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International Development Paradigms and Human Rights

Coexistence or interrelationship?

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Abstract

Development in the sense that we currently use the term has existed since the post-war period and its orthodoxy has changed significantly in the course of time. With economic growth as a first objective, development suffered a crisis in the 1980/1990's, in view of the lack of concrete results and the increase in poverty at a world level. Human development emerged as a re-orientation in development thanks to the contributions of Amartya Sen and Martha Nussbaum. In their Capability approach the individual, with the entitlement to human rights and capabilities, gained the central position to which previous paradigms had been oblivious. The relationship between human rights and development has shifted from strong interrelation to coexistence without contact. Human development has now shifted back to a strong recognition of the significance of a human rights perspective.

Keywords: development theory; utvecklingsteorier; human rights; mänskliga rättigheter; capability approach ; capabilities; Nussbaum; economic growth; human development

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Acronyms

| | |
|------|--------------------------------------|
| GDP | Gross Domestic Product |
| GNP | Gross National Product |
| HD | Human Development |
| HDI | Human Development Index |
| HDR | Human Development Report |
| IMF | International Monetary Fund |
| MDGs | Millenium Development Goals |
| MNCs | Multinational Corporations |
| RTD | Right to Development |
| SAPs | Structural Adjustment Programs |
| TNCs | Transnational Corporations |
| UNDP | United Nations Development Programme |
| WB | World Bank |
| WTO | World Trade Organization |

1 Introduction

According to the Human Development Report from 2005, International Cooperation at Crossroads, “every hour more than 1,200 children die away from the glare of media attention. This is equivalent to three tsunamis a month, every month, hitting the world’s most vulnerable citizens—its children. The causes of death will vary, but the overwhelming majority can be traced to a single pathology: poverty” (HDR 2005). Poverty is preventable yet in the past decades, efforts have not been enough to eradicate what is considered to be the scourge of humanity.

Since the 1990’s, a claim is made that there is consensus regarding international development. This is expressed through the establishment of the Millenium Development Goals (MDGs), which play a central role in the development field, especially when there are only five years left before the 2015 deadline. This consensus, however, has not reflected in practice as much as it has done in theory. While there have been some increases in human development, such as a 2-year increase in life expectancy, 30 million more children receiving schooling, and 3 million children do not die every year (HDR 2005), the world situation is still a stark reminder of the dimensions of the problem:

“In 2003, 18 countries with a combined population of 460 million people registered lower scores on the human development index (HDI) than in 1990—an unprecedented reversal. In the midst of an increasingly prosperous global economy, 10.7 million children every year do not live to see their fifth birthday, and more than 1 billion people survive in abject poverty on less than \$1 a day” (HDR 2005).

How is it possible that those 18 countries experience a reversal in the HDI when efforts on international development have been made since the 1940’s? What is it that has happened –or not happened, for the same matter- so that we live now in this world surrounded by extreme wealth and abject poverty?

1.1 Research questions

The core idea that originates and guides this thesis is the extent to which the concept of human rights has been present or absent throughout the history of development. It will be seen that the presence/absence is not so clear cut and therefore, attention must be paid to discourse.

The questions, therefore, that I intend to answer are:

What role do human rights play in the various paradigms of development?

To what extent do development theories live up to human rights claims?

1.2 Delimitations

To the ends of this thesis, it is important to bear in mind the concept of human rights not only as a set of claims enshrined in the International Bill of Rights and other legal documents. It is necessary to consider that the idea behind the Conventions is the inherent dignity of the person which makes her entitled to have those claims.

As I see it and as I have interpreted it for this thesis, I see that the focus on the individual in the Conventions is not due to an individualistic concept: instead, because every single human being must receive the due attention, must be granted all the rights enshrined therein and must be respected for the only reason of being a person.

1.3 Theory

In order to study the different schools of thought in Development that have either established or contested the predominant paradigms, I have selected a wide range of authors that approach the topic from various views.

The Capability Approach, as proposed by Indian economist Amartya Sen in the 1980's provided a view of analyzing development that had been absent in the previous development doctrines and embodied them in *Development as Freedom* (1999). His theory together with the thoughts of other economists, provided the basis for the work of the United Nations Development Programme and the concrete results are the Human Development Reports. These reports are published every year, have departed from the GDP/GNP based analysis and have incorporated other indices, with adjustments for poverty, illiteracy and life expectancy.

After working with him closely, philosopher Martha Nussbaum has further elaborated this approach and developed her own version of it, which she calls the Capabilities Approach and which is described in *Women and development* (2000). The importance of Nussbaum's contributions is that she has presented a list of capabilities, which in some ways correspond with the International Bill of Rights. The importance of this new standpoint according to both views has had repercussions in the way development had been conceived, and triggered a re-orientation of the field.

To contrast it with the doctrines that had been predominant until then, I have selected the work of Des Gasper and Dan Banik, who represent the new subdivision of the field, development ethics, which is closely intertwined with Nussbaum's and Sen's reasoning. I have further made use of authors that provide historical accounts and analysis within the field such as Jan Nederveen Pieterse (2001) and the compilation by Vandana Desai and Robert B. Potter. I have also worked with the texts of academics that have very critical views on development, like Colombian anthropologist Arturo Escobar and Paul Cammack.

In order to illustrate some of the theories and ways of thinking described in the thesis, I have also made use of some key reports produced by the United Nations Development Programme (UNDP).

1.4 Method

To answer the questions posed above, I have started out by going through the historical account of development as a field of studies, starting in the 1940's during the reconstruction of Europe in the post-war period. By analyzing the various changes in paradigms, I have sought to identify whether human rights were present in the discourse or at least seemed to have some influence in the decisions and policy-making. To that end, I have analyzed where the focus has been placed and what the possible results this can have led to, together with the political context that also may arguably have been influential.

In the second part of the thesis, I have concentrated on a more detailed analysis of the Capability Approach proposed by the Amartya Sen as well as the elaboration carried out by Martha Nussbaum and I have tried to identify its main components and the differences between both authors. Finally, I have contrasted this view with that of human rights and discussed its similarities and differences.

It has been my decision to concentrate on the theoretical aspects of this topic, and therefore no empirical data is provided in terms of case studies or applications of the approaches more than certain statements produced by the UNDP and the Human Development Reports.

2 Development as economic growth

2.1 Shifts in development orthodoxy

The term *development* as we use it nowadays dates from the postwar era of modern development thinking (Nederveen Pieterse, 2001; Hettne 2008). According to Hettne (2008), the reconstruction of Europe in the post-war period provided the model for state-directed modernization of the nations; after the Second World War and during the Cold War, development meant that the Third World (as it was named) would reach the level of development in rich countries by catching up with the advanced industrialized countries and hence economic growth (Hettne, 2008; Nederveen Pieterse 2001). At that time, this new field of study was marked by the neo-Keynesian consensus that dominated thinking and practice, i.e. the almost universal assumption that states could and should intervene directly in production and distribution, which made development an active process (Cammack 2002; Hettne 2008). Therefore, the goal of development was economic growth, the agent of development was the state and the means of development were these macroeconomic policy instruments (Cammack 2002). The Keynesian paradigm became very influential in the post-war period, together with USA's New Deal and the welfare state in the UK (McNeill in Banik 2006). Furthermore, the majority of economists accepted six policies proposed by leading economist Joseph Schumpeter (Cammack, 2002):

- state-managed stabilization policies to prevent recession and depression
- redistributive taxation, which would bring about greater income equality
- measures to regulate prices
- public control over labor and money markets
- indefinite extension wants to be satisfied by public enterprise
- security legislation

In this model, development was largely sociological and political and underdevelopment was explained in terms of the differences between rich and poor nations (Hettne 2008). Another key characteristic was modernization and later industrialization, the ultimate goals that development was meant to achieve. This modernization trend was represented by predominant theories such as Walt Rostow's *Stages of Growth*, which represented societies as being in one of the following five stages: traditional society, pre-conditions for take-off, the take-off, the drive to maturity, and the age of mass consumption (McNeill in Banik 2006). That is to say, the objective of "catching up" was imitating the levels of consumption of the advanced Western countries. The book authored by Rostow was highly influential in this period, not only because of the mechanistic modernization theory but also because of its sub-title: "a non-Communist Manifesto" (McNeill in Banik, 2006). Cammack (2002) further explains that modernization theory turned to a combination of welfare, neo-Keynesian economic management and elimination of the radical left in order to create capital accumulation. Modernization was

therefore a defensive and highly ideological response to nationalist developmentalism and contrasted with the socialist trends described above, creating the base for a later return of orthodox liberalism (in the form of neoliberalism) and the construction of a new orthodoxy in the field of development (Cammack, 2008).

The modernization paradigm was unable to repel the criticism posed by contrasting views, as presented by theories such as *Dependencia* or dependency school in the 60's and 70's. According to Dennis Conway and Nicholas Heynen (2008), dependency theory is (was) a way of understanding the historically embedded, political-economical relations of peripheral capitalist countries, especially in Latin America (where the theory emerged) but also in other peripheral areas. Initially a structuralist perspective, it developed into a neo-Marxist theory which questioned the weak structural position of Third World countries, and focused on state-driven industrialization; in that way, dependency theoreticians did not disagree with modernization and structuralist views on the content of development (Hettne 2008; Conway and Heynen, 2008). Dependency theory is based on the considerations that the economic strategies in the post-war period followed the path of development based on export of natural resources and primary commodities to core countries and these unequal commercial arrangements have been detrimental to Latin America as continuing its previous historical marginalization and resultant underdevelopment. According to their structuralist assessments, core countries had benefited at Latin American's expense (Conway and Heynen, 2008). The "development of the *underdeveloped*", as these theoreticians implied, was the concept which best described the capitalist dynamics that at the same time developed core countries and caused greater levels of underdevelopment and dependency within Latin American countries (Conway and Heynen, 2008). This theory, which influenced social sciences and among other paved the way for World System theory could be said to be obsolete nowadays, as the structuralist geopolitical relationships between core capitalism and peripheral Latin America are not so easily identified, and this theory needs to be reread with other elements in mind (Conway and Heynen, 2008).

The early 80's saw the rise of neoliberalism as the economic and development theory that would become the orthodoxy as of present day (Simon, 2008). The oil and debt crisis that took place in late 70's –early 80's triggered a profound disillusionment in the North with the record of government involvement in economic and social life, which in turn led to the belief in the market as a way to solve these and other world problems. The crisis made it necessary for the international financial system led by the IMF and the World Bank to design measures in order to avoid debt-ridden countries to write off their debts and diagnosed the inability to service these debts as due to the inability, corruption and interventionist character of debtor countries (Simon 2008). Harking back to neoclassical economics, this ideology gained pace in the North and was then exported to the global South in order to address the debt crisis (Simon 2008). In a sense, says McNeill (in Banik 2006), this approach was very similar to the trickle-down theory, since the focus on openness to free trade would lead to growth and in turn to poverty reduction: the faith in the "big push" was replaced by the faith in the market.

The 1980's thus became the decade of structural adjustment led by the World Bank and the International Monetary Fund (IMF) and included a set of policies such as trade liberalization, tax-reform, market-based exchange rates, liberalization of capital and privatization (McNeill in Banik

2006). Cammack (2002) argues that this new doctrine overturned the assumptions from which development studies emerged, i.e. that domestic and international policies that worked against the market were essential to bring about development and therefore abolished the idea of development as a specific concern. Instead, the effective state became that which was effective from the point of view of capitalist competition and accumulation.

The financial institutions responded through a set of measures to guarantee the repayment of the debt, called Structural Adjustment Programmes (SAPs). These measures were thought to cut government expenditure, promote liberalization and international trade and foster export: each country should specialize in the commodities it could produce more cheaply. SAPs included to stages, first stabilization measures and then adjustment measures, which among others included reducing government subsidies on basic foods, health and education, tax reduction, reduction of government expenditure. As Simon (2008) states, the adoption and implementation of IMF-approved SAPs became a prerequisite for obtaining financial support.

Facing signs of increased impoverishment, the financial organizations argued that structural adjustment would take longer than anticipated, but then, they also acknowledged that in many countries, particularly in Africa, they had proved unsuccessful (McNeill in Banik 2006). Since the pains of adjustment were felt immediately, the International Financial Institutions have been refined and targeted more carefully since the beginning in order to redress the consequences of purely economic measures and pay attention to the social aspects of the measures proposed and adopted (Simon, 2008).

Paul Cammack (2002) provides in his account an analysis of World Development Reports produced by the World Bank and explains the legitimization of the new development doctrine, as was explained above. The author refers to the reports published in the 1990's, where the neoliberal doctrine was backed fully and the pillars of development were the measures mentioned above. However, at the beginning of the new century, the discourse of the World Bank had changed dramatically, acknowledging serious faults in the approach followed, and putting human needs in a more important level.

Very recently, the impact of East Asian financial crisis in 1997/98 and also in Mexico and Argentina was felt not only by stockholders and investors: those hit hardest were the poor who suffered from loss of employment and an increase in prices of essential commodities.

Also during the 1980's and as a response to the neoliberalist doctrine, development became related not to growth but to *capacitation*, in the new theory advanced by several economists and philosophers such as Amartya Sen and Muhsin ul Haq. This approach provides a different conception of growth and its emphasis differs widely from the neoliberal approach to development. A new return to the focus on poverty is the main idea (McNeill in Banik, 2006), but the difference lies on what poverty is and how it is interpreted, measured and reduced. Human development and the capability/capabilities approach will be discussed in further detail in the second chapter.

2.1.1

The focus on economic growth

As Sinith Sittirak (1998) explains, since the origins of development studies as a field, the focus has been on the causes of poverty and the approaches and strategies to alleviate it. Traditional definitions of poverty have focused on income, wealth and the lack of material possessions and this definition of poverty (i.e. lack of income) was the focus of development policy (Angelsen and Wunder, 2006).

At a national level, state- managed stabilization policies to prevent recession or depression have given way to internationally managed policies of restructuring, often deliberately inducing domestic recession; redistributive taxation to bring about further equality of incomes has been abandoned in favor of fiscal reform that rewards entrepreneurship and accentuates inequality; measures to regulate prices have been dropped; public control over the labor and money markets has been systematically stripped away; social security legislation has been restructured to promote rather than work against market forces (Cammack 163).

Critical views of neoliberalism mention its consequences on development. Development studies, Cammack explains, started by asserting that domestic and international forces that worked against the market were essential to bring about development, but these are regarded now as alternative approaches and the exact opposite has become mainstream: Development has been reinvented not as a form of resistance to the logic of capitalism, but as a program for surrendering to it (2002:159)

As expressed by Arturo Escobar (1995), a Colombian anthropologist and development thinker, the important and organizing premise formulated in the 1940's and 1950's was the belief in the role of modernization. This would be the only force capable of destroying archaic superstitions and relations, at whatever social, cultural and political cost. It was only through material advancement that progress could be achieved, and the advance of poor nations was seen through the existence of capital in order to bring about urbanization, industrialization and infrastructure. Since these countries were trapped in a "vicious cycle" of poverty and lack of capital, this capital would come from abroad, through the investment machinery of international organizations (such as the World Bank and the International Monetary Fund -IMF) and rich countries.

Des Gasper (2004: 49) states the objectives that are preset by mainstream development programs and their focus on effectiveness. He states that while the understanding of effectiveness has broadened in the past and has started to reflect a wider group of values, the priority of economic production has remained in place. Development programs such as those carried by USAID have thus focused on:

- Individualism: the assumption that the key objective is to increase individual's incomes and individual's preferences.
- Market-orientation
- Other means are not paid attention to, for example community participation
- Priority to quantifiable impacts.

According to Martha Nussbaum (2000), the most prominent assessment of quality of life has been to ask about GNP/GDP per capita, and the maximization of this figure has been

understood as the most appropriate goal and basis for comparison. The problem lies on the fact that this approach does not ask about distribution of income and wealth, and even in a smaller scale, it is not possible to compare e.g. intra-household allocation, which casts a shadow upon gender problems. Another problem has been presented by the consideration of utility when assessing development, and the conflict in this case is that we lose respect for the separate person but for an average (Nussbaum 2000).

Gaspar (2004) states that economic growth still dominates much of the aid discussion, but much less than before, as new concerns for human rights and human dignity are present. In UN and OECD meetings, the target of halving poverty by 2015 (Millennium Development Goals) has influenced the fact that now factors like education, nutrition, environment are considered alongside consumption, but according to Sabina Alkire (in Gaspar, 2004), elements like relationships, religion, culture, meaningful work are still not considered intrinsically important.

2.2 The crisis of development

Nederveen Pieterse states that the crisis of developmentalism as a paradigm takes place simultaneously in the West as a crisis of modernism and in the South as a crisis of development. Modernity, in the North, is increasingly viewed as more exclusive than inclusive; the United States, example of modernity in the post-war period claims the largest underclass in any Western country, with growing numbers of homeless people. East Asian "tiger" economies do not serve as examples in terms of democracy or ecological management (Nederveen Pieterse, 2001). In the South, development discourse and its aim of being apolitical and ahistorical clashes with the perception of world power, global interests, reinforced by the conditionalities imposed by institutions like the IMF.

Frans Schuurman (2008) states that until the 1980's improvements in life expectancy, child mortality and literacy rates had occurred, but these achievements had been less valid for the poorest of the developing countries and within these countries, the lowest income groups. Modernization theories failed to account for this, as instead of self-sustained growth these countries suffered from sky-high debt. According to Schuurman (2008), the Third World received 5.5 percent of the world's income in 1978 and 4.5 percent in 1984: the trickle-down process supported by modernization had failed (World Development Report 2000 quoted in Cammack 2002; UNDP).

From a discourse point of view, Escobar (1995) critically states that development proceeded by creating abnormalities, and people in the poor countries received names such as "illiterate", "underdeveloped", "malnourished", "small farmers", "landless peasants", whom development would treat and reform. It is worth mentioning that there are a series of relations that take place in the course of development theory and practice. As Escobar analyses it, there are relations such as the dichotomy urban-rural, or the procedures of assessment of needs carried out by international institutions like the World Bank and the position of authority of those carrying out the assessment (1995:44). These relations, although not static, continue to be reproduced in the development practice. While it has developed and included new elements and ways of working it has maintained one significant exclusion: people. Escobar states that development has been and continues to be a top-down, ethnocentric and technocratic approach; it has been

considered as a “system of more or less universally applicable technical interventions intended to deliver some ‘badly needed’ goods to a ‘target’ population. It comes as no surprise that development became a force so destructive to Third World countries, ironically in the name of people's interest” (Escobar 1995:44). It is worth bearing mind that while Arturo Escobar’s opinion may be interesting to consider, he belongs to a series of scholars who are very critical to the entire concept of development, and are typically placed in the “post-development” group of thinkers, who some argue adopt an anti-development position. Having said that, Escobar comes from Colombia and he speaks from his hands-on experience on what he perceives to be drastic consequences of development projects.

2.3 Are Human Rights a bonus or a ground criterion?

Bård A. Andreassen (2006) argues that it is a myth that human rights and development have only recently been interrelated: in fact, development has been part of the human rights discourse since the preparation for the establishment of the United Nations back in early and mid 1940's. Even during the drafting of the Universal Declaration of Human Rights (UDHR), Eleanor Roosevelt claimed that one of the most important rights was the right to development. This emphasis is depicted in the articles of the UN Charter referring to purposes and obligations as well as in the UDHR:

“To achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all [...]” (Article 1.3, UN Charter).

“With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

1. higher standards of living, full employment, and conditions of economic and social progress and development;
2. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and
3. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.” (Article 55, UN Charter)

“Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized” (UDHR Article 28).

Andreassen (2006) states that from this it can be understood that right from the beginning, the human rights system required the realization of rights at both national and international level. Within the development field, however, the interlinkage between human rights and development that had been expressed in the UN Charter was ignored in the decades following the adoption of the UDHR and the reasons for this are: first, development literature was in general dominated by economists who focused mainly on economic growth rather than on political, social, cultural *and* economic change. Also, the focus on economics meant that increase in monetary income

became the main indicator for human improvement.

Human rights and development, as explained by Andreassen (2006) have co-existed in an ambiguous relationship from the 1940's until the 1990's. While the UDHR had placed equal emphasis on all rights, the state of affairs during the Cold War prompted a division into two separate legal instruments, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Human rights became politicized and thus, its relationship with development came to a halt.

It is pertinent to briefly mention the Declaration on the Right to Development (RTD) (A/RES/41/128), adopted by the UN General Assembly in 1986 (146 votes to one). From its articles it is possible to understand certain key human rights aspects that in my interpretation have not been present in the formulation of modernization and neoliberal development paradigms. First of all, Article 1 states that the RTD is an inalienable right by virtue of which every human being is entitled to economic, social, cultural and political development. Furthermore, as enshrined in Article 2, the human person is the central subject of development and should be the active participant and beneficiary of the right to development. It is further reiterated several times in the Declaration that all states should adopt the necessary measures to ensure its achievement; this applies both nationally and internationally, by creating the atmosphere of cooperation whereby all nations contribute to the global attainment of this right. Another aspect expressed in the declaration is the indivisibility of human rights (Article 6.2).

This convention triggered strong debate before its adoption, and there was disagreement mainly between countries of the South and the North (Andreassen 2006). While the main issues of contention were, according to Andreassen (2006), the political-normative justification of the right, its soundness as a human rights norm and its justiciability, it may be adequate to consider the time and the political conjunction. As mentioned before, the Cold War prompted a division in the International Bill of Rights and the two blocks clashed by endorsing mainly one set of rights each, namely, civil and political rights (West) and economic, social and cultural rights (East). If this clash can be significant when reviewing the history of development, it may be worth noting that the United States has not yet ratified the ICESCR while the Eastern block had continuously criticized the priority of civil and political liberties over economic, social and cultural rights.

The content of this declaration is further mentioned in the Vienna Declaration and Plan of Action (UN document A/CONF.157/23, 1993) , which in turn provides the framework for discussion of the RTD in the subsequent sessions of the General Assembly.

Considering the underlying idea in the human rights documents, namely the International Bill of Rights, the UN Charter and the Declaration on the Right to Development, high importance is given to the fact that every human being will have a priority over any other matter due to her/his inherent dignity. The prohibition of discrimination further establishes the equality among people and peoples and the worth of every single person. In the words of Amartya Sen (1999) and many others, no person can be considered a means: every single person is an end. Arguably, the economic paradigms examined in this section have not shown a specific and clear concern for the individual as the subject and object of development. Instead, the focus has been placed on economic growth and only recently have International Financial Institutions begun to

adopt a concern for the individual in their Reports as well as social and cultural factors.

Some authors consider that human rights have been somewhat present during these decades. Tony Evans, in *The Politics of Human Rights* (2005), critically states that the neoliberal consensus resists any suggestion that moral or humanitarian issues take priority over free trade. This is a criticism related to economic-based development since the current trends of developed countries and regions, international organizations and transnational corporations (TNCs) suggest free trade as the main way to obtain development: according to the neoliberal discourse, free trade should be promoted in the name of human rights (Evans, 2005).

According to Evans, a distinction between *positive* and *negative* human rights is key to the neoliberal discourse. The distinction between negative rights (implying forbearance) and positive rights (implying actions) is, according to Evans, used by neoliberal policies in order to highlight the importance of the individual and his/her rights, represented by the negative freedoms. The reason why negative freedoms are seen by some as the truly universal human rights depends upon the fact that positive rights imply high costs on the countries; since the goal is that governments will have increasingly less to do with regulation, positive rights will depend upon the level of development that each country has reached and thus positive rights cannot be universal.

Noam Chomsky (cited in Evans, 2005) has observed that market deregulation is the key priority to stakeholders (be it investors or other governments), human life has value as far as it contributes to profit making. As Evans interprets the political situation during the Cold War and its effect on development, neoliberalism has not disregarded human rights; instead the defense of negative rights has become useful to focus on individual negative rights such as freedom to own and sell property and fostering measures for capital accumulation to the detriment of policies that could have an impact on the poor through health, education and environmental action (2005: 86).

Amartya Sen (1999) states that when analyzing development it would be damaging to neglect centrally relevant concerns because of a lack of interest in the freedoms of the people involved.

In the following section, I will discuss the human development approach proposed by Amartya Sen and Martha Nussbaum.

3 Human development and the Capabilities Approach

As the United Nations Development Programme (UNDP) states through its Human Development (HD) section, human development is a paradigm that goes beyond the calculation of national income. It is concerned with "creating an environment in which people can develop their full potential and lead productive, creative lives in accord with their needs and interests". The main goal is that people obtain the lives that they value, and this is achieved by enlarging people's choices (UNDP).

In this section, I will explore the concept of human development and its related concept, the capability/capabilities approach and its relation with human rights.

3.1 Concept of Human development

Both economist Amartya Sen and the UNDP quote the words of Aristotle: "Wealth is evidently not the good we are seeking, for it is merely useful and for the sake of something else" (Sen, 1999:14; HDR home page).

According to the UNDP, the HD paradigm came into existence as a response to the development trends of the 1980's, where economic growth was paired with the enlargement of people's choices (cf. section 2.1 here). It came about because of the recognition of the following factors (HDR home page)

- Evidence that economic growth did not "trickle down" to the more disadvantaged
- Awareness of the human costs of Structural Adjustment Programmes (SAPs)
- Social ills such as crime, diseases, pollution, etc. kept spreading despite economic growth
- A wave of democratization in the 1990's paved the way for people-centered models.

As the UNDP states, the conceptual foundation of the HD and the Human Development Reports is based on the works of scholars such as Amartya Sen and his approach on development and capability, the enhancement of people's freedoms and people's choices. In the words of Sen: "[human development means] advancing the richness of human life, rather than the richness of the economy in which human beings live, which is only a part of it (in UNDP).

Some of the issues and themes currently considered most central to human development include:

- Social progress - greater access to knowledge, better nutrition and health services.
- Economics – the importance of economic growth as a means to reduce inequality and improve levels of human development.
- Efficiency - in terms of resource use and availability. human development is pro-growth and productivity as long as such growth directly benefits the poor, women and other marginalized groups.

- Equity - in terms of economic growth and other human development parameters.
- Participation and freedom - particularly empowerment, democratic governance, gender equality, civil and political rights, and cultural liberty, particularly for marginalized groups defined by urban-rural, sex, age, religion, ethnicity, physical/mental parameters, etc.
- Sustainability - for future generations in ecological, economic and social terms.
- Human security - security in daily life against such chronic threats as hunger and abrupt disruptions including joblessness, famine, conflict, etc.

As Des Gasper explains, “the adjective 'human' in ‘human development’ suggests that development previously had not been human-centered but instead interpreted predominantly as economic growth” (Gasper, 2004:166). Human development, through the use of the Human Development Index and several other indexes that are adjusted for poverty, gender equality, literacy, among others, intend to reduce the use of the GDP/GNP per capita as the main development indicator (Gasper, 2004). Its foundation is thereby a shift from focus on economic growth towards an emphasis on other goods that would enlarge the freedom, which is central in this paradigm. This priority, as Gasper (2004) states, is based on the fact that it is freedom what organizes many other claims, either “freedoms from” (hunger, ignorance, etc) and “freedoms to” (choose, decide, etc). Mahbub ul Haq, one of the main architects behind the HD paradigm has stated that the four ways to create desirable links between economic growth and human development are investment in education, health and skills; more equitable distribution of income; government social spending; and empowerment of people, especially women (in Nederveen Pieterse 2001:120).

3.2 Amartya Sen and Martha Nussbaum: two versions of the Capability approach.

The notion of capability was first used by Sen in the 1980's, in an effort to expand the dominant informational basis of development economics and integrate a focus on quality of life, well-being, social justice, entitlement and rights and freedoms (St. Clair 2006). The capability approach, as St. Clair (2006) argues, constitutes a critique of the reductionism and hegemony utilitarianism, as it represents a multidisciplinary view of well being and poverty.

The capability approach, which constituted the philosophical basis for human development, is defined as follows: “the capability approach to a person's advantage is concerned with evaluating it in terms of his or her actual ability to achieve various valuable functionings as a part of living” (Sen in Nussbaum and Sen, 1993). In order to understand this explanation further, it is necessary to distinguish between the two main concepts, namely functioning and capability.

Functionings reflect the various things a person may value doing or being (Sen 1999:75) The valued functionings may vary from very elementary ones, such as nourishment and health, to very complex activities or personal states, such as being able to take part in the life of the community and having self-respect (Sen in Nussbaum and Sen, 1993:31; Sen, 1999:75). Capability on the other hand refers to the alternative combinations of functionings the person can achieve,

and from which the person can choose a collection (Sen in Nussbaum and Sen 1993).

To understand Sen's approach it is further necessary to define freedom and the aspects of freedom, which relate to the freedom of choosing functionings. To begin with, expansion of freedom, according to Sen (1999), is viewed both as the primary end and as the principal means of development. His view of freedom is two-fold, since it refers both to the *processes* that allow freedom of action and decision and the actual *opportunities* that people have, given their personal and social circumstances (1999). Freedom is viewed as both the *primary end* (intrinsic importance) and the *principal means* (instrumental importance) of development (Sen 1999) and development in this view is the process of expanding human freedoms.

As far as I have interpreted it, most theories of development consider poverty to be the main problem and source of underdevelopment. Therefore, it is arguably not completely strange to see that so many doctrines have focused on economic ways in order to reduce poverty and bring about a better standard of living. As explained before, Sen does not deny that income has a strong capacity to improve quality of life (and its absence can have close links to deprivation of capability (Sen 1999)). The question that can be posed is to what extent can economic measures bring about a more comprehensive way of development and a way of development that is consistent with human rights?

Sen poses certain claims in favor of the capability approach to tackle poverty: first, poverty can be identified with capability deprivation (1999). He states that poverty is *intrinsically* important, while low income is *instrumentally* significant. Sen states that there are influences on capability deprivation and hence on poverty that are not limited to low income. Importantly, Sen claims that the instrumental relation between low income and low capability is actually variable and changes between communities/families/individuals. (1999). Furthermore, Sen makes a distinction between "real poverty (in terms of capability deprivation) and income" which is why real poverty can encompass much more than what the income space may suggest. We can consider, for example the difference between income deprivation and the impossibility to turn income into functionings; or the distribution of income within a household; or the relative and absolute deprivation of capability.

The capability approach is concerned primarily with the identification of value-objects, and sees the evaluative space in terms of functionings and capabilities to function (Sen 1993). The capability of a person depends on a variety of factors that include personal characteristics and social arrangements; human capabilities constitute an important part of individual freedom and they are the primary informational basis. The capability is a *set* of functionings, representing the alternative combinations of beings and doings of which the person can choose (Sen 1993).

Martha Nussbaum is also a leading voice in the capability approach and has worked closely with Amartya Sen. However, Nussbaum's view on the approach is different in that she provides a philosophical explanation of the approach. Nussbaum (2000) states that what is necessary is an approach that is respectful of each person's struggle for flourishing, that treats each person as an end and as a source of agency and worth in her own right. To begin with, it is necessary to mention that the use of the word in the plural form is a distinguishing mark, since Nussbaum has interpreted the Capability approach and created a list of the capabilities that render a life that is dignified and truly human (Nussbaum, 2000).

The main idea behind her version of the approach is twofold: first, that certain functions are particularly central in human life, in the sense that their presence or absence is typically understood to be a mark of the presence or absence of human life. A necessary condition of justice is therefore that a basic level of all the capabilities is delivered (Nussbaum, 2000), but it will depend upon the citizens to decide on what the level encompasses. A secondary use of this approach is comparative, i.e. to provide an alternative to measurements in GNP or GDP per capita and therefore use the capabilities approach for the construction of a normative political proposal that is a partial theory of justice (2000).

Furthermore, Nussbaum (2000) states that the capabilities can be the object of an *overlapping consensus* among people who otherwise have very different comprehensive conceptions of the good: The capabilities in question should be pursued for each and every person, treating each as an end and none as a mere tool of the ends of others. Nussbaum argues that “certain norms of human capability should be central for the political purposes in thinking about basic political principles that can provide the underpinning for a set of constitutional guarantees in all nations” (2000:35).

The capabilities list is as follows:

1. Life
2. Bodily health
3. Body integrity
4. Senses, Imagination and Thought
5. Emotions
6. Practical Reason.
7. Affiliation. A) Towards others; B) self-respect, dignity
8. Other species (Living with concern for other species and nature)
9. Play
10. Control over One's environment: a) Political; b) Material.

Nussbaum (2000) states that the list consists of separate components, which means that all of them have to be satisfied to a minimum level and no one can be absent if a dignified life is to be guaranteed. This does not mean that the elements are independent of one another; instead, the majority components are interrelated in a complex way, since one can have a strong influence on each other. For example, one could think that a person who is not respected in terms of body integrity will suffer in the sphere of emotions, self-respect and may originate in the lack of control over political decisions, or rather, the lack of influence on political decisions that may have originated the abuse in the first place.

Nussbaum also distinguishes three types of capabilities: *Basic* capabilities refer to innate equipment in an individual that is a necessary basis for developing the more advanced capabilities, and a ground for moral concern. These include physical capabilities like seeing and hearing but also the capability for language, love, practical reason, work, etc. *Internal* capabilities refer to the developed states of the person that are sufficient for the exercise of functions. Internal capabilities develop with the surrounding, as one learns to play, work, and exercise political choice. The last one is what Nussbaum calls *combined* capabilities, i.e. internal capabilities

combined with suitable external conditions for the exercise of a function¹. The list provided is thus a list of combined capabilities: to realize each one of the items entails promoting appropriate development of the internal powers of each citizen and also preparing the environment so that practical reason and the other functions can be exercised (Nussbaum 2000).

3.2.1 *Functioning and Capability*

Martha Nussbaum discusses the relationship (and differences) between functionings and capabilities, and these differences have repercussions in the action that states should take in order to grant the elements of the list to its citizens.

It is crucial to begin by recognizing that not all citizens may be interested in having all functionings, and this may be originated in personal, religious or other beliefs. Therefore, as Nussbaum (2000) exemplifies, the functioning of nutrition, sexual expression or religious expression may not be of interest to a certain citizen. This is why Nussbaum states that the political goal is not the functioning but the capability. It is up to the individual to decide and choose regarding the functioning, but what cannot be denied is the capability to do or be.

3.2.2 *Some differences in the approaches of Sen and Nussbaum*

The main difference between Martha Nussbaum's analysis and Sen's lies in that Nussbaum provides an account of ten capabilities that according to her are all equally necessary in order for a person to lead a life with human dignity.

In Nussbaum's view (2000), what she and Sen share in their approaches is that they both ask not how much of the resources people are able to command but instead, what they are able to do or be. According to Sen, it is in the space of capabilities that questions of social equality or inequality are best raised (Nussbaum 2000). Both Sen and Nussbaum agree on the principle of each person's capability, which means that no person is to be treated as a means but as an end.

In Sen's view, Nussbaum's list is just one possible concretization of his approach. Sen has never made a list of the central capabilities, and he has done so consciously, since he provides some room for each country for example, to decide on the particular list of capabilities to adopt, guarantee or protect (Gasper, 2004). Gasper also states that Sen's view suits more a discussion with economists, while Nussbaum's approach has more to do with the social and human sciences (2004).

3.3 Critique

Both Sen and Nussbaum's approach have been questioned on different grounds, and some of the critiques are as follows:

When Nussbaum presents a list one could ask if a state can guarantee all these elements? How is a government supposed to work towards these goals? In *Women and Development* (2000), Nussbaum states that some of the capabilities can be fully guaranteed by society, but many others

¹ The word "function", as I interpret it, is used interchangeably with the word "functioning" by Martha Nussbaum and similarly to the use of the word "functioning" by Amartya Sen, whereby they mean an action that a person may value being or doing (Sen 1999; Nussbaum and Sen, 1993; Nussbaum 2000).

involve an element of chance and cannot be so guaranteed. Therefore, society can hope to guarantee the social basis of these natural goods, and putting them on the list as a set of political goals should be useful as a benchmark for aspiration and comparison (Nussbaum 2000). The social minimum requires only the social basis of these natural goods, not the goods themselves.

Both Sen and Nussbaum have been criticized for providing an approach that is universalistic and -why not- paternalistic. This clash between universalism and relativism is also present in the Human rights debate, where human rights conventions are sometimes accused of representing Western values being imposed on dominated people. Sen and Nussbaum devote sections of their main work to discuss relativism in relation to human rights.

In the article *Social analysis and the capabilities approach: a limit to Martha Nussbaum's universalist ethics* (2009), S. Charusheela provides a strong analysis of Nussbaum's approach and uses the capability of literacy to explain that, from the post-colonialist viewpoint, Nussbaum is actually doing a social analysis in her approach that makes strong assumptions as to how institutions of state and civil society should operate. Post-colonialist non-Western scholars therefore interpret her views as ethnocentric.

Nussbaum's reply to worries about universalism consists of five parts (2000): first, *multiple realizability*: As mentioned before, each of the capabilities may be realized in a variety of ways bearing in mind individual choices, local traditions, etc. Second, *capability as a goal*: the objective of the approach is the focus on capabilities, not on actual functionings. Third, *liberties and practical reason*: the content of the capabilities list gives a central role to citizen's power of choice. Fourth, *political liberalism*: the approach is object of an overlapping consensus among people. Fifth, *constraints on implementation*: while the approach provides the philosophical grounding for constitutional principles, its implementation is left to the internal politics of the nation in question.

Sen (1999) identifies three main critiques towards universal human rights: legitimacy, coherence and cultural critique. For the purposes of this thesis, I will only explain Sen's conclusion on the third critique to human rights, which he relates specifically to critique from "Asian values". The problem that Sen sees in this confrontation is that the so-called Asian values are often defended by authoritarian people who may be personally against certain human rights ideas as being opposite to Asian values of communitarianism. But Sen states that Asia is such a large continent (and highly populated one) that it would be highly implausible to state that there is a collection of values that are intrinsically characteristic of the region.

3.4 Are Human Rights a bonus or a ground criterion?

Amartya Sen and Martha Nussbaum have decided through their approach to adopt a language somewhat different than human rights. They have chosen to speak about capability/capabilities and they have used their specific terminology to refer, in the end and in my view, to a similar objective: describing the life that is dignified and worth living by a human being. Certain fundamental aspects are in my opinion key to seeing an interrelationship between human rights and the capability approach. Firstly, I would like to discuss the concept of indivisibility; which is

present in both the human rights discourse and the capabilities approach. According to the UDHR, Article 2, "Everyone is entitled to all rights and freedoms set forth in this Declaration [...]". This is why the Declaration, together with the ICCPR and the ICESCR together conform the International Bill of Rights. Except for emergency situations (which are still clearly regulated), all states commit to respecting all claims regarding all their citizens. However, as it was mentioned above, the Cold War and the political state of affairs created a scenario where the world powers clashed due to the emphasis laid upon both International Covenants, and each power tended to prioritize one of them. This is not of less importance when discussing the issue of development, in view of how the focus and objectives of mainstream doctrines in the 20th century have tended to prioritize one set of goals (as discussed in the previous chapter).

The capabilities approach is also clear about the indivisible character of each capability. Nussbaum (2000) states that the list is emphatically a list of separate components, and all of them represent a need that must be satisfied: a trade off is simply not possible, i.e. providing more of an element in detriment of another. In this way, indivisibility of rights and capabilities go along the same thought: all rights and all capabilities provide the basics for a truly human life.

Another similarity is the focus that both discourses put on the individual human being. Sen quotes the words of Aristotle, as discussed before, and when Nussbaum endorses both Aristotelian ethics as well as Marxist ethics and the concept of exploitation: "it is profoundly wrong to subordinate the ends of some individuals to those of others" (2000:73). It is therefore clear that the individual is in the focus in the sense that no person can be subjected to suffering or let live in misery in order to prioritize the well being of others. In this way, the approach is consistent with human rights in that the latter start from the premise that every individual has an inherent worth whereby (s)he is entitled to claim the rights enshrined in the Bill of Rights.

In *Women and development* (2000) Martha Nussbaum states that capabilities have a very close relationship to human rights as understood in contemporary international discussions, but are also different in certain points: capabilities cover the terrain covered by the so-called first generation rights (political and civil liberties) as well as the second-generation rights (economic and social rights). They play a similar role, that of providing a philosophical ground for basic constitutional principles. However, the language is different, and it is worth mentioning what the capabilities approach adds. Nussbaum asserts that the human rights idea is not crystal-clear and even shows high philosophical disagreement as to the basis of the rights claim. To that end, she considers it appropriate to state that the best way to think about rights is as *combined capabilities*. The right to political participation, religious freedom, the right to free speech, "these and all others are best thought of as capabilities to function" and securing these rights gives citizens "a combined capability to function in these areas" (Nussbaum 2000:98). If a grant is only secured in paper, through a Constitution, but not upheld in practice, the human rights language may encounter the difficulty of explaining it, while, according to Nussbaum, the capabilities approach provides a benchmark against which it is possible to think what it means to secure a right to someone.

Having said this, Nussbaum (2000) believes that the human rights language plays four important roles in public discourse which is why they should work together with the capabilities approach. First, the basic claims of human rights TO something from someone reminds us that

people have justified and urgent claims to certain treatment. These claims are parallel to the ethical role Nussbaum puts on basic capabilities, but the appeal to rights is, according to Nussbaum, more compelling than basic capabilities. Second, the language of rights places greater emphasis on the importance of these spheres of ability: the weight is stronger when saying "Here is a list of fundamental rights" than when saying "Here's a list of what people ought to be able to do and be". Third, human rights emphasize people's choice and autonomy, while the language of capabilities leaves room for choice. Together it is even clearer that the appropriate political goal is the ability of people to choose to function in certain ways. Finally, the human rights discourse has obtained a sense of terrain of agreement that the capabilities approach is still deliberating.

Nussbaum's proximity to human rights is, as I see it, reinforced by the fact that she provides a list of capabilities that must be complied but, like the human rights conventions, provide a space for realizability, whereby states can work toward them as goals and improve in the degree of realization.

Apart from Nussbaum's view, the UNDP also provides a standpoint regarding the relationship with human rights. According to the organization, "human development shares a common vision with human rights: The goal is human freedom, and in pursuing capabilities and realizing rights, this freedom is vital. People must be free to exercise their choices and to participate in decision-making that affects their lives. Human development and human rights are mutually reinforcing, helping to secure the well-being and dignity of all people, building self-respect and the respect of others" (UNDP).

4 Conclusion

After carrying out this research, the following conclusions can be drawn:

Human rights have had a shifting importance in relation to the principal development paradigms that were established in the second half of the 20th century. The post-war period bore witness to an upsurge of international interest in the defense and implementation of human rights, as with the creation of the United Nations, the drafting of its Charter and the Universal Declaration of Human Rights. However, the few years that followed saw the imposition of modernization, industrialization and growth emphasis, which focused on tackling poverty both nationally and internationally and helping poor countries to catch up with the levels of modernization and well-being that had been reached in the United States and Europe. The establishment of the neoliberal orthodoxy was also significant in the relationship with human rights, since the focus was again placed on economic growth, this way through the market forces and liberalization measures. It was only in the 1990's, when the results of these measures did not prove as successful, that human rights began to be seriously considered and included in the various plans of action.

The Capabilities Approach and the human rights discourse share several elements, namely the indivisibility of its claims/capabilities, the universalist aspect, which is intended to guarantee a dignified life to every human being, and most importantly, the center is always the individual person. Neither within the human rights tradition nor the Capability approach is it acceptable that a person be subordinated to the ends of others. Every individual is to be treated as an end and the repercussions in terms of development are that development is for the individual. This view is in stark contrast with the relationship identified between economicist paradigms, whereby the focus on growth and modernization has not always considered the well being and the dignity of the individual.

Nevertheless, the relationship between human rights and capabilities is not one without tension. To begin with, Martha Nussbaum sounds reticent to accept a complete union and the conversion into one sole approach. She underscores the importance of human rights and the advantages this discourse has over the capabilities, but is more interested in deliberating and moving forward with her approach. This, however, will have to be reviewed and possibly reconsidered in the future years.

The capabilities approach does not go unquestioned. The criticism that it represents a Western view of functions, and the universalist/relativist point of view is again present. Nussbaum has however stated that its multiple realizability is important so that every citizen can decide on what functions suit their personality, local traditions, culture, religion, etc. The focus is on the capability not on the specific functioning.

Human rights is increasingly gaining pace in the development field and becoming a constitutive part of it, not only through organizations such as the UNDP but also in the sphere of the international financial organizations that until the 1990's has been reluctant to include

these concept in their main documents and policies. Human rights have become more pervasive, reaching structures and places that had not accepted its presence and this, as a consequence, is a positive change, meaning that the scope and reach of the claims becomes wider. Human dignity is increasingly safeguarded.

4.1 Discussion

Further, I would like to discuss a few points that have been beyond the scope of this analysis but that I believe are closely connected and that represent my interest both in the choice of this topic as well as in the future work on the subject. I also think that it is pertinent here to discuss what can be learned from this discussion in relation to development and what we can expect from the future

First of all, what needs to be considered is that there is a difference between what development seeks to achieve (be it poverty reduction, economic growth, well being of the population) and what those intentions become in practice. The fact that poverty has grown instead of diminishing at a world level must be telling us something. This “something” can be interpreted as a gap between the discourse of development and what is later possible to achieve. Hence, the unavoidable question: why is there such a gap? A possible answer is that development as the international commitment to help those that our beyond our borders is fairly new and therefore it will take some time until the whole world unanimously finds a solution to the scourge of poverty. The MDGs are a sign of that, and whether their future achievement according to the deadline is in my view quite bleak, the consensus is there. A more critical stance, such as those provided by political economy may imply that there is no genuine interest in addressing these problems, with the repercussions it would have on the distribution of the world’s wealth.

International financial organizations are now keen on including a human rights approach, whereby human considerations are of similar importance to maximization of income. Maybe this will be reflected in a change of paradigm and more achievements in the human sphere.

As I have mentioned before, Sen’s and Nussbaum’s approach is based on the assumption of ethics being part and parcel of their views. The question is, therefore, whether ethics are strictly related to development? Asunción St. Clair (2006) states that development is closely connected to ethics. From researchers, to activists and governments, the goal of development is to bring about social and economic change that is considered *good*. The opposite of development is *underdevelopment* and this means that efforts have not been enough, have not been sufficient. Therefore, it is necessary for the –let’s call them richer, or more powerful, or more developed- countries to provide their help in order to rescue those that are poorer, less powerful, less developed.

By committing to bring about development to all the corners of the world, thinkers back in the 1940’s established a way of thinking that has not been broken, at least at the superficial level. What remains to be seen is how these thoughts and intentions will be reflected in actions so that the world’s poor and disadvantaged are truly considered human and become the objectives of a way of development that focuses on their knowledge, their interests and aspirations and also their own named needs. Development (in all its forms) can maybe then become a reality and stop being benevolence.

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