al. 2000, 30-32). Government institutions were characterized by ineffectiveness, corruption, and irrelevance to the well-being of communities and individuals. While India had the most extensive public goods system, beneficiaries complained that progress was slow, citing reasons such as lack of participation and involvement of beneficiaries, political leaders who were more interested in themselves than in the society they chose to serve and planning from the top that ignored people’s assessment of their needs (69).” Participants complained that government officials not only had limited knowledge of poverty in the regions they represented, but that they used their positions to exploit the poor and achieve selfish goals (77). In Panama, people specifically stated that their impoverishment was a result of community “voicelessness” and lack of local leadership.

Poor people also gave NGOs mixed reviews. They reported that NGOs provided important resources when the state failed to provide them; including but not limited to food aid, education, health services, and agricultural technology (105-106). Many also cited examples of NGOs improving local state capacities by partnering with them to improve access specifically to health and education. However, they criticized NGOs for uneven attention. In many countries, less than 10% of the population had contact with

NGOs and many complained that NGOs work only in convenient and easy to access areas (106). Most NGO-led projects were characterized by ineffectiveness and a general failure to deliver long-term results. Reasons for NGO inefficacy included corruption, a lack of financial and administrative resources, a poor understanding of local culture and traditions, and malevolent intentions (109). Participants also complained that NGOs did nothing to build long-term local capacity for self-governance or leadership (107). In Senegal, one interviewee described NGOs as “vehicles to dispense financing with little local participation (107).”

For their part, NGOs’ greatest expressed concern was their financial dependence on donors. Donors imposed unrealistic targets, short time frames for project completion, and their own “pet projects” that ignored the priorities of the beneficiaries. NGO workers also complained that the state sometimes made it more difficult to deliver services. The state often refuses to cooperate with providing important data or information; government officials sometimes direct NGOs to areas that are less needy but contain important constituencies, or at other times the state competes with an NGO in providing a service such as a medical clinic or education services. Nayaran et al. conclude that community-based organizations, neighborhood networks, kinship networks, and informal networks seem to provide important economic and social support in the face of state and NGO failures.

Case Studies

Even though the World Bank’s *Voices of the Poor* report was published almost two decades ago, beneficiaries continue to complain that they lack *voice* or agency in agenda

setting and aid delivery. Examples from Uganda and Mali demonstrate that beneficiaries and implementing NGOs in developing countries are aware of their own role in such hierarchical relationships with donor countries and their agencies.

Gay Rights in Uganda

In Uganda, many graduates from prestigious universities in the capital, Kampala, start their own NGOs in response to development and human rights problems they identify in their communities. Yet, important donors move in different directions. A salient problem in Uganda is the debate over homosexuality. Homosexuality is illegal and punishable in Uganda; in 2014 parliament passed a bill that allowed courts to sentence offenders to the death penalty if found guilty although the bill was overturned by the Constitutional Courts on Procedural grounds shortly thereafter (Uganda: The Anti-Homosexuality Act 2014). The United Nations High Commissioner on Human Rights, Human Rights Watch and other international organizations and donors have spoken out against the discrimination against homosexuals in Uganda and some advocacy NGOs run by Ugandans that have joined this effort. However, interviews with several Ugandan directors of NGOs in Kampala express a lack of support from the international community. One Uganda aid worker explains:

Our funding partners include [American, Dutch, and European Organizations]. These funders announce calls for proposals...they are really specific about what kind of projects they are looking to fund. It is bad that they are so specific because there are things we think Uganda needs but we don't have the money to start projects such as LGBT issue projects,

but its also good that they are specific because it is very competitive and otherwise we wouldn't get the money ...the proposals being so specific also saves them time [Associate Program Director, Male Ugandan, interview conducted by author on February 2016]

In other words, some donors are unwilling to fund advocacy projects on politically sensitive issues. As a result, some NGOs like the one above are not able to pursue issues they believe are pertinent to their country and their community's well-being.

Water Security in Mali

In a rural village in Mali, beneficiaries expressed disappointment in a microdam project funded by an NGO. The village has become water insecure as climate change has made rainfall sparse and unpredictable in recent years. As such, the village chief asked the regional mayor's office for help. The mayor was able to match the village with an NGO that was willing to hire contractors to build a microdam as the villagers asked. The microdam was intended to increase water supply into the dry season; capturing water that accumulates in a river during rainy season. However, the village complained that the wall that was built was too short. The microdam was supposed to hold water for 9 months after the rainy season, however since the microdam was built, it has only held water for 1 month before completely drying up. The villagers expressed concerns to the contractors while they were building the wall, as well as to the

NGO overseeing the project. They pointed out that the wall was not tall enough and would not successfully hold enough water for a sufficiently long period of time. However, no one appeared to listen. Despite the failure of the project, the villagers reaffirmed that when an NGO attempts to help, that help should be accepted no matter what. In a focus group with men and women from the village, food and water insecurity were their primary concerns; desperation and vulnerability in terms of basic survival overshadowed all else. Although the villagers expressed a desire for NGOs to listen to their needs and preferences, they emphasized that the resources NGOs provided were necessary at any cost.

When the NGO comes, they should ask about the village needs. But the NGO may only do certain things, so you must accept what they offer you even if it's not what you want. For me, if you want to help someone...the person you are helping knows their problems. But if you [an NGO] wants to do something to help someone you can still help us...We cannot say that we don't need help. We [the villagers] all have something to do. We will come listen to you [the NGO] and what you think we need, that's why we are here right now talking to you. We cannot say we don't need help; the only clean water source is from a pump that was built by an NGO.

[Elder Male, Koulikoro region of Mali, interview conducted by author, January 4th, 2018]

The village should accept having pump water or microdam, or whatever the NGO wants to give. If the NGO gives it to us, then we can ask for something that we want like a solar panel latera relationship with the NGO is key.

[Young Male, Koulikoro region of Mali, interview conducted by author on January 4th, 2018]

We lack all of it....give us water if you want but we still need things that we ask for.

[Elder Female, Koulikoro region of Mali, interview conducted by author, January 4th 2018]

Someone who is dying in water, if you give him a hot iron, he will take it.

[Elder Male, Koulikoro region of Mali, Interview conducted by author, January 4th 2018]

Thus, the beneficiaries of aid understand the complexity of aid giving architecture and describe it as a hierarchical relationship. Donors hold power over both NGOs and beneficiaries because they provide the financial resources. Surely it is unrealistic to ask donor countries to give aid without any concern for its use; this is not my point. What I want to convey is that the capabilities approach is good at many things; it has certainly shifted international norms related to development discourse and policy agendas. But the approach is not enough for promoting *voice*. Sen rightly emphasized the limitations of the

framework. What these case studies demonstrate is that the approach has little potential to alter what seem to be anti-deliberative norms on the part of donors.

Consequences of Voicelessness

Much is at stake for the capabilities approach if it doesn't take the need for *voice* and deliberative procedures seriously enough. First, *voice* has intrinsic value. The central tenet of the capabilities approach is that economic development should be seen as a means to freedom rather than an end. The capabilities approach is concerned with promoting abilities that constitute being human and living a dignified life. Being able to voice one's grievances or preferences and be heard and responded to is central to living a dignified life. The *Voices of the Poor* project found that shame, hopelessness, voicelessness, and powerlessness were important elements of the poor's own definition of poverty. Because beneficiaries are at the bottom of the aid chain, within an extremely hierarchical system, development agendas and practices lack legitimacy.

Second, *voice* maximizes the positive impact of aid money. For instance, Winters (2010) argues that foreign aid is more effective when local government and implementing agencies (NGOs) are able to hold donor countries accountable and participate in aid design. There is also evidence that aid is more effective in countries with better institutions—specifically, higher democratic responsiveness, protections of civil liberties, and higher levels of citizen involvement and political participation (see Isham et al. 1997, Dollar and Levin 2005). Moreover, other studies have found that beneficiary participation at various stages of development projects—research, design,

implementation, and evaluation—can often improve efficiency, long-term sustainability, and more equitable outcomes (Osmani et al. 2008).

In Uganda, for instance, a local NGO in partnership with the government has attempted to mitigate its low primary education quality rates with a community monitoring mechanism. Community members, most of whom had little or no formal education, were trained in how to use scorecards to help them monitor schools. Community members then attended a training led by retired Ugandan teachers on how to develop their own monitoring and evaluating metrics including but not limited to things such as teacher attendance, test scores, graduation rates, materials, and infrastructure. The outcome and success of these participatory school committees were then compared to a baseline group of villages that received ready-made scorecards from local NGOs. The results showed that communities with participatory school committees were much more likely to donate money and resources to their local school and saw an increase in parental involvement, improved teacher attendance rates and improved student test scores (Barr et al. 2012).

Third, the unequal power dynamics between beneficiaries and donors may lead to monoculture and in fact, be antithetical to the promotion of multiple modernities that McCarthy envisions. Anthropologists have documented the effects that donors and donor agencies have on the identities of their recipients. An edited volume by David Lewis and David Mosse (2006) uses nine case studies from a variety of cultures to argue that development is political by nature; beneficiaries are best understood as “brokers” and “actors” engaged in a strategic game where they must conform to donor values and

expectations in order to gain access to resources. Moreno (2008) for example documents strategies used by an NGO run by an indigenous group in Ecuador. The indigenous group would alter traditional celebrations, banning alcohol and other “offensive” behaviors, in order to appease and gain access to international evangelical, Christian organizations.

To this point, I have argued that aid architecture is hierarchical and that recipients of aid lack *voice* at every stage of the development process. This lack has significant consequences—projects lack legitimacy, are less effective, and result in a monoculture where indigenous people mold to the culture of westerners in order to gain access to aid. Much of the criticism of the capabilities approach stems from the fact that it has been successful in changing development discourse and rhetoric, but has done little to change development policy and practices. In this last section, I argue that this is because the capabilities approach lacks a strong sense of *voice* and fails to prescribe a set of complimentary deliberative procedures.

The Capabilities Approach: successful in changing rhetoric, but failure in changing practices

The Human Development Index (HDI) reports sponsored by the United Nations Development Programme (UNDP) have become a widely accepted tool and means for assessing global poverty and well-being, and for directing future development agendas. The capabilities approach appears to have changed the rhetoric and evaluation measures used by INGOs such as the UNDP, with the HDI moving beyond economic indicators and evaluating multi-dimensional aspects of well-being such as gender inequality, civil liberties, environmental sustainability, and so on. This move on the part of the

international community to widely accept and legitimize a turn in development evaluation metrics also led to a shift in agendas and goals. Consequently, the UN Secretary General Office adopted the capabilities approach as its primary theoretical framework at the 2000 summit, setting the “Millennium Development Goals (MDGs)”, designed to inform the international community’s development agenda and the policy vehicles for getting there (Fukuda Parr 2011). According to Fukuda Parr and Hulme (2009), this marked a point of norm “internalization” in the model developed by Finnemore and Sikkink (1998); the international community’s commitment to ending global poverty became a moral imperative to which everyone agreed without debate or further doubts.

Despite this turn, Fukuda Parr (2011) argues that replacing neoliberal policies like IMF structural adjustment plans or the Washington Consensus with Millennium Development Goals (MDGs), inspired by the “capabilities approach and human development approach” changed only the narrative surrounding development and that national MDG implementation policies continued to focus primarily on economic growth. She notes that Poverty Reduction Strategy papers submitted by national governments following the adoption of MDGs, still outlined goal and action plans aimed at economic liberalization and social investments such as education and health. Other seemingly important dimensions of the capabilities approach such as empowerment, distribution, employment generating growth, and democratic governance were never mentioned (128.) There is further evidence that MDGs, in practice, still disproportionately gave priority to economic goals rather than rights-based goals. Sen

and Mukherjee (2014) find that aid funding for education, health, and family planning increased significantly in an attempt to improve gender inequality and the status of women (195). But women's rights organizations received significantly less money than they had in the 1990s. As a result, progress lagged in certain dimensions of women's empowerment such as freedom from violence, political participation rates, political representation, reproductive rights, and wage equality (196).

Other case studies of the capabilities approach's failure to deliver from a practical standpoint include organizations such as the UNDP's Human Development index project and the United Kingdom's creation of the Equality and Human Rights Commission (EHRC) (see Dean et al. 2002, Dean 2008 and 2009). So even though the capabilities approach persists for its philosophical and normative value, its practical value is less evident.

These case studies share more in common than just a failure to deliver real changes in development practice—they equally share in the use of a discourse process that excludes and delegitimizes the beneficiaries of aid policy. Wealthier countries, members of the “OECD” consortium, have a monopoly over the deliberative processes and outcomes because they have a monopoly over financial resources. Ideally, every stakeholder in development practices —beneficiaries, civil society, UN agencies, bilateral donors, multilateral institutions, and national governments—would have equal agency and legitimacy in these spaces. This is, however, not usually the case. Fukuda Parr (2011) argues that although macroeconomic policies like structural adjustment plans associated with broader Washington consensus development narratives in the 1980s and 1990s have

been discontinued, the contents of such programs persist. New programs with different names such as the “Heavily Indebted Poor Countries” (HIPC) initiative and the International Monetary Fund’s “Poverty Reduction Growth Facility” (IMF PRGF) have emerged and still suggest that developing countries conform to primarily economic measures such as privatization, low inflation, and minimum balance of payments (129). She writes, “These new instruments conform to the narrative of the partnership paradigm emphasizing national ownership, but they retain the same policy content that condition access to financing (129).” In other words, donor countries continue to dominate and determine these narratives.

Conclusion

Sen and Nussbaum argue that economic development is a means rather than an end. Further, development policy should be used to maximize capabilities and enlarge the freedom to exercise them. Nevertheless, I argue that the capabilities approach does suffer from some theoretical weakness. The approach is vague and ambiguous about how capabilities should be selected and prioritized when designing development policy. The aid architecture is currently hierarchical, with donors at the top and beneficiaries at the bottom of the scheme. So while the capabilities approach has radicalized the way we measure well-being, it has yet to change the way we design and implement development programs—this I argue is because it neglects the importance of beneficiary *voice* and agency.

CHAPTER 4

Applications: Capabilities and Communicative Freedom in Development Policy and Practices

Introduction

Post development literature's opposition to development aid stems from two fears. The first is that indigenous cultures in developing nations will converge with western culture where western culture is (arbitrarily) seen as superior. The second is that development aid is used by wealthy nations to realize strategic, self-interested motives rather than benevolent ones. Indeed, development aid, policies, and practices have the potential to subdue local values, tradition, and culture as I have discussed in previous chapters. However, in Chapter 2 I argued that communicative freedom (*voice*) provides a set of deliberative procedures for coming to just and legitimate development policy decisions. But while communicative freedom is an abstract or ideal set of deliberative principles, the capabilities approach gives us a more pragmatic account of what individuals needs to exercise *voice*. This chapter furthers this theoretical framework, describing the mutually reinforcing relationship between the capabilities approach and communicative freedom. Together, *voice* and *capabilities* form an iterative process. This chapter also examines some applications of this hybrid approach: a capabilities approach supplemented by communicative freedom. How should these principles inform development practices? I look at examples of development projects that succeed in promoting *capabilities* and *voice*. And finally, I consider some of the obstacles that may remain in transforming development policy and practice.

Capabilities and Voice: A mutually reinforcing relationship

Communicative freedom stipulates *voice*: norms as well as decisions that are legitimate rest on the consensus of all those affected. Agents are free to express grievances, have their grievances heard, and participate in political and social processes or institutions. The normative claims that regulate our lives together always require consent and thus, are also open to reconsideration. The capabilities approach, alternatively, stipulates a basic universal right to freedom, agency, and well-being via the converting of commodities into capabilities and eventually, functionings. Capabilities are the set of “beings and doings” a person is able to achieve. For Amartya Sen, these “beings and doings” are culturally specific and lack transcendence (Sen 1999, 2005). For Martha Nussbaum, there is a universal set of “central capabilities” such as the abilities to read, to imagine, to think critically, to control one’s bodily integrity, to exert control over one’s physical environment and so on. (Nussbaum 1999, 2003, 2011) These transcend cultural contexts and serve as basic rights or entitlements.

A communicative freedom approach to development requires that beneficiaries exercise *voice* over development endeavors while a capabilities approach to development requires that beneficiaries see an improvement in their available *capabilities* sets (beings and doings). I have argued that neither is a sufficient theoretical framework for development policy and practices on its own. Communicative freedom is an *ideal* theory with formalized conditions that we may be able to approximate but likely never fully realize in the real world. Further, it provides a set of ideal procedures for legitimizing development policy and practice, but fails to tell us what an individual would need to

actually participate in these deliberative processes. Discourse is often “infected” or plagued with problems that may be invisible to the actors involved, whether they are beneficiaries, donors, or an implementing agency. Hermeneutic injustices, testimonial injustices, and self-fulfilling stereotypes make it difficult to say that agents, especially beneficiaries in this case, are engaging in discourse as free and equal speakers. Moreover, even when deliberative institutions are established and encouraged by development stakeholders (whether local or international level actors), they are often symbolic and fail to change common practice due to the lack of local government capacities.

And so, the capabilities approach fills a void for communicative freedom in that it emphasizes what agents are *capable* of—*Do they have resources necessary for exercising voice (access to education, reading materials, transportation, political forums and so on)? Do they have the ability to imagine new or different political and social realities? Do they have a strong enough sense of self-worth of confidence to engage in discourse?* The capabilities approach addresses the “difficult to detect” inequities and injustices (hermeneutical, testimonial, self-fulfilling stereotypes, and symbolic laws and state capacity failures) that are not part of the idealized procedures of discourse. *Capabilities* can be thought of as a minimum, a universal set of “entitlements” or positive freedoms; each citizen must have certain *capabilities* before we can be sure that they are participating in discourse as free and autonomous agents.

Why do we need the account of communicative freedom at all? One may ask why the capabilities approach cannot simply incorporate “voice” into its schedule of “central capabilities.” Even though the capabilities approach has played a large role in development thinking since the 1980s, it has failed to radicalize development practices

(Dean, et al. 2000, 2008, and 2009, Fukuda-Parr 2011). The capabilities approach has successfully changed the way development actors evaluate well-being, moving beyond simple economic indicators like GDP per capita, but it has yet to change the way development policy is designed, implemented, and evaluated. The aid chain remains dominated by donor country interests because the capabilities approach is ambiguous about what kind of public reasoning processes should be used to select or prioritize various capabilities to enhance. I argued that the capabilities approach needs a more articulate theory of public reasoning, advocating specifically for communicative freedom. However, it would be problematic to simply “add” or “incorporate” *voice* into the capabilities approach because their essential functions and purposes inherently differ. Communicative freedom is the *deliberative process* by which legitimate decisions are made while the capabilities approach is a *schedule of entitlements* or *a set of conditions* that must be achieved before an individual may fully participate in that process.

By standing outside of a schedule of capabilities, communicative freedom resolves a problem for the capabilities approach—the problem of a fixed list (advocated by Nussbaum) versus a flexible list (advocated by Sen) (see Nussbaum 2003 and Sen 2005). Sen argues against a fixed list of capabilities for four primary reasons; applications of the approach may differ from one context to another, unforeseeable technologic advancements may alter capabilities needs, capabilities sets should be continuously scrutinized by the public, and committing to a fixed list would imply that no further social progress is possible (Sen 2005, 159-160.) For Nussbaum, however, a list is central to the capabilities project and she includes “control over one’s material and political

environment” as one of her fixed or universal “central” capabilities (Nussbaum 2000, 41).

She writes:

One cannot have a conception of social justice that says, simply, ‘All citizens are entitled to freedom understood as capability’. Besides being wrong and misleading...such a blanket endorsement of freedom/capability would be hopelessly vague. It would be impossible to say whether the society in question was just or unjust (Nussbaum 2003, 47-48).

Nussbaum argues that public reasoning works to help us specify how various *capabilities* may be realized (47). For her, *capabilities* give us an account of what is just, while public discussion translates that account into policy and action.

If communicative freedom were used to facilitate public discussions on *capabilities*, Sen and Nussbaum’s views on the applications of *capabilities* becomes reconcilable. Habermas’s theory of discourse ethics makes a distinction between norms and values. Norms are aimed at universality; what is good for *all*. Something is a norm because it is something that we could will onto everyone else. Conversely, values constitute what is good for *us* aimed at individual or collective commitments rather than universality. Both of these questions are relevant to development—*what sort of capabilities entitlements can we will for all of us?* and *how can those entitlements be translated into policy and action?* For Habermas, moral, ethical, and even pragmatic questions (strategies and techniques for fulfilling

contingent desires) are all subject to the employment of practice reason, but only moral questions are universalizable.

Relatedly, I argue that communicative freedom is applicable to two different levels of deliberation over capabilities: 1) the schedule of capabilities entitlements and 2) policy and practices used to achieve those entitlements. Nussbaum's capabilities list is a set of norms or a "minimum" set of requirements, something that *all* in the international community *would agree to* or *what is right for all*. However, the application of *capabilities* entail only *what we in our community can agree to* and may vary from one culture to another, as Sen would prefer. Take for instance one of Nussbaum's central capabilities— "Control over one's political environment." This central capability can be viewed as a norm, while political values and local interpretations or expressions may vary, taking the form of majoritarian electoral systems or proportional representative. "Play" (freedom to engage in recreational activities) is another central capability according to Nussbaum; it is easy to imagine how this may be realized differently in different cultures. West Africans may value certain types of recreational activities over others, hosting dancing or musical events by informal means at the village or community level. In the U.S., "play", is realized through more formal means within the education system and football and baseball are valued more than other activities such as dance.

In addition, Sen's greatest objection to Nussbaum's central capabilities list seems to be that it implies that the list is unalterable and would consequently be unresponsive to changes in the common will. But communicative freedom accounts for this; it is a set of deliberative procedures for coming to just and legitimate decisions, but it doesn't

presuppose that any particular capabilities or policy practices are superior to others. Rather, universalizable norms (or in this case, an international schedule of capabilities) and the implementation of capabilities agendas are always alterable and open for reconsideration. Normative claims act as binding agreements and work to coordinate our actions but agents can always disrupt the status quo and challenge the validity of such claims. For instance, technology and artificial intelligence may become so pervasive that the current schedule of capabilities needs be altered. Indeed, although Nussbaum's central capabilities may currently represent a *common will* communicative freedom stipulates that consensus may become disrupted at any time. Moral argumentation—a process by which affected individuals cooperate to reach an understanding—is used to restore the normative claims that inform a schedule of capabilities.

Lastly, Nussbaum's list has been subject to criticism for being a western imposition, offensive to cultural diversity, and inherently paternalistic. How can we justify a universal list of central capabilities? And if can, how do we know that we have gotten the list right? Recognizing such objections, Nussbaum devotes an entire chapter to her defense of a universal set of entitlements in her book, *Women and Human Development* (2000). She argues that the list represents an overlapping consensus; she commits herself to a “cross-cultural comparison” to demonstrate that the list is a reflection of universal, commonly shared notions of human capability and human quality of life (35). She uses the stories of two Indian women and the Indian constitution to draw up points of overlapping consensus between Western and Eastern culture to prove her point.

However, many critics remained dissatisfied with her defense and specifically, with the amount of evidence used from the developing world. Susan Moller Okin for instance writes, “Nussbaum says at the outset of her argument that feminist philosophers should not only focus on the urgent needs of women in the developing world, but that they should do so ‘in dialogue with them.’ So it seems odd that, in a three hundred page book, each of the Indians whom she interviews—Vasanti and Jayamma—speaks for herself, being directly quoted only once (295).” Okin concludes that Nussbaum’s capabilities “seem to draw more from the life of a highly educated, artistically inclined, self-consciously and voluntarily religious Western women than from the lives of the women to whom she spoke in India (296).” Frances Stewart (2001) similarly contends that Nussbaum’s list is compatible only with twenty first century Western liberalism. Nussbaum’s proposed entitlements to reproductive freedom and respect for species would not hold up in many non-western societies today. Stewart is also dissatisfied with Nussbaum for only using two Indian women and India’s constitution as evidence. Both Indian women are “untypical of Indian women as a whole” and the Indian constitution was “subject to strong Western influences, including the British education of many participants as well as assistance from British constitutional experts (1192).” It seems that the objection to Nussbaum’s list is not that there are universal capabilities essential to human dignity, but that she has not justified exactly what those capabilities are. Communicative freedom alternatively, requires that these questions are not answered monologically by Nussbaum but by a free and equal discourse between all those affected.

Added capabilities

By supplementing the capabilities approach with communicative freedom, we also leave room for groups or specific cultures to translate their values into what I call “added capabilities” or *capabilities* not included in the central *capabilities* list but nevertheless just as important to a community of people (important for *us* but not right for *all*.) Some may object that “added capabilities” are interpretations of central capabilities rather than their own category. However, I contend that “added capabilities” ought to be considered its own category for the following reasons.

First, there are *capabilities* that are so essential to particular cultures that they deserve the same recognition as central capabilities but are normative for all. Take for example, Mali’s “joking cousins” custom called “*senunkunya*” in the local language, Bambara.⁶ The word “*senunkunya*” literally translates as “contract” or “pact.” Joking is ubiquitous in Mali; pre-established relationships between ethnic clans compel Malians to insult each other and make particular jokes when meeting or greeting one another (between both strangers and familiar parties). Just as Americans often say, “nice to meet you” or ask, “how are you?”, Malians accuse each other of being flatulent or stupid, claim ownership over one another, or comment on one another’s poor diets.

Malian Emperor, Sundiata Keita, instituted these joking relationships based upon patronyms or surnames during the thirteenth century. Keita, for the first time had conquered and unified historically opposed tribes and so *senunkunya* was institutionalized

⁶ Common spellings of the custom also include: “*senenkunya*”, “*sinankunya*”, and “*senankuya*”. The practice also extends beyond Mali to the Mande people of Guinea, Gambia, Burkina Faso, and other parts of West Africa.

for the purpose of preserving peace and harmony amongst the various tribes within the empire (Kouyate 2003). Guidelines were transcribed in Keita's "Kurkan Fuga", a document or charter intended to govern every aspect of life in the West African Empire. Joking relationships continue to persist in modern Mali as a source of national identity. But most importantly, *senunkunya* is a form of social capital or more specifically, a *capability* that can be converted into a functioning which works to grant access to social goods and resolve conflicts. Most peculiar about *senunkunya* is that outsiders, in an attempt to assimilate to the local culture, are free to employ it. Many outsiders adopt a "Malian" first name and a last name of an ethnic clan who participates in the joking cousin system. Below is an example of a casual conversation between Yaya (a Malian) and Kadida (an American woman).

Yaya: *Good Morning!*

Kadida: *Good Morning!*

Yaya: *What is your (first) name?*

Kadida: *Khadeejah, what is your (first) name?*

Yaya: *Yaya, what is your (last) name?*

Kadida: *Keita, and you?*

Yaya: *Ohhhh no! I am a Coulibaly*

Kadida: *You eat a lot of beans and fart a lot !*

Yaya: *That's not true! You eat more beans! Everyday you make a bean sandwich; you spread a French baguette with beans, beans, and even more beans. You love beans! Then you go into town on a bus, farting the whole way, smelling up the entire bus! Bean-eater!*

Kadida: *That's not true! You're an idiot. You are my slave.*

Yaya: *You're mistaken, bean-eater. You are my slave and you eat a lot of beans.*

Kadida: *Yaya, listen, you are my slave.*

Yaya: *Not true! ...Hey, do you have a camera? Take a picture of me!*

Kadida: *Sure*

Yaya: *Would you like some tea?*

Kadida: *Of course.*

[Conversation documented by the author in Koulikoro Region of Mali, January 2015]

Scholars have documented various uses of *senunkunya*. As demonstrated above, outsiders (non-Malians) and insiders (Malians) use *senunkunya* to negotiate their relationship with one another and exchange favors or resources. Robert Launey (2006) argues that relationships are formed by the strategic use of *senunkunya*. He states, "...neither the practice nor the meaning of jokes are ever predetermined. They retain the potential to create and to subvert relations of hierarchy or of equality, to stroke or to subdue aggression (27)." *Senunkunya* is a powerful tool, strategically employed by Malians to establish friendship, ensure cooperation, or even to subdue aggression or discontent. Further, Canut and Smith (2006) argue that joking relationships oblige Malians to share resources, provide favors, or end disputes. Cousinage increases the

prevalence of “special favors” amongst kin, whether it be a material or political favor. Jones (2007) suggests that *senunkunya* is used to negotiate situations or relationships, arranging marriages or business partnerships. Douyon (2006) argues that while *senunkunya* may be responsible for promoting political stability, Malians also often abuse it. He states that the joking cousin relationship, “...serves as both an instrument of survival, integration, diplomacy, and demagoguery (54).” Politicians in Mali “...do not hesitate to rely on joking relationships because they now wear all of the possible combinations for the favors of a volatile electorate (pg.32).” While Douyon views this as a misuse of *senunkunya*, empirical studies confirm that the political salience of ethnicity in Mali is extremely low in proportion to its numerous cross-cutting cleavages (see Dunning and Harrison 2010). Politicians use *senunkunya* to win voters from ethnic groups other than their own.

While scholars do not fully agree on the reasons for employing *senunkunya* it demonstrates a need for “added capabilities.” *Senunkunya* is essential to participation in social and political life in Mali so excluding it from a schedule of Malian capabilities would severely compromise the goals of development policy. Of course, some may argue that *senunkunya* belongs under the umbrella of the central capability, “affiliation.” Nussbaum describes this central capability as “being able to live for or in relation to others, to recognize and show concern for other human beings, to engage in various forms of social interaction (Nussbaum 1999, 41)”. Its realization may take different forms—nuclear families, national identity, extended family networks, or even kinship. However, *senunkunya* occupies a distinct place in social and political life for Malians that

the capability “affiliation” cannot entirely capture. As documented by the scholars discussed above, the social custom doesn’t just facilitate social connection or social affiliation but is also a conflict resolution tool, a political tool, and a way to gain access to social goods. If an individual is deprived of *senunkunya* they are deprived of much more than just “affiliation”. In Mali, *senunkunya* as a capability is *equally* as important as other central capabilities such as affiliation, play, bodily integrity, etc.

Capabilities and Voice: An Iterative process

For the purposes of development policy then, a capabilities approach supplemented by communicative action provides a comprehensive framework for development policy and practice. Together, *capabilities* and *voice* form an iterative process. *Capabilities* such as critical thinking, bodily health, imagination, etc. must be fostered, promoted, and safeguarded in order for individuals to maximize their *voice*. *Voice* empowers individuals to participate as equals in interpreting *capabilities* and translating them into development policy and practice. As individuals are affected by new development initiatives, these change the individual’s needs interpretations. From this view, development policy and practice is always alterable and open to reconsideration. As individuals acquire more *voice* and *capabilities*, they acquire more deliberative power over development policy and practice. The mutually reinforcing relationship between *capabilities* and *voice* is depicted in figure 4 below.

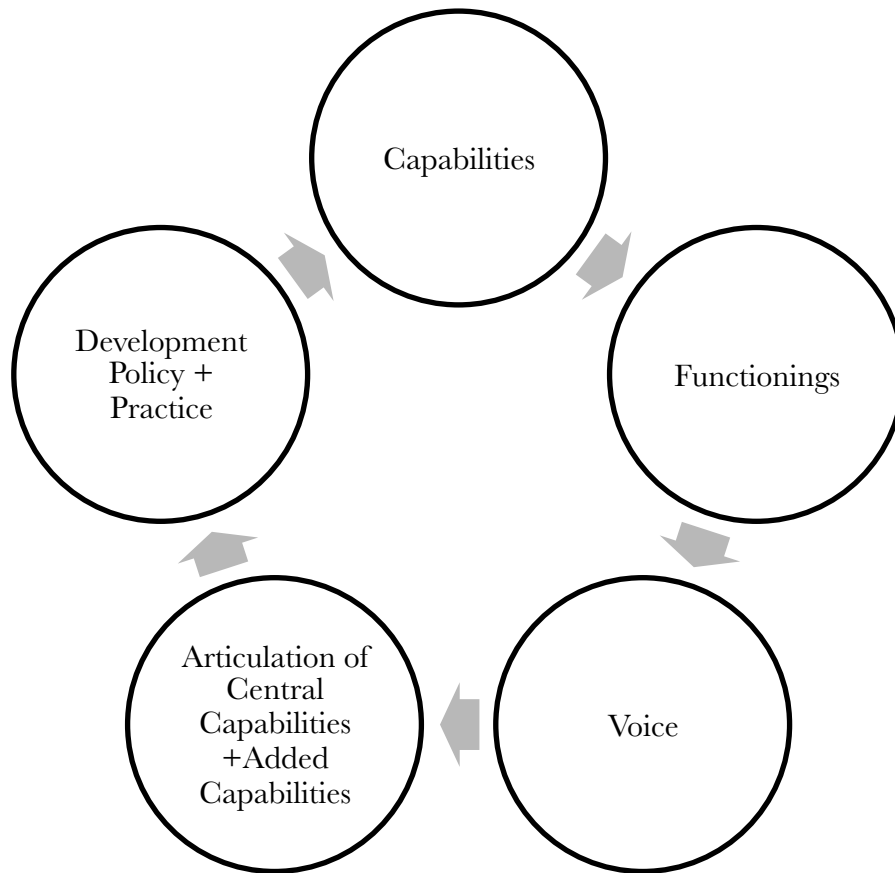


Figure 4

Take, for instance, literacy as a *capability* as depicted in figure 5. Let's suppose the United Nations Development Programme (UNDP) sets a new comprehensive development agenda for developing countries. Included in that agenda is a desire to improve literacy rates among adults in developing countries. Implementing NGOs are allocated money to achieve these ends and the programming begins in the form of adult literacy classes in rural villages. Literacy then becomes a *capability* that village members chose to convert into a *functioning* by attending the classes. Newly literate members of the village then develop a greater capacity for *voice*. Their newly acquired functioning gains

them access to new or imagined social or political realities, new vocabularies, and new information via the ability to read books, magazines, newspapers, posters, billboards, social media, prescription bottles etc. As a result, the villagers learn more about their health care system, their local or national government, the economy, education, and the NGO and international community's efforts to improve the status of literacy. The acquisition of literacy as a skill, in addition to the information and resources it expands for the villager, works together to develop their sense of agency, self-worth, and self-efficacy. Because they come to know more about their social and political world, what led to the adult literacy classes, and how it improved their well-being and freedoms, literacy as a *capability* takes on a new meaning. They don't view literacy as a waste of time or a hobby for aesthetic value but a form of empowerment because of the material and nonmaterial resources to which it granted them access.

We can imagine then, that their improved capacity for *voice* compels them to, first, make changes to the NGO's adult literacy programing. As the villagers learn to read better, they may learn more about the variety of reading materials that exists and demand that the teacher use more science fiction or teach them to read technical manuals. Second, this newly acquired skill and enhanced sense of voice compel the villagers to reinterpret the status of their well-being, what development agendas should consist of and how those agendas should be realized. Suppose a villager reads a pamphlet distributed by an NGO or international agency on the causes of Malaria and the importance of sleeping under bed nets to prevent malaria. They change their behavior as a result and convince their family members to sleep under bed nets. As a result, they observe a significant

decrease in malaria rates and come to realize the importance of malaria education. The villagers then demand that NGOs and international agencies increase their malaria education efforts but also recognize the importance of literacy to make such malaria education more effective and impactful. In this example, the villagers are altering or reinterpreting not only development agendas but the NGO's procedures for realizing those agendas.

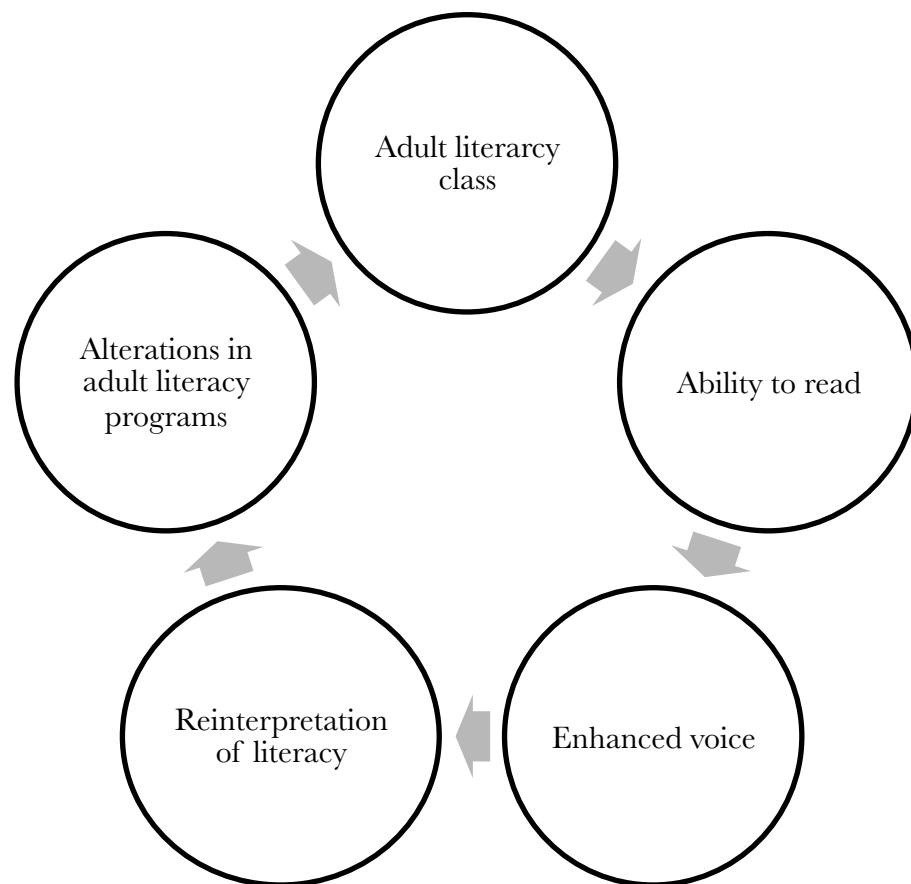


Figure 5

Applications for development practices

What does this mean for development practices? What should their programming look like? I have argued that development policy and practice should improve the status of both *capabilities* and *voice*. These standards should be applied to all aspects of the development endeavor—agenda setting, policy/programming, implementation, and evaluation. The most radical aspect of a capabilities approach, supplemented by communicative freedom, is that it rejects the *efficacy* of development interventions as the highest value. Rather, it requires that projects are also ethical where the ethical standards are the capabilities and communicative freedom. The framework, for instance, allows us to justify projects that enhance capabilities without many measureable economic or social outcomes. For instance, an organization that I discuss in this section builds playgrounds for children in East Africa simply because “play” is fundamental to being human and living a life worthy of dignity. The ability to “play”, however, may not improve common measure of economic development such as GDP per capita or productivity. Further, when we supplement the capabilities approach with communicative freedom, we also reject the notion that westerners or rich countries should monopolize the deliberative processes used in development. Communicative freedom submits that *all those affected* by development agree to a schedule of capabilities as well as the policies and practices used to realize those capabilities. In the next section, I use NGO case studies to explore the deliberative role of communicative freedom in transforming capabilities into policy and practice.

East African Playgrounds

While students at the University of Leeds, Tom Gill and Carla Powell spent time in East Africa working with aid organizations in the region. During this time, they discovered three problems plaguing local communities and local NGOs practices. First, there was an obvious lack of safe spaces for children and more specifically, places where children could play and have fun. Second, unemployment rates among young adults were staggeringly high despite their yearnings to work. And lastly, many NGOs were charging volunteers from the developed world high prices to volunteer for seemingly ineffective projects that often impacted the beneficiaries and locals in negative ways. So Tom and Carla established “East African Playgrounds”, now headquartered in Jinja, Uganda. The organization builds playgrounds, of course, but also, in the process, does much more. For our purposes there are three noteworthy aspects of the organization’s work.

First, to date, the organization has built almost 200 playgrounds, using primarily recycled materials sourced from within Uganda and employing over fifty Ugandans. Many of their employees used to be “street kids,” as Tom puts it.⁷ He teaches them how to weld, use tools and machinery, and install the pieces. Many of these skills end up being transferrable and some of his apprentices have moved into other employment opportunities. Second, instead of trying to decipher on their own who needs the playgrounds the most, the organization relies upon applications from schools and communities. A committee of Ugandan teachers from the region then sort through the

⁷ Interview conducted by the author on August 5th, 2016

applications and make the final call. Third, each playground is different, designed by the community itself. Before planning or construction begins, the organization consults the children, teachers, and other members of the community and rather than introducing new forms of play, it tries to enhance the forms of play the children already employ. For instance, if the children talk about playing doctors and nurses, the organization builds a playground that simulates a health clinic. If the children talk about pretending to work in the transportation sector, the organization builds boda bodas (motorcycle bikes) or matatus (local buses). Some communities choose to build playgrounds with helicopters and airplanes, others have animals and some have “sensory boards” with objects that make different noises as musical instruments do.

The East African Playgrounds’s website includes references to research that supports the notion that play is essential for cognitive development and long term “quality of life” outcomes such as income and educational achievement (East African Playgrounds 2016). Play is proven to improve social skills, cognitive abilities, problem solving skills, concentration, imagination, and self-control. But Tom admits that this isn’t the primary motivation:

Why do we think that Ugandans only need their basic needs met? Why do we only care about feeding them? Why do they not deserve to have fun or play? Besides the empirical evidence, it’s something that every child deserves. There are 100 water NGOs working in Jinja and they aren’t really helping. We are the only NGO building playgrounds.

[Interview conducted by the author in Jinja, Uganda on August 5th 2016]

East African Playgrounds works primarily in the southern part of the country where its headquarters are but it has also expanded to refugee camps. In fact, Uganda has the fifth highest number of refugees in the world according to the UNHCR (2017), hosting approximately 1.3 million people. It also hosts the largest refugee camp in the world, the “Bidi Bidi” camp, where some 270,000 South Sudanese have fled from a war in their own country. In 2016, the organization built 15 playgrounds in five separate refugee settlements in the region; the impact has been transformative. “Local Early Child Development Centers” in each of the settlements have reported massive increases in center attendance rates, equal use by gender and by Sudanese (refugee) and Ugandan (non-refugee) children (East African Playgrounds 2016).

East African Playgrounds enhances *voice* and *capabilities* and consequently, beneficiaries are more able to participate in deliberating over meanings of “play” and strategies used to achieve “play”. First, “play” is not just seen or constructed by the organization as a means to something (whether it be measured in terms of I.Q, school attendance, income, employability) but it is seen as end in and of itself. Basic needs, such as food, water, or shelter, usually gain the attention of development organizations; this is justifiable and reasonable indeed. But for Tom and Carla, play is just as important and remains neglected by the international community. For them, denying children the ability to play is equal to rejecting them as fully human.

Monitoring and evaluating data the organization collects demonstrates that there are almost immediate improvements in social, cognitive, and creative skills. These

improvements directly enhance the *voice* of children, building for them new vocabularies, new imagined realities, and stronger senses of self-efficacy. Lastly, the organization uses procedures characterized by communicative freedom's principles. Communities decide for themselves whether or not they would like to be considered for a playground. From the application pool, "playground committees" made up of local teachers decide which communities have the greatest needs for playgrounds. The playground design is also the result of a deliberative process that engages all of the interested parties, but most importantly the children for whom it is intended. Playground designs reflect the history of play, enhancing games and activities already played, based upon the local culture. There is also evidence that teachers, children, parents, and members of the community understand capabilities such as play, learning, imagination, critical thinking skills, and emotional health and their relationship to one another differently after the construction of the playgrounds. After construction, 74 % children reported feeling more encouraged to attend school, 82% of them reported learning new skills while playing on the playground, 83% of teachers reported positive improvements in class performance, and 11% of teachers reported that they began using the playground as a learning aid (East African Playgrounds "Impact Report" 2016).

Tostan

Tostan, an NGO established by a former Peace Corps volunteer, Molly Melching, is widely known for its success in reducing the prevalence of female circumcision (FGM) in Guinea, Guinea-Bissau, Mali, Mauritania, Senegal, and Gambia. Their mission though, is much broader as FGM is correlated with many aspects of poverty such as the

lack of economic opportunity, political empowerment, and education. At the organization's inception in 1991, efforts focused exclusively on offering a literacy-based curriculum to adult women and men in rural communities of Senegal who lacked formal education. As the Tostan team continued to interact with these adult learners, it altered its curriculum programs significantly in response to the needs and demands of the learners. The participants began asking the teachers and facilitators broader questions about democracy, human rights, and the organization of their local and national governments. Many African countries like Senegal underwent a wave of democratization in the 1990s; villagers heard about democracy, authoritarianism and voting on the radio and they wanted to know more (Gillespie and Melching 2010, 478).

Women also began asking facilitators questions about their bodies, reproduction, child development, malnourishment, and malaria. In one case, a Senegalese woman participating in literacy classes with Tostan was told by a doctor [while she was pregnant] that she could not have any more children without facing dire health consequences or even death (485). She and the doctor agreed that her tubes would be tied during a cesarean section to deliver her last child. However, her husband denied the doctor permission to complete the procedure during surgery while his wife was under anesthesia. Horrified to find that her tubes were not tied when she woke up, she returned to her village and asked her Tostan literacy teacher what legal actions she could take against her husband and the doctor. The Tostan teacher agreed to help recruit a local lawyer. They drew upon the "Universal Declaration of Human Rights" (UNDHR) and the "Convention on the Elimination of All Forms of Discrimination Against Women"

(CEDAW)—both of which Senegal’s government had ratified—to make a case to the hospital director. Their case was successful and the hospital changed its policy, rendering the husband’s power in such cases obsolete (485-486). After this incident, the team at Tostan came to realize not only that the women could benefit from human rights training, but that there was a demand for it amongst women and other members of the community. While literacy was important, it would be more meaningful if it were complemented with new ideas and vocabularies.

Tostan’s model is special in that they only work in villages to which they are invited. When a village does invite Tostan in, the organization sends in a trainer of the same ethnic group and language background to facilitate a “Community Empowerment Program.” The trainer lives in the village for three years, becoming an integral member of the community. Most trainers are women and previous graduates of the program. Participants are split into two groups of approximately twenty to twenty-five people. One group consists of men and women while the other consists of adolescent boys and girls. Tostans also requires that group members proportionally represent the diverse set of social strata within the village. Gillespie and Melching (2010) describe their educational approach as “learner centered, nonprescriptive, and rooted in local cultural practices (481).” Concepts are delivered in a “West African” form through dance, proverbs, songs, poems, plays, and oral history.

The program consists of two phases: 1) Kobi, a local Madinka word meaning, “to prepare the field for planting” and 2) Aawde, a local Fulani word meaning, “to plant the seed”(481). During the Kobi phase, participants outline goals or future visions for their

community, learn about democratic principles, human rights, and also receive health education training. During the Aawde phase participants are taught literacy, numeracy, and skills used to enhance income-generating activities. In addition to these classes, each village elects 17 representatives, nine of which must be women, to a “community management committee (481).” The committee identifies problem areas in the village; solutions are proposed, projects are planned, and evaluation metrics are agreed upon. Tostan’s role is to facilitate partnerships and connections between the community management committee and local NGOs and government offices to assist the committee in realizing its goals. After participants graduate, they are encouraged to engage in “organized diffusion” whereby they adopt new “learners” in their family, village, or even nearby neighboring villages and teach them their newly acquired skills and knowledge. To further support “organized diffusion”, Tostan intentionally selects villages that use the same markets, share religious leaders, and have ethnic or familial ties.

In Tostan’s follow up evaluations, it found that these committees persist long after the facilitator concludes their three-year commitment. To date, approximately 200,000 participants have completed the community empowerment program and more than 2,000 community management committees have been established (Tostan 2015).

Approximately 500 community management committees have gone on to establish Civil Society Organization (CSO) status. In Guinea and Senegal, an internal study done by Tostan showed that these CSOs improved birth registration, marriage certificate, school registration, national identity cards [primarily used for voting], and utilization of health services rates. Participants of Tostan have also used their training in other unexpected

ways. Some villages, for instance, have collectively abandoned the female circumcision practices. The women who pushed for such change recognized that their campaign would be successful only if the “intermarrying” network beyond their own village joined. Accordingly, they translated their newly learned human rights vocabulary and legal frameworks into local and culturally relevant values in an attempt to persuade others. Other villages have organized peaceful marches in protests against child marriage and violence against women.

The mutually reinforcing relationship between *capabilities* and *voice* in development practice is evident in Tostan’s model. Tostan offers a set of *capabilities*—literacy, numeracy, health education, knowledge of democratic practices, human rights frameworks, and health education. Villages then chose or “consent” to converting these *capabilities* into *functionings* by inviting Tostan into their village. Further, these *capabilities* target the injustices that infect or minimize *voice* such as hermeneutical injustice, testimonial injustice, self-fulfilling stereotypes, and lack of state capacity to ensure deliberative rights and institutions. As one participant explains, she always knew that there was something wrong with FGM but she simply didn’t have the vocabulary, information, or data to develop or express these feelings. It was simply, the way “we” do things, implying it was unchangeable and unchallengeable.

I was married at eight and had my first child at 15...It was only when I went to the Tostan classes, and we began studying human rights and health and hygiene, that I began to think more about cutting, and about things that has always bothered me instinctively, but that I could never quite articulate

[Former Senegalse cutter, (Reaves 2007)].

Moreover, as a result of Tostan's programs, participants share collective experiences to facilitate new interpretations and understandings of their political and social life. Another Senegalse woman who participated in the trainings explains:

All the time, after class, we talk about [our] Tostan [education]. On our way going to fetch water, or with children...[a]nywhere you find us, you will hear us talking about the importance of this education.... We now know our rights and we always talk about them

[Unkovic 2007]

Tostan graduates also see themselves connected to a larger movement or informal network outside of themselves and even their own communities. One participant wrote a poem at the close of Awade training, reflecting on her education and experience with the organization. She expresses an altered sense of self-worth and value, but also sees her own oppression and disenfranchisement situated within a larger, global, and collective struggle, a collective struggle, in which she now feels an obligation to partake:

*My spirit flew high above the earth
With eyes sad and full of tears
Seeing the misery of imprisoned human rights
Angry, revolted, my spirit will cry no more*

Speaking out, she emerges from the shadows

She travels the world to gather people

It is I, Human Rights, who speaks

You the people of Tostan

I thank you

Because of you, everyone is aware of me

I have chosen you and you have taken me throughout the county

You have made me famous

[Senegalese woman, Gillespie and Melching 2010, 490].

So while Tostan's curriculum works to enhance the *voice* of its participants, they use their *voices* in two primary ways. First, participants draw upon international norms, translating them and applying them to local contexts in order to demand social change. This is evidenced by campaigns to end FGM, violence against women, and child marriage as well as by increased political participation. Second, they use *voice* to alter and transform Tostan's own practices by demanding new curriculum content and asking for further financial, legal, economics, and social resources such as legal counsel or NGO partnerships. This use of *voice* is evidenced by the evolution that Tostan's curriculum underwent during the 1990s from a narrow literary-based curriculum to a broad democracy, human rights, health, literacy, and income-generating enterprise curriculum. These new functionings enhanced the *voice* of participants. The *voice* led them to articulate, translate, and apply norms into their local contexts. They also used *voice* to add

new *capabilities* or make specific requests of Tostan, other NGOs, international agencies, and their local and national government.

Cewigo-“ Center for Women in Governance”

The Center for Women in Governance (Cewigo) is based in the bustling metropolis, Kampala, Uganda. Unlike the previous NGOs I have discussed, Cewigo was established by local Ugandans out of the frustration of five female Ugandan members of parliament. As Cewigo’s program officer, Joanita Kako Davina, reflects:

They [Female members of Uganda’s Parliament] realized they weren’t influencing policy. They were just like “flowers.” A women in Uganda is educated but politics is still a man’s world. There are is only 1 woman per every 71 men in Parliament [Interview by author in Kampala, Uganda on January 21, 2015].”

The founders set out with two simple goals: to increase the number of women in government and to improve the quality and efficacy of female politicians.

The organization works to realize these goals via three different programs. First, the “Citizen Empowerment Program” targets women, men, boys, and girls who would normally lack a civic education. They teach participants about their constitutional rights, and responsibilities, the importance of political participation, and the importance of holding elected leaders accountable for the delivery of social goods (CEWIGO n.d.). Second, the “Leadership Development” program is aimed more specifically at encouraging women to seek political office and improving their chances of winning

political office. To do so, Cewigo scouts for women in Kampala who have already shown some interest in public service or politics and teaches them “hard skills” such as public speaking, writing, and research as well as how to lobby, manage budgets, and raise campaign funds. Third, Cewigo puts pressure directly on political and legal institutions. It campaigns via the radio and television, prints t-shirts, gives talks at universities, and networks with other NGOs and governmental organizations. It also lobbies political parties to include female representation quotas and a declaration of women’s right to peace and security in their party manifestos. Joanita views Cewigo’s work as a form of activism and social and political empowerment; the organization’s projects work to hold the government accountable:

The government is not interested in civic education, the government doesn’t like NGOs because they are opening people’s eyes. People in the rural areas are no longer living in the dark. To a regular person aid has done a lot of good, it’s just the government that doesn’t like it.

[Interview by the author in Kampala, Uganda on January 21, 2016]

For her, social and political empowerment requires a change in the culture and in some cases even a rejection of “tradition” and their replacement with international or even “Western” norms.

Of course they [NGOs] are getting rid of Ugandan culture, but Ugandan culture does not equal gender equality. A woman’s place is in the house [in Ugandan culture]. It is Ugandan culture not to empower

her, not to give her property rights. Property rights violate Ugandan culture, but it's a good thing it's changing. Women in Kampala are happy about the change. People in the villages are living in the dark, they cannot see.

[Interview by the author in Kampala, Uganda on January 21, 2016]

Cewigo has been especially successful in holding Ugandan national government and judicial institutions accountable for the pledges they have made on human rights and gender issues. Uganda is party to the “Convention on Elimination of All Forms of Discrimination Against Women (CEDAW)”, the African Charter on Human and People’s Rights on the Rights of Women (commonly known as the “Manputo Protocol”), and the Goma declaration which addresses post-conflict gender based violence. These declarations have led to the passage of legislation in Uganda such as the “Prohibition of Female Genital Mutilation Act ” (2010), the “Domestic Violence Act” (2010), and the “Anti-Trafficking in Human Persons Act” (2010) in addition to a national action plan, which involves government bodies, civil society organization, the private sector, and development organizations (Rumbimwa and Komurembe 2012). The national action plan was first contrived in 2008 and revised further in 2011 in order to ensure that the aforementioned declarations and legislation had a fully realized impact.

Cewigo acts as an independent monitoring organization, evaluating the success of these policy initiatives. In 2012 it conducted interviews, convened focus groups, and collected further quantitative and qualitative data, evaluating the national action plan’s efficacy in three different areas: gender-based violence, provision of medical services for

victims of gender based violence, and women in leadership. The report identified several ways in which the national action plan failed to deliver; rates of child rape, domestic violence and the sexual assault and rape of adult women increased rather than decreased; the rate of investigations, arrests, and convictions decreased for such crimes; there were no improvements to the medical and psychological treatment of victims of gender based violence; and finally although female representation improved significantly at the national level in Uganda's parliament it did not in local councils. Following the completion of the report, Cewigo met with governmental and nongovernmental stakeholders to discuss the results and make specific policy recommendations. Cewigo announced at the end of 2017 that it plans to release another follow up report in 2018.

Cewigo understands the mutually reinforcing relationship between *voice* and *capabilities*. Its greatest emphasis is on the deliberative process itself. Cewigo works to ensure that local and national level decision-making processes are inclusive, reciprocal, equal, and reason-based (promoting communicative principles). Special attention is paid to the deliberative agency of women because of their historical exclusion from such processes. But Cewigo also understands that *voice* must be supplemented with *capabilities*. Getting women into leadership positions is not enough. Women must also be skilled enough to be successful and influential in such positions. They are trained in public speaking, lobbying, running for political office, raising campaign funds, writing policy, research, and negotiation. These are *specific functionings* that allow women to exercise greater *voice*, adding certain *capabilities* to policy, translating international norms such as

women's health into local policy, and articulating the programming used to realize those policy objectives.

Obstacles to development practice applications: donor interests and the aid chain

I have argued that *voice* and *capabilities* are the ends of development, but they should also be the procedures used to create development agendas and the policies needed to realize them. East African Playgrounds, Tostan, and Cewigo all seek to promote *voice* and *capabilities* but also integrate *voice* and *capabilities* into their procedural frameworks. In other words, development projects aim to improve functionings such as literacy, imagination, public speaking, political campaigning, play, and in turn those functionings enhance the *voice* of beneficiaries. Beneficiaries then use their enhanced *voice* to interpret a schedule of *capabilities* into development policy and action. However, it is important to emphasize that while it may be possible to change NGO programming to reflect the principles of communicative freedom and the capabilities approach, the “aid chain” in its entirety is not as easily reformed.

As I explained in the last chapter, official development assistance reached a total of USD142.6 billion in 2016 (OECD 2017, 140), while private development assistance was approximately USD 44.6 billion in 2015 (Development Initiatives 2015).⁸ The United States is the biggest donor, giving developing countries USD 33.6 billion in 2016

⁸ Estimates for 2016 and 2017 have not been published yet. Gathering reliable data on private development assistance is difficult for numerous reasons. See the “Development Initiatives” report titled “Investments to End Poverty 2015” for further discussion: <http://devinit.org/post/private-development-assistance-key-facts-and-global-estimates/>

while Germany and the United Kingdom follow close behind giving a respective USD 24.7 billion and USD 18 billion (OECD 2017, 140). Further, there is substantial evidence that donor countries do not give aid based upon need, but instead give strategically to promote their own self-interested agendas (see McGillivray and White 1995, Alesina and Dollar 2000, Berthelemy 2006, Dollar and Levin 2006). In addition, the *Voices of the Poor* (1999) project commissioned by the World Bank documented a sense of “voicelessness” among the poor in a range of cultural and geographic contexts and a widespread inability of governmental institutions and local NGOs to respond to the needs and preferences of beneficiaries. Detailed in Chapter 3, I argued that the aid chain (a hierarchical relationship between donors, donor agencies, donor countries, and beneficiaries) fails to reflect communicative freedom principles; beneficiaries particularly are left out of agenda setting processes.

East African Playgrounds, Tostan, and Cewigo alternatively use a capabilities approach, supplemented by communicative freedom, in their development programming to ensure that beneficiaries exercise agency, are able to express and realize various preferences, and oversee the evaluation of outcomes. Other unmentioned NGOs use a modified capabilities approach like the ones I have articulated. Indeed, it would be easy for NGOs, who currently do not, to simply make changes to their development programming. But NGOs rely heavily upon official development assistance from donor countries to finance their projects; if NGO procedures are to change so must the aid chain and the agendas motivating donor countries.

There is little evidence so far that much progress has been made in the way of beneficiary inclusion in development policy making—especially in an international schedule of capabilities (norms)—as in the case of the Millennium Development Goals (MDGs) for instance.⁹ Finnemore and Sikkink’s (1998) argue that norms have lifecycles and include three stages; emergence, cascade, and internalization. Norm entrepreneurs (states, international organizations, influential political actors etc.) attempt to alter the perceived social context of other agents, convincing them that ideas of accepted behavior should be reevaluated or altered. During this stage of provocation, we can say the norm has “emerged.” Eventually, norm entrepreneurs are able to get a “critical mass” of agents to accept this new newly established code of conduct. This stage is called the “cascade” phase; the new idea is like a “contagion” or a rapidly spreading force. And finally, the norm reaches a point of “internationalization” in which the international community widely accepts the norm, almost in an unconscious way. The norm is internalized only when actors believe that the behavior is a “given” or simply “what is right.” This means that the aid chain, and more specifically donors, cannot undergo changes or embrace a capabilities approach supplemented by communicative freedom until the norms that such theoretical frameworks propose have been internalized. Or more simply, *capabilities* and *voice* need to be first promoted by norm entrepreneurs before they can enter Finnemore and Sikkink’s proposed stages.

⁹ See Chapter 3 of this manuscript, pg. 88

But until then, should or can the aid chain be bypassed entirely? NGOs often rely upon a combination of private development and official development assistance. Tostan, for instance, can ask for individual donations from private citizens or from private foundations such as the Bill and Melinda Gates foundation or they may apply for official development assistance from USAID (United States Agency for International Development) or UNICEF. Some NGOs such as Krochet Kids, the Akola Project, 31bits, Myfight use a social enterprise model, selling goods and commodities made by their beneficiaries such as jewelry or clothing to raise funds for development initiatives. When NGOs use official development assistance they become subject to the agendas set by donor countries. To be sure, were NGOs to bypass the aid chain by using only private development assistance, this would further limit their access to already scarce financial resources. Nevertheless, until capabilities and communicative freedom reach the point of “norm internalization”, an increase in private development assistance may make it easier for beneficiaries to exercise more oversight over NGO programming as my model suggests.

Indeed private donors may also have their own agendas. The Bill and Melinda Gates foundation may want to spend funds on disbursement of mosquito nets, while beneficiaries may ask for more schools or water pumps. However, it would still seem that private donors do not have the same obligations and conflict of interests that a state may have. The state is a legitimate monopoly over the use of violence and force; its first priority is to protect the security of its own citizens. Private donors and foundations, however, are more likely to be altruistic and have fewer conflicts of interest.

Although grants may still reflect donor (private and official) interests, organizations should work to improve the grant-writing capacities of beneficiaries. Helvetas, for instance, is a Swiss-based non-profit organization and like Tostan, it teaches residents of rural villages in Africa, Asia, and Latin America how to identify development-funding resources and apply for specific grants (Helvetas 2018). Even though donors get to set priorities areas —public health, education, water security, agriculture, and food security etc. — and control the terms of the grants, at least beneficiaries have access to the greatest amount of choice and variety. Helvetas also teaches villages about human rights, local and national political systems, and about the aid chain itself. NGOs should continue to promote this kind of education and training so that beneficiaries will be more able to lobby and pressure local government, national governments, international development agencies like UNICEF or USAID, and the NGOs themselves. Alternatively, one new organization called “Give Directly” is currently experimenting with a basic income model by using mobile payments technology to send money directly from private donors to the recipients with no strings attached. This system has the potential to subvert and eliminate many of the problems that plague the current aid chain.

Lastly, development agendas and policies are more likely to reflect the preferences of beneficiaries if more individuals from developing countries serve in leadership roles in international institutions. As of 2018, no data or systematic research on African representation in international development institutions or local NGOs exists. There is also evidence that Africans and people from other underdeveloped countries are underrepresented in other areas such as research and the UN Security Council. A report

from the World Bank in 2014, for instance, found that only 1% of all STEM (Science, Technology, Engineering, and Mathematics) research was produced by Africans while Africa's share of all of the world's published articles was around 2.3% for all disciplines in 2012 (World Bank 2014). To put this in perspective, Africa makes up approximately 16% of the world's total population (UN Population Division 2017). Many of the normative debates that inform development practices happen in higher education. It is important that Africans and other members of the developing community are proportionally represented in these debates if norms and development agendas are to be legitimate. In 2011, Malawi's President Joyce Banda called upon the United Nations to expand the UN Security Council to include at least two permanent and five non-permanent seats for Africa as a region, arguing that African interests are disproportionately underrepresented on the council as stands (UN News 2012). Although President Jacob Zuma of South Africa made the same plea again in 2015 at the 70th General Assembly meeting, no changes have been made to date (UN News 2015).

Further, some scholars have advocated for an increase in local NGO workers in proportion to foreign, expatriate workers for various reasons. Expatriates get paid more in terms of wages and waste valuable financial resources (Glazer, Hagen, and Rattso 2014); one study found that foreigners make five times as much as locals (Carr and McWha-Hermann 2016). Expatriates often lack cultural sensitivity, undervalue local knowledge, and staff turnover rates are much higher among foreigners (Mukasa 1999). Moreover, if locals are undervalued in terms of wages by NGOs, contribute little to the scientific and intellectual community, and are excluded from political leadership and power within the

United Nations it would seem reasonable to conclude that Africans and other agents in the developing world need to see an increase in membership, agency, recognition, and representation in the development community before new norms can come close to reaching a point of “internalization.” The norms, as I have argued, should reflect the principles of the capabilities approach and communicative freedom.

Conclusion

In this chapter, I’ve developed a framework for development policy and practice. I argued that both the means and ends of development are voice and capabilities. Together, voice and capabilities form an iterative process; each work to reinforce one another and complement one another. Communicative freedom is a set of *deliberative procedures* by which we legitimate the schedule of capabilities that inform development policy and practice, while the capabilities approach is a *schedule of entitlements* or a *set of conditions* that must be achieved before an individual may fully participate in that deliberative process. Lastly, I used case studies of NGOs working in Sub-Saharan Africa to demonstrate how this iterative process works and how NGOs can change their agendas and practices in the future to meet these standards.

Bibliography

- Abathun, Asresash Demissie, Johanne Sundby, and Abdi A Gele. "Attitude toward Female Genital Mutilation among Somali and Harai People, Eastern Ethiopia." *International Journal of Women's Health* 8 (2016): 557-569.
- Alexander, John. *Capabilities and Social Justice: The Political Philosophy of Amartya Sen and Martha Nussbaum*. Aldershot: Ashgate, 2008.
- Alesina, Alberto, and David Dollar. "Who Gives Foreign Aid to Whom and Why?" *Journal of Economic Growth*, 2000: 33-63.
- Alkire, Sabina. *Valuing Freedoms: Sen's Capability Approach and Poverty Reduction*. New York: Oxford University Press, 2002.
- Alkire, Sabina, and Severine Deneulin. "A Normative Framework for Development." In *An Introduction to the Human Development and Capability Approach*, by Severine Deneulin and Lila Shahani, 1-13. London and Sterling: Earthscan, 2009.
- Anderson, Elizabeth. "What is the Point of Equality." *Ethics* 109, no. 2 (1999): 287-337.
- Arneil, Barbara. *John Locke and America: The Defense of English Colonialism*. New York: Oxford University Press, 1996.
- Austin, J.L. *How to Do Things With Words*. Cambridge: Harvard University Press, 1962.
- Barr, Abigail, Frederick Mugisha, Pieter Serneels, and Andrew Zeitlin. *Information and collective action in community monitoring of schools: Field and lab experimental evidence from Uganda*. Working Paper, Partnership for economic policy, 2012.
- Benhabib, Seyla. *Dignity in Adversity: Human Rights in troubled times*. Cambridge: Polity Press, 2011.
- Berthelemy, Jean-Claude. "Aid Allocation: Comparing Donors Behaviour." *Swedish Economic Policy Review*, 2006: 45-109.
- Bohman, James. *Democracy Across Borders: From Demos to Demoi*. Cambridge: Cambridge University Press, 2007.
- Brigg, Morgan. "Post-development, Foucault and the Colonisation metaphor." *Third World Quarterly*, 2002: vol. 23 no. 3 421-436.

Canut, Cecile, and Etienne Smith. "Construction des discours identitaires au Mali: Ethnisation et instrumentalisation des senankuya." *Cahiers D'Etudes Africaines* 46, no. 184 (2006): 967-986.

Carr, Stuart V., and Ishbel McWha-Hermann. "Expat wages up to 900% higher than for local employees, research shows." *The Guardian*. 4 20, 2016.
<https://www.theguardian.com/global-development-professionals-network/2016/apr/20/expat-wages-900-per-cent-higher-than-local-employees-study> (accessed 4 23, 2018).

Cewigo . "Monitoring Implementation of Uganda Action Plan (NAP) for UNSCR 1325, 1820 and the Goma Declaration." Kampala, 2012.
—. *Our programs*. www.cewigo.org/index.php/about-cewigo/our-programs (accessed 4 23, 2018).

Cowen, Michael, and Robert Shenton. *Doctrines of Development*. London: Taylor & Francis, 1996.

Corbridge, Stuart. "Beneath the Pavement Only Soil: The Poverty of Post-development." *The Journal of Development Studies*, 1998: Vol. 34 no. 6 138-148.

Crush, Jonathan. *Power of Development*. London and New York: Routledge, 1995.

Crowder, Michael. "Indirect Rule--French and British Style." *Journal of International African Institute*, vol. 34 no. 3 1964: 197-205.

D'Ambruso, Lucia, Mercy Abbey, and Julia Hussein. "Please understand why I cry out in pain: women's accounts of maternity services during labour and delivery in Ghana." *BMC Public Health* 5, no. 1 (2005): 140.

David, E. J. R. *Internalized Oppression: The Psychology of Marginalized*. New York: Springer Publishing Company, 2013.

Development Initiatives. *Investments to End Poverty*. Bristol: Development Initiatives Ltd. , 2015.

Dean, Hartley. "Critiquing Capabilities: the distractions of a beguiling concept." *Critical Social Policy* 29, no. 2 (2009): 261-273.
—. "The idea of capabilities: new insight or classical distraction?" *ESPA net conference, cross-border influences in social policy*, 2008.

Dean, Hartley, Jean Michel, Pascale Vielle, and Nicholas Farvaque. "Critique of the European Employment Strategy from a capabilities and rights perspective." *Meeting of*

Working Group 4, on "Employment Policies and Welfare Reform" of the EU COST A15 Research Network, October 2002.

Dotson, Kristie. "Tracking Epistemic Violence, Tracking Practices of Silencing ." *Hypatia* 26, no. 2 (2011): 236-257.

Douyon, Denis. "Les discours diplomatique et demagogique du cousin plaisant au Mali." *Cashiers E'Etudes Africaines* 46, no. 184 (2006): 886-906.

Dollar, David, and Victoria Levin. *Sowing and Reaping: Institutional Quality and Project Outcomes in Developing Countries*. Washington D.C.: World Bank Policy Research Working Paper 3524, 2005.

—. "The Increasing Selectivity of Foreign Aid, 1984-2003." *World Development*, 2006: 2034-46.

Dunning, Thad, and Lauren Harrison. "Cross-cutting Cleavages and Ethnic Voting." *American Political Science Review* 104, no. 1 (2010): 21-39.

East African Playgrounds. *Why play?* <https://www.eastafricanplaygrounds.org/why-play> (accessed 4 23, 2018).

—. *Refugee Settlements*. 10 2016. <https://www.eastafricanplaygrounds.org/refugee-settlements> (accessed 4 23, 2018).

—. *Impact Report 2015-2016*.

<https://www.eastafricanplaygrounds.org/Pages/Category/our-impact> (accessed 4 23 2018).

Easterly, William. "What did Structural Adjustment Adjust? THE Association of Policies and Growth with Repeated IMF and World Bank Adjustment Loans." *Journal of Development Economics*, 2005: 1-22.

Escobar, Arturo. *Encountering Development: The Making and Unmaking of the Third World*. Princeton: Princeton University Press, 1995.

Esteva, Gustavo. "Beware of Participation." *Development: Seeds of Change* 1, no. 3 (1985).

—. "Regenerating People's Space." *Alternatives*, 1987: vol. 12 no. 1 125-152

—. "Development." In *The Development Dictionary*, by Wolfgang Sachs, 6-25. London: Zed books, 1992.

—. "Commoning in the new society." *Community Development Journal*, 2014: vol. 51 no. 1 144-159.

Finnemore, Martha, and Kathryn Sikkink. "International Norm Dynamics and Political Change." *International Organization* 52, no. 4 (1998): 887-917.

- Fricker, Miranda. *Epistemic Injustice: Power & Ethics of Knowing*. New York: Oxford University Press, 2007.
- Fukuda-Parr, Sakiko. "Theory and Policy in International Development." *International Development Studies Review* 13, no. 1 (March 2011): 122-132.
- Fukuda-Parr, Sakiko, and David Hulme. "International Norm Dynamic and the 'End of Poverty' : Understanding the Millenium Development Goals (MDGs)." *Brooks World Poverty Working Paper 96*, 2009.
- Gele, Abdi A, Elise Johansen, and Johanne Sundby. "When female circumcision comes to the West: Attitudes toward the practice mong Somali Immigrants in Oslo." *BMC Public Health* 12 (2012): article 697.
- Gillespie, Diane, and Molly Melching. "The Transformative Power of Democracy and Human Rights in Nonformal Education: The Case of Tostan." *Adult Education Quarterly* 60, no. 5 (2010): 477-498.
- Glaser, Amihai, Hagen Jansen Rune, and Jorn Rattso. "Why Northern NGOs Hire too many Expatriates and what Sourthern Governments Do about It." *13th Nordic Conference in Development Economics*. 2014.
- Grischow, Jeff, and Glenn McKnight. "Rhyming Development: Practicing Post-development in Colonial Ghana and Uganda." *Journal of Historical Sociology* 16, no. 4 (2003): 517-549.
- Habermas, Jurgen. *The Theory of Communicative Action*. Translated by Thomas McCarthy. Vol. 2. Boston: Beacon Press, 1987.
- . *Moral Concioussness and Communicative Action*. Translated by Christian Lenhardt and Shierry Weber NicholSEN. Cambridge: MIT Press, 1990.
- . *Autonomy and Solidarity: Interviews with Jurgen Habermas*. Edited by Peter Dews. New York: Verso, 1992.
- . *Justification and Application*. Cambridge: MIT Press , 1993.
- . "From Kant's "Ideas" of Pure Reason to the "Idealizing Presuppositions of Communicative Action: Reflections on the Detranscendentalized "Use of Reason"." In *Pluralism and the Pragmatic Turn: The Transformation of Critical Theory*, by William Rehg and James Bohman, 11-39. Cambridge: MIT Press, 2001.
- Helvetas. "What we do." *Helvetas: USA*. https://usa.helvetas.org/en/what_we_do/ (accessed 4 23, 2018).
- Human Rights Watch. *South Africa: "Stop Making Excuses", Accountability for Maternal Health Care in South Africa*. New York: Human Rights Watch, 2011.

- IRIN. "New laws have little impact on sexual violence in DRC." *www.irin.org/news/2011/new-laws-have-little-impact-sexual-violence-drc*, June 7, 2011.
- Isham, Jonathan, Daniel Kaufmann, and Lant Pritchett. "Civil Liberties, Democracy, and the Performance of Government Projects." *The World Bank Economic Review*, 1997 11(2): 219-242.
- Jones, Rachel. "You Eat Beans! Kin-based Joking Relationships." *Senior Honors Thesis, Anthropology Department*, 2007.
- Kant, Immanuel. "Of Different Races." In *Race and The Enlightenment: A Reader (1997)*, by Emmanuel Chukwudi Eze, translated by Jon Mark Mikkelsen. Oxford: Wiley-Blackwell, 1777.
- Kant, Immanuel. *Anthropology from a Pragmatic Point of View*. The Hague: Mastinus Nijhoff, 1794.
- Kiely, Ray. "The Last Refuge of the Noble Savage? A Critical Assessment of Post-development theory." *The European Journal of Development Research*, 1999: Vol. 11 no. 1 30-55.
- Kipling, Rudyard. *The White Man's Burden*. McClure's Magazine, 1899.
- Kouyate, Siriman. *Le Cousinage a Plaisanterie: Notre Heritage Commun*. Conakry, Gu: Ganndal, 2003.
- Latouche, Serge. "Standard of Living." In *The Development Dictionary*, by Wolfgang Sachs, 250-263. London: Zed books, 1992.
- Launay, Robert. "Practical Joking." *Cahiers D'Esudes Africaines* 46, no. 4 (2006): 795-808.
- Lewis, David, and David Mosse. *Development Brokers and Translators: the Ethnography of Aid and Aid Agencies*. West Hartford: Kumarian Press, 2006.
- LeConte, Joseph. *The Race Problem in the South*. New York: Appleton, 1892.
- LeJeune, John, and Gerry Mackie. *Social Dynamics of Abandonment of Harmful Practices: A New Look at the Theory*. Working Paper, Innocenti Working Papers, United Nations Children's Fund, 2008.
- Loud, Joshua, and Daniel Nielson. "Does Adjustment Lending Work? Policy reforms in the Wake of Program Lending." *Working Paper; Presented at THE Annual Meeting of the Midwest Political Science Association*, 2007.

McCarthy, Thomas. *Race, Empire, and the Idea of Human Development*. Cambridge University Press, 2009.

McCloskey, Donald. "The Rhetoric of Economic Development." *Cato Journal*, 1987: Vol. 7 no. 1.

McGillivray, Mark, and Howard White. "How Well is Aid Allocated: A Survey of Methodology and Results." *Development and Change*, 1995: 163-83.

Moon, J. Donald. "Practical discourse and communicative ethics." In *The Cambridge Companion to Habermas*, by Stephen White, 143-166. New York: Cambridge University Press, 1995.

Moreno, Maria. "'The Cultural Approach Sells': Negotiating Development Agendas Through Identity Politics." *Urban Anthropology and Studies of Cultural Systems and World Economic Development*, 32 (No. 3/4) 2008: 329-355.

Narayan, Deepa, Raj Patel, Kai Schafft, Anne Rademacher, and Sarah Koch-Schulte. *Voices of the Poor: Can Anyone Hear Us?* New York: Oxford University Press, 2000.

Nisbett, Richard, and Lee Ross. *Human Inference: strategies and shortcomings of social judgment*. Englewood Cliffs: Prentice Hall, 1980.

Njue, Carolyne, and Ian Askew. *Medicalization of female genital cutting among the Abagusii and Nyanza Province, Kenya*. Population Council Frontiers in Reproductive Health, Washington DC, USA: U.S. Agency for International Development, 2004.

Nussbaum, Martha. *Sex and Social Justice*. New York: Oxford University Press, 1999.

—. *Women and Human Development: The Capabilities Approach*. Cambridge: Cambridge University Press, 2000.

—. "Capabilities as Fundamental Entitlements: Sen and Social justice." *Feminist Economics* 9, no. 2-3 (2003): 33-59.

—. *Creating Capabilities*. Cambridge and London: Harvard University Press, 2011.

Nustad, Knut. "Development: The Devil we know?" *Third World Quarterly*, 2001: Vol. 22 no. 4.

(OECD) Organization for Co-operation and Development. *Aid at a glance charts*. December 22, 2015 and 2017. <http://www.oecd.org/dac/stats/aid-at-a-glance.htm> (accessed February 20, 2018).

Okin, Susan Moller. "Poverty, Well-Being, and Gender: What Counts, Who's Heard?" *Philosophy and Public Affairs* 31, no. 3 (2003): 280-316.

Osmani, Siddiqur, Adam Preworski, Harry Blair, Jean-Philippe Platteau, and Diane Guthrie. *Participatory Governance and the Millennium Development Goals(MDGs)*. New York: United Nations: Department of Economic and Social Affairs, 2008.

Peterman, Amber, Tia Palermo, and Caryn Bredekamp. "Estimates and Determinants of Sexual Violence Against Women in the Democratic Republic of Congo." *American Journal of Public Health* 101, no. 6 (2011): 1060-1067.

Pieterse, Jan Nederveen. "After Post-development." *Third World Quarterly*, 2000: vol. 21 no. 2 175-191.

Rahnema, Majid. "Towards Post-Development: Searching for Signposts, a New Language and New Paradigms." In *The Post Development Reader*, by Majid Rahnema and Victoria Bawtree, 377-404. New York: Zed books, 1997.

Rahnema, Majid, and Victoria Bawtree. *The Post-Development Reader*. New York: Zed Books, 1997.

Rawls, John. *A Theory of Justice*. Cambridge: Harvard University Press, 1971.
—. *Political Liberalism*. New York: Columbia University Press, 1993.

Reaves, Jessica. "Walking Away from the Past: How does an outsider change a culture? From the inside, says Molly Melching." *Chicago Tribune*, November 25, 2007: 14-17, 26-29.

Rosenthal, Robert, and Lenore Jacobson. *Pygmalion in the Classroom: Teacher Expectation and Pupil's Intellectual Development*. New York : Holt, Rinehart and Winston Inc., 1968.

Rossem, Ronan Van, Dominique Meekers, and Anastasia J. Gage. "Women's position and attitudes towards female genital mutilation in Egypt: A secondary analysis of Egypt demographic and health surveys, 1995-2014." *BMC Public Health* 15 (2015): 874.

Rostow, Walt. *The Stages of Economic Growth: A Non-Communist Manifesto*. Cambridge: Cambridge University Press, 1960.

Sachs, Wolfgang. *The Development Dictionary*. New Jersey: Zed Books, 1992.

Searle, John. *Speech Acts: An Essay in the Philosophy of Language*. Cambridge: Cambridge University Press, 1969.

Sen, Amartya. *Inequality Reexamined* . Cambridge: Harvard University Press, 1992.
—. *Development as Freedom*. New York: Random House, 1999.
—. "Human Rights and Capabilities." *Journal of Human Development*, 2005: Vol. 6, No. 2 151-166.

Shiva, Vandana. "Western Science and Its Destruction of Local Knowledge." In *The Post-Development Reader*, by Majid Rahnema and Victoria Bawtree, 161-178. New York: Zed books, 1997.

—. *Staying Alive: Women, Ecology, and Development*. London: Zed books, 1988.

Slegh, Henny, Gary Barker, Maimouna Toliver, Aliou Bah, and Mamadou Keita. *Men, Gender Equality and Gender Relations in Mali*. Findings from the International Men and Gender Equality Survey, Care International in Mali, May 2013.

Spence, Randy, and Severine Deneulin. "Human Development and Policy Analysis." In *An Introduction to the Human Development and Capability Approach*, by Severine Deneulin and Lila Shahani, 273-294. London: Earthscan, 2009.

Steele, Claude, and Joshua Aronson. "Stereotype Threat and the Intellectual Test Performance of African Americans." In *Stereotypes and Prejudice*, by Charles Stangor, 369-389. Philadelphia: Psychology Press, 2000.

Stewart, Frances. "Book Review Women and Human Development: The Capabilities Approach, by Martha Nussbaum." 9, no. 2 (2001): 33.

Stiglitz, Josephy. *Globalization and It's Discontents*. New York: W.W. Norton, 2002.

Tostan. "Resources-Tostan booklet." *Tostan: Dignity for all*. 2015.
<https://www.tostan.org/resources/general-resources/> (accessed 4 23, 2018).

Tully, John. *An Approach to Political Philosophy: Locke in Contexts*. Cambridge: Cambridge University Press, 1993.

Tuncalp, Ozge, Michelle Hindin, Kwame Adu-Bonsaffoh, and Richard Adanu. "Listening to Women's Voices: The Quality of Care of Women Experience Severe Maternal Morbidity, in Accra, Ghana." *PLOS One* 7, no. 8 (2012).

Uganda: The Anti-Homosexuality Act, 2014. "Refworld." February 14, 2014.
<http://www.refworld.org/docid/530c4bc64.html> (accessed February 20, 2018).

UN Department of Information. "Violence Against Women." United Nations Secretary-General's Campaign UNITE to end violence against women, November 2011.

UN News. "UN News: Global Perspective and Human Stories." *United Nations*. 9 26, 2012. <https://news.un.org/en/story/2012/09/421272> (accessed 4 23, 2018).
—. "UN News: Global Perspectives and Human Stories." *United Nations*. 9 28, 2015.
<https://news.un.org/en/story/2015/09/510262-un-speech-south-african-president-calls-reform-security-council> (accessed 4 23, 2018).

UN Population Division. "Population." *United Nations*. 2017.
<http://www.un.org/en/sections/issues-depth/population/> (accessed April 23, 2018).

UNDP . *Human Development Report 2016: Development for Everyone*. New York : United Nations Development Programme, 2016.

UNFPA. "Female genital mutilation/cutting in Somalia." November 2004.
http://siteresources.worldbank.org/INTSOMALIA/Data%20and%20Reference/20316684/FGM_Final_Report.pdf (accessed May 20, 2018).

UNICEF. *Female Genital Mutilation/Cutting: A statistical overview and exploration of the dynamics of change*. New York: United Nations Children's Fund Female, 2013.

UNICEF. *State of the World's Children Report 2015*. UNICEF Data: Monitoring the Situation of Children and Women.

UNHCR: The UN Refugee Agency. *Global Trends*. Field Information and Coordination Support Section , Geneva: United Nations High Commissioner for Refugees, 2017.
Community-led development begins with human rights education. Directed by Rachel

Unkovic. Produced by Youtube. 2007.

Warnke, Georgia. "Communicative rationality and cultural values." In *The Cambridge Companion to Habermas*, by Stephen White, 120-142. New York: Cambridge University Press, 1995.

Winters, Matthew. "Accountability, Participation and Foreign Aid Effectiveness." *International Studies Review* 12, no. 2 (2010): 218-243.

World Bank. *Assessing Aid: What works, What Doesn't and Why*. Washington D.C.: The World Bank, 1998.

—. *The World Bank DataBank*. 2013.

<https://data.worldbank.org/indicator/SG.VAW.ARGU.ZS?locations=ML> (accessed 5 20, 2018).

—. *A decade of development in sub-Saharan African science, technology, engineering and mathematics research*. Washington D.C.: The World Bank Group, 2014.

Data Appendix for “Justifying Development Aid: Communicative Freedom and Capabilities”: Interviews

The vignettes in this dissertation were informed by data from 12 semi-structured interviews conducted with ngo directors, ngo workers, and beneficiaries of aid. Much of these data were collected over a few months of fieldwork in Mali and Uganda (Koulikoro region, December 2017-January 2018) (Bamako, January 2016) (Kampala, January-February 2016) (Jinja, August 2016). This fieldwork was partially funded by the National Science Foundation via University of California, Riverside’s Watersense IGERT program.

Interviewee	Mode	Length	Date	Location
Joanita Kako Davina ¹⁰	in person	45 m	1/21/16	Kampala
Tom Gill ¹¹	in person	1 h	8/5/16	Jinja
NGO beneficiary	in person	1 h	1/5/16	Bamako
NGO beneficiary	in person	30m	1/4/18	Koulikoro region
NGO beneficiary	in person	30m	1/4/18	Koulikoro region
NGO beneficiary	in person	30m	1/4/18	Koulikoro region
NGO beneficiary	in person	30m	1/4/18	Koulikoro region
NGO beneficiary	in person	30m	1/4/18	Koulikoro region
NGO beneficiary	in person	30m	1/4/18	Koulikoro region
NGO beneficiary	in person	30m	1/4/18	Koulikoro region
NGO beneficiary	in person	30m	1/4/18	Koulikoro region

¹⁰ Joanita Kako Davina agreed to be cited and quoted in publications by the author

¹¹ Tom Gill agreed to be cited and quoted in publications by the author