A Practical Reasoning Theory of Development Ethics: Furthering the Capabilities Approach

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Introduction

Thoughtful discussions of the value judgements employed in the course of designing development, such as those exemplified in Nussbaum and Glover's volume *Women Culture and Development*, are rapidly proliferating, such that even the World Bank's president asserted 'that the World Bank's central mission is to meld economic assistance with spiritual, ethical, and moral development' (World Bank 1996:1). In light of the need to apply development ethics more widely and satisfactorily it is necessary to consider what Glover (Nussbaum and Glover, 1995: 135) referred to as the first agenda item of a research programme for development ethics: rendering a "more precise account" of the values and principles employed in the making of development decisions. This paper sets out certain constructive suggestions in response to Nussbaum's article on human capabilities. While this paper is theoretical, our concerns arise out of, and our suggestions have been refracted through, practical considerations, and we offer them in the hope that the capabilities approach may become more readily operational in the field.

If economic assistance is to consider issues of distribution, of interpersonal variation in needs, of values and of the 'inherently multidimensional' shape of human well-being, it requires a non-utilitarian decision-making framework. The most powerful theoretical alternative to economic growth as an objective of development is to be found in Amartya Sen's capabilities approach. This approach challenges utilitarianism by describing the objective of economic development as "the promotion and expansion of valuable capabilities" (Sen 1990) and the aim of justice as equality in the space of capabilities. These 'capabilities' are the positive freedom to achieve valuable 'functionings' which range from basic functionings such as being nourished or having shelter to higher level functionings involving friendships, self-respect, and meaningful work.

Sen's capability approach is *deliberately* incomplete and requires specification (a further valuation exercise) before it can be operationalised (Nussbaum and Sen 1993: 48-9). Martha Nussbaum has sought to elaborate such a specification in light of criticisms that Sen's account results in an unwieldy incompleteness (Sugden 1993, Williams in Nussbaum and Sen 1993, Desai 1990) – while leaving room for local and plural specifications – by applying her significant work on Aristotle's ethical and political theory to the capabilities approach. Sen, she claims, "needs to be more radical than he has been so far in his criticism of the utilitarian accounts of well-being, by introducing an objective normative account of human functioning and by describing a procedure of objective evaluation by which functionings can be assessed for their contribution to the good human life" (1988: 176). Her article, 'Human Capabilities, Female Human Beings', in *Women, Culture and Development*, explains how her account of human functioning could form the centrepiece of a workable development ethic.

In furthering this important and urgent undertaking, we shall draw Nussbaum's article into discussion with the work of John Finnis, Germain Grisez and their collaborators. This group has over the past 20 years produced a highly comprehensive and refined modern Aristotelian form of ethics (1980, 1983, Grisez et al 1987) and applied it to issues of law (1981), war (1987), government (1994) and social concerns (Grisez, forthcoming).[1] The theory has a carefully articulated account of valuable, but in themselves premoral,

[1] The theory which John Finnis articulates is the product of a collaborative effort between himself, the theory's originator Germain Grisez, Joseph Boyle, and others. In the present context Finnis' work is the most helpful to focus upon, because it addresses legal, political and social policy issues. It is worth mentioning that the only previous encounter between Finnis and Nussbaum stalled acrimoniously on the issue of homosexuality. The 'Colorado controversy' seems to have created the *impression* that Finnis' approach involves the conservative and paternalist

human 'functionings'. It is based on the exercise of practical reason, which yields a substantive, objective description of dimensions of human flourishing while preserving a need for historical, cultural, and personal specification. The theory goes beyond Nussbaum's by developing an account of procedural (moral) principles for translating a normative account of human flourishing into particular, locally appropriate proposals for action, and lays the groundwork for an account of the formation and value of a community's common commitments, be these moral or 'immoral'.

The reason for the initiating this discussion is that Finnis' broadly parallel ethical system is able to circumnavigate the central difficulty of Nussbaum's analysis, namely the perception that her normative conception completes Sen's approach *too much:* that it overspecifies a conception of the good life (Hurley, O'Neill in Nussbaum and Glover 1995: 107, Qizilbash 1996) and forges too inflexible an account of political obligation. In Benhabib's words "I think that the step that leads from a formulation of the 'thick vague conception of a human being' to 'the task of politics in relation to the thick, vague conception' is illicit" (Nussbaum 1995: 254) She and many other contributors to *Women Culture and Development* urged a greater focus on procedure: either by the development of Nussbaum's principles of practical reason and affiliation or by the adoption of a form of Kantianism (O'Neill), pragmatism (Alcoff and Putnam), or dialogical universalism (Benhabib). Benhabib effectively points out the central problem when she observes, "What I find lacking in the Aristotelian account of human capabilities is the space, both in theory and in practice, which allows one's understanding of the 'human condition' in Aristotelian terms to be translated into actively generated moral insight on the part of human actors" (Nussbaum and Glover 1995: 255). In contrast, Finnis' approach structurally separates the identification of basic premoral reasons for action which are shared by all persons, from the principles for their ethical pursuit. This offers a promising model of the way normative and procedural approaches might be bridged, and how further questions of justice, community, and culture may be addressed.

An engagement between Finnis' and Nussbaum's ethical accounts can usefully focus on three issues: (a) the generation and content of a set of 'basic human functional capabilities' (Sections 1 and 2 below), (b) the need for a fuller description of the historically, institutionally and culturally embodied nature of 'basic human functional capabilities' (Section 3), and (c) the grounding and nature of the moral obligation to further human flourishing (Section 4).

(1) Towards an account of human well-being

In developing an account of those aspects of 'human being' which constitute well-being, Nussbaum employs a methodology[2] which engages the imagination and involves 'an attempt to set down a very general record of broadly shared experiences' and self-interpretations across historical and national boundaries. While the central feature of this method, which she has called 'internalist essentialism'(1992) is that it 'asks us to evaluate components of our lives'; it also 'pays attention to biology' and to expressed needs and vulnerabilities (1995b: 74). This method of evaluative inquiry involves asking what 'functions' must a person possess for her to be recognised as a person in the first instance, and continue to possess in order to be recognised as the same person (1995b:72-3). She sees this evaluative inquiry being furthered by the empirical examination of "a wide variety of self-interpretations of human beings in many times and places", concerning the way in which different societies "situate the human being in some way in the universe between the 'beasts' on the one hand and the 'gods' on the other" (1995b: 73). The outcome of Nussbaum's inquiry is a 'tentative and open-ended' (1995b: 74) set of normative conclusions, around which there is considerable consensus, as to the elements of what it is to be human, elements which immediately make demands on the public institutions of a society.

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constraint of human freedom when in fact he offers a liberal defence of the humanity of persons and the importance of free choice. We maintain that his conclusions regarding homosexuality and contraception are not entailed by the fundamentals of his theory and, more importantly, that those fundamentals, which have been developed with a high degree of analytic precision, have much to offer in extending the capabilities approach.

[2] Aspects of this methodology are also presented in Nussbaum 1988, 1990b, 1992, 1993, 1995:360-95. See also 'The Discernment of Perception' in 1990a. and 'Non-scientific deliberation' in 1986.

We have a number of concerns about Nussbaum's methodology. First, without a clear description of how the different elements of her methodology are co-ordinated they would seem destined to generate different lists which may or may not coincide and whose elements will be of different natures. Secondly, the imaginative exercise of distinguishing the humans from the (Greek) gods seems an implausible basis for a global ethic in a world with a highly divergent panoply of gods. Thirdly, her methodology involves producing *two* lists of human functionings; one dividing human from subhuman life and the other dividing a human from a good human life. Such a division is an unnecessary complication. It also runs counter to an essential thrust of the capabilities approach which has been the attempt to redirect development theory away from a reductive focus on a minimally decent life towards a more holistic account of human well-being for all people. [3] Fourthly, in the 1995 article she does not explain how the broadly internalist inquiry relates to the empirical inquiry. This is problematic because the latter *seems* to pursue the almost impossible goal of achieving an international consensus about human functionings in the light of the vast array of controverted biological, anthropological, psychological, mythological and literary evidence which might conceivably be necessary to consult. Until this relationship can be clarified and the volume of information with which it is necessary to confer can be greatly and coherently reduced, secure conclusions will remain elusive and the time and resources involved in obtaining them, overwhelming. Finally, perhaps because Nussbaum's account of political obligation is to be determined by the list of human functionings, her articulation of basic functional capabilities themselves include particular institutional and legal arrangements. It is again unclear which element of her methodology generates such arrangements.

This is where John Finnis' work begins to be of assistance, because it offers a methodology by which many of the important elements of Nussbaum's analysis – consideration of one's own actions and emotions[4], consideration of the experiences of friends and other cultures, the expectation of a working political consensus, and the need to generate institutional recommendations – can be related to dimensions of human flourishing. Yet Finnis' method for identifying a parallel to Nussbaum's 'basic functional capabilities' is comparatively restrained, and relies on practical reason alone. *Practical reason* is the reasoning in ethics and in planning action, the sort of reasoning people employ when they make decisions about what to do. *Theoretical reason*, by contrast, is the sort of reasoning employed in obtaining knowledge about the way things have been, are and will be, the reasoning of science. It is the reasoning for establishing truth in, for example, anthropology, psychology, biology and history.

Finnis begins his inquiry into the content of the morally relevant dimensions of 'human being', by observing that 'a study of the nature of a being is ... a study of the potentialities or capacities of that being' (1983: 1). In the case of humans, he observes, determining what these capacities might be is related to determining what are 'the principle *objects* of human life' or, more fully, what are those 'object(ive)s' which humans seek to realise and participate in. Practical reason for all people, he argues, proceeds by considering (consciously or not) one or more basic reasons for action.[5] It is possible, argues Finnis, for a person of mature experience, if without dramatic mental or physical impairment, to identify these reasons by asking 'why do I do what I do?' and 'why do others do what they do?' until a set of most basic reasons for acting are *recognised* for which no further reasoned justification can be determined. These most basic justificatory reasons for action, such as friendship and knowledge, define the object(ive)s of human life and correspond to things for which people have a capacity or a potentiality. It is the pursuit of these goods or the realisation of these capacities or potentialities which both Finnis and Nussbaum agree brings well-being or meaning into a human life.

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[3] Nussbaum has articulated the concern that the differentiation of persons who have B capabilities and those who don't may lead to prejudice (1993 Section 6, 1988:145-6, 1995: 71-2 also 172-3, 1992: 209) but it remains contentious (Hurley in Nussbaum 1995: 105-9). As it does not seem necessary our recommendation is that it be eliminated.

[4] The relevance of emotions to ethical choice is a significant topic of interest for both Nussbaum and Finnis et al; unfortunately in this paper we are not able to discuss either perspective.

[5] It is necessary to establish a few verbal equivalances. Finnis refers to these as 'basic values of human existence' or 'basic practical principles of practical reasoning' 'basic goods' and 'basic reasons for action' (1980: 59f). They are all synonomous, but stress the relatedness of a basic good to different things. We refer to them together as a 'list' or a 'set', meaning by each term all of the basic reasons for action taken together.

This method clearly delineates the relationship between practical reason and theoretical and relational knowledge. In reflecting on 'why do I/others do what we do?' practical reason is not operating in an 'a priori', disembodied or ahistorical way, for it requires, as Nussbaum also notes (1995b:74), the reflection of a particular human being on her life experiences and the lives of others she knows. Furthermore, knowledge from anthropology, psychology, and sociology, can be used to support such a list. This is not to suggest that conclusions about human functionings or the objects of human life are directly inferred from or established by such theoretical knowledge (Finnis 1987: 113); rather the knowledge serves as 'an assemblage of reminders of the range of possibly worthwhile activities and orientations open to one' (1980: 81). Knowledge of the general dimensions of human flourishing remains, epistemologically, a matter of practical reason alone. As a result, the disputes about, for example, the accuracy of this theoretical (empirical) knowledge can largely be set to one side.

The methodology we have described generates a set of dimensions of human flourishing whose definition is narrower than Nussbaum's list. First, practical reflection does not set out to create a theory of human distinctiveness. It may well be that no other beast or god share this set of dimensions of flourishing, that these are indeed uniquely characteristic of human being, but that is not how the question is put, for comparative questions are theoretical even metaphysical, not internalist, questions. Second, there are neither any distinctions between barely and fully human dimensions of well-being, nor exclusions of creatures, born of human parents but lacking in B-capabilities, from the category 'human being'. Third, although Finnis does claim that the dimensions are *technically* self-evident (1980: 64-69), and does expect, as Nussbaum does, that they could 'ground a working political consensus' (Nussbaum 1995b: 74), his list is not *generated* by consensus. The kind of discussion which generates consensus could lead to an adaptation of the list but this would be by reminding people of a reason for acting that they 'recognised' to be basic by reference to their experience (Nussbaum and Sen 1989). The act of inner recognition, and not intellectual or political assent, founds the dimensions.

Turning now to the content of the lists, Finnis and his collaborators have suggested and refined[6] a substantive set of these dimensions (Grisez et. al, 1987: 107-8). They may be presented (formally) as follows:

Table 1 - Dimensions of Human Flourishing

(1) '**Life** itself - its maintenance and transmission - health, and safety'
(2) **Knowledge** and **Appreciation of Beauty**
This good is correlative to humans being rational and their resultant capacity to 'know reality and appreciate beauty'.
(3) Some degree of excellence in **Work and Play**
This good is correlative to humans being 'simultaneously rational and animal' and their resultant capacity to 'transform the natural world by using realities, beginning with their own bodily selves, to express meanings and serve purposes'.
(4) **Friendship,** 'harmony between and among individuals and groups of persons - living at peace with others, neighbourliness, friendship'.
(5) **Self-Integration,** harmony between the different dimensions of the person, that is, 'inner peace'.
(6) **Coherent Self-Determination,** or Practical Reasonableness, 'harmony among one's judgements, choices, and performances -- peace of conscience and consistency between one's self and its expression'. When exercised by a community, may be better described as 'participation'.
(7) **Transcendence,** or Religion, 'harmony with some more-than-human source of meaning and value'.

We will refer to these basic reasons for action as 'dimensions of human flourishing'. They might have been called dimensions of human functioning in that they express the irreducible dimensions of what we understand Sen could mean by valuable human functioning, and thus constitute a list of basic functionings which is matched by a list of basic capabilities. However 'functioning' suggests an unduly mechanistic account of the human person, hence we prefer the term 'flourishing' – which also communicates the sense that people pursue and participate in but never fully realise these dimensions once-and-for-all. Taken together the dimensions of human

[6] For example, Finnis' 1980 list did not have work (it had play), 'aesthetic experience' was separate from knowledge, but self-integration was combined with practical reasoning. Finnis 1996 proposed marriage as an additional dimension.

flourishing comprise a complete list of those reasons out of which people act in seeking 'well-being'. Thus it may be more helpful to construe them as *the dimensions of human development* (Finnis 1980: 96).

It is necessary to signal the central way in which these dimensions differs from Nussbaum's, and that is that the categories are both *valuable and pre-moral*. This difference, which will be elaborated on in Section (4), means that the list is precisely *not* a list of virtues. Finnis describes the dimensions as principles "which indicate the basic forms of human flourishing as goods to be pursued and realized, and which are in one way or another used by everyone who considers what to do, however unsound his conclusions' (1980: 23). This has a number of key consequences. First, it frees Finnis' account from the criticism Qizilbash and others have raised of Nussbaum, namely that her dimensions 'rule out vicious capabilities' (1996: 149)[7] and overspecify the concept of the good life. Second, the basic reasons for action are able to explain the intelligibility of immoral actions, because even immoral acts intend one or more of the dimensions of human flourishing.[8] Third, the list describes the dimensions of human flourishing at the point where they actually cannot be delineated in any simpler way. The list was generated, recall, by the iterative questioning of experiences, and distilling of reasons for action until a set of most basic reasons for acting remained which people recognise as representing the irreducibly distinct valuable dimensions of their actions. As this process could not coherently reverse and build in less basic attributes, this set of dimensions is *not* susceptible to the danger of overspecification, which is precisely the danger which led Sen not to specify a list (1992:47). In particular, the list cannot be specified to include political rights, for these require an account of moral obligation which Finnis introduces separately (Section 4).

Finnis emphasises that these abstract descriptions of human well-being will always take a particular individual and communal form. Friendship, for example, will always be embodied in different forms of social relations. In addition, the dimensions are incommensurable (a point Nussbaum also makes about basic capabilities and functionings; 1995b: 85-86) because each dimension corresponds to a most basic, and as such distinct, reason for action. Each action in which any single dimension is pursued will also be incommensurable. This incommensurability means that *cultural diversity is to be expected* because there is no a priori reason why any community should choose any particular mix or form of worthwhile activities to pursue. The choice it makes will and should naturally be informed by a community's identity, geography, climate, political situation, and history. In Section 4 we will discuss how local context and the abstract 'dimensions of flourishing' might be related.

(2) Resolving Disputes About the Dimensions of Human Well-Being

Table 2 compares Finnis' list of dimensions of well-being with those by Nussbaum. [*TABLE 2 SHOULD BE PRINTED ON THE PAGE FACING THE TEXT AT THIS POINT*]. Is this list simply one more to stand alongside Nussbaum's and others (Dasgupta 1993, Desai 1990, Griffin 1991, Gough and Thomas 1994, Qizilbash 1996, Sen and Anand 1994, Stewart 1990) in a process of inquiry which might forever be 'both tentative and open-ended'? If a broadly capabilities approach is to be useful and to offer sound guidance for the making of economic and social policy which advances *human* development, more clarity as to the dimensions of human well-being is needed.

In 1987, Grisez, Finnis and Boyle published a paper which proposes a way to resolve disagreements about components of lists of well-being. The first step rests on the view outlined above, that determining the dimensions of human well-being requires people to recognise, on the basis of their own experience, the truthfulness or otherwise of the particular claims. This step involves proposing a/some most basic reason(s) for acting (i.e., dimension of well-being) which may perhaps have been overlooked. In the case of Nussbaum's list, the seeking of harmony with some greater-than-human source of meaning and value (for example by philosophy, religion, spiritual pursuits, or walks in a rainstorm) might be proposed as an addition. Similarly, Nussbaum's identification of the capability, "[b]eing able to live with concern for and in relation to animals, plants, and the world of nature" might be proposed as an addition to Finnis' list.

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[7] It is worth mentioning that David Crocker interprets Nussbaum's capabilities as 'powers' which can be either good or bad, (1995:168-9, see especially 161) hence would not make these criticisms. In this interpretation, though, there is even deeper need to explain precisely how the moral obligation to provide for (good and bad?) capabilities arises.
[8] See particularly Grisez et al 1987:VII.4 'How to make immoral choices'.

If the proposed new dimension has been recognised as valuable reason for acting using *practical reason* it will be possible to engage in a *theoretical* evaluative discussion to support or challenge any item in the set as, in fact, being a dimension of human flourishing or capability (1987: 111-113). Two lines of theoretical evaluation can usefully be highlighted here. The first is to suggest that a proposed element of the set is not intrinsically valuable but is actually instrumentally valuable – that it is only a means to pursuing some other dimension on the list ('only' is an important qualification because some basic items - like life or knowledge - will also have an instrumental dimension). The second is to suggest that an element of the set is actually part of some other dimension. The emboldened dimensions of human well-being in Table 2 represent the list which we see as emerging from this engagement between Finnis' and Nussbaum's accounts.

Nussbaum's suggested category, 'Being able to live one's own life in one's own surroundings and context provides an interesting illustration of a putative capability amenable to the first kind of evaluation.[9] Nussbaum further specifies this category as having, (i) a connection to the context of one's physical and social environment (1995b: 79), (ii) 'a little space to move around in', and (iii) 'some special items to use or love (1995b: 80). In the case of (i) it seems instrumental to self-integration (harmony between the different dimensions of one's being, her existential, rational, emotional, bodily, cultural, social and environmental dimensions). And (ii) may, in part, be instrumental to integration and also to health. The last feature (iii) once again may, in part, be instrumental to integration and also to sociability (e.g., in the case of family photos). It should be noted that the great raft of political rights which Nussbaum includes in the very definition of this good human capability ('being able to live one's own life') – such as freedom of association, the integrity of personal property, and non-interference with choices such as marriage, childbearing, sexual-expression, speech and employment – are not entailed if the capability is recognised as only instrumental. Nor, in Finnis' account, could they be introduced as part of a generic *dimension*.

Nussbaum's listing of pleasurable experiences as a basic functioning is susceptible to the second form of dialectical evaluation and we would argue that it should not be included as a discrete dimension of flourishing. Pleasurable experiences come in diverse forms which are integral to the various dimensions whose pursuit they accompany. So, for example, self-integration will involve a pleasurable experience of tranquillity, which is a very different pleasure from the delightful smells and tastes integral to the pursuit of excellence in cooking. The form of pleasurable experience which is not *integral* to the pursuit of any dimension of human flourishing is the pursuit of pleasurable experiences *for their own sake*. There are long-standing theoretical arguments against such activities being dimensions of human flourishing (for example, Robert Nozick's much tried 'pleasure tank' 1974: 42-5). An additional objection is that the pursuit of physical pleasure *per se* involves someone treating a part of him/herself as instrumental, which is competitive with the good of self-integration, because rather than bringing the different dimensions into a harmonious unity, it emphasises the distinction between the bodily and the existential dimensions of human being (Grisez 1987: 113; Finnis 1987: 308-9).[10]

In general, Finnis' approach suggests that the dimensions of human flourishing represent the simplest, self-evident explanations for humanly worthwhile activities, and that they are deliberately generic and require, as we shall see, further 'valuational exercises' in their operationalisation.

(3) A Fuller Description of the Historically and Culturally Embodied Nature of Human Flourishing

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[9] See Hurley's discussion in Nussbaum 1995: 110; Hurley also missed the presence of capabilities 'to develop any aesthetic sensibilities or to respond to form of beauty'; it is present in our proposed final set.

[10] This is, essentially, the position that Crocker attributes to Nussbaum functionings, in contradistinction to Sen's (Nussbaum 1995: 155, relying for his position on Nussbaum's clarification of Aristotle on this point); however it is not clear to us how, if she indeed holds this position, she may also suggest the enjoyment of [cause-unspecified] pleasurable experiences as a basic human functional capability. We understood that 'capabilities to function', if choosen by the agent, lead to functionings. It appears Nussbaum might argue that this particular capability leads to a functioning only in combination with another valuable capability. This capability would benefit from clarification if this is indeed the case.

The discussion of dimensions of human flourishing could seem very abstract. Yet human beings are profoundly enculturated. Clifford Geertz makes this point clearly:

> Man is to be defined neither by his innate capacities alone, as the Enlightenment sought to do, nor by his actual behaviours alone, as much of the contemporary social science seeks to do, but rather by the link between them, by the way in which the first is transformed into the second, his generic potentialities focused into his specific performances (1993: 52).

Therefore, dimensions of human flourishing and well-being cannot be accurately understood without an account of how local knowledge relates to the theory of human well-being, and how the 'priority of the particular' exerts itself.[11] As Nussbaum's theory has not yet presented such an account, it has rather blunt edges for dealing with the complex questions of how development ethics relates to existing cultural values.

This task is large; in this paper we will present two very abbreviated descriptions of ways in which historical and local specifications of the dimensions can be conceptualised. The first is how Finnis' theory understands particular cultural commitments (what Sen might call valuational exercises). The second is how an understanding of current extant local knowledge and practices can be ethically appreciated and evaluated.

One way in which the basic dimensions of human flourishing transmute into particular cultural forms is through the making of common commitments. A commitment is a subjective ordering of the basic human goods, executed by repeated free choices (or large organising free choices) to focus on certain dimensions of human flourishing or aspects of these dimensions to the exclusion of others – for choices necessarily constrain action to a limited set of objectives: to be a doctor or a teacher. While subjective it includes a self-assessment of the acting community – their identity, context, and history. If the commitment is moral, it will also satisfy the principles of practical reasonableness, and remain open to the goods it excludes (see Section 4). Finnis notes that these kinds of organising choices are practically necessary and, whether moral or immoral, that the common commitments of a community, taken together, sketch that community's operational conception of its common good. But he notices two further things about commitments. One is that they constitute a community's identity and character and create norms which are relevant only in that community; the other is that the *commitments constitute community* itself, and thereby foster the common good. Therefore while there is a legitimate need for direct and ongoing moral scrutiny of common commitments because these (and the norms they highlight) may or may not be moral, there is simultaneously a limited moral status intrinsic to all commitments insofar as they constitute the community. One of the many implications of this model is that commitments effect a closure which transforms the general dimensions into a 'comprehensive view of the good'– until this stage the dimensions of human flourishing are too general to be called 'comprehensive'.

The relationship between particular culturally embedded actions and the general dimensions of human flourishing can be also considered from the ground up, by adapting Alasdair MacIntyre's concept of a *practice* (1981: 175, 187). He defines a practice as:

> any coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realised in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically extended. (1981: 175).

MacIntyre's concept of a practice does not acknowledge Finnis' substantive objective concept of human flourishing. Hence, we propose the following definitions. A *simple practice* is any kind of internally coherent activity which is an individually or socially established path for pursuing excellence in, or more simply for enjoying, one or more dimensions of human well-being. A *complex practice* is a socially established path for integrating or relating simple practices in the pursuit of one or more dimensions of human well-being. It is a common commitment. Human flourishing will in a fuller definition, consist in the pursuit of practically reasonable practices or, in Nussbaum's terms, practically reasonable practices of valuable being or doing. These practices will, in a stable society, belong to, shape and be shaped by a *tradition* which, again adapting MacIntyre (1981: 222) will be a historically extended, socially embodied,

[11] Nussbaum has addressed this in many places: see especially 1986 10:iii; 1990:236, 1992: 315, 1993: 256.

revisable commitment to the exercise of a particular combination of complex and simple practices (ie the community's operational conception of their common good).

These definitions are necessarily open-ended because they will always have to be specified by local knowledge of what the practices actually are, how they relate to one another and what the value commitments are which lead to their pursuit. So, for example, the planting of a local rice variety will constitute a simple practice. Harvesting this rice will constitute a simple practice. The co-ordination of these practices with others such as storing, marketing, seed collection and their relationship to other agricultural activities will constitute the complex practice of farming. A community's ongoing pursuit of this complex practice as the primary complex practice which the community pursues will constitute, in part, a tradition.

A number of features of practices are worthy of note. First, communities are constituted by complex practices and sometimes by simple practices, in other words by social interaction. So practices should to some extent realise the good of sociability. Secondly, people learn practices from each other, primarily from those in the previous generation. If the social relations by which practices are communicated are disrupted, the practices may be lost or diminished. The changing of practices, such as the introduction into the community by the young of new ways of pursuing goods, may harm the social relations which are part of the old practice. Thirdly, a practice is shaped by its passage through time. In the course of this passage the goods which it realises may change. Fourthly, people learn of the dimensions of human well-being or flourishing experientially through practices. Fifthly, individuals or communities are capable of developing new simple practices as they seek to realise some good in a way different from that of the rest of their community. Until such activities coherently enable a good to be realised, they will remain only incomplete practices. A farmer may seek a new way of planting her wheat, but until the method of cultivation is successful and has been repeated it will not constitute a new practice. Sixth, at no point here is simply an abstract good(s) being pursued. The abstract good will only be pursued *in developing* a practice, even if that practice never actually becomes established, perhaps because it proves not to be a way of effectively realising the good. Seventh, when practices are destroyed, people's paths to enjoying the goods are destroyed. Given that practices, especially complex practices, may take generations to develop and that they are formed by their particular context, they are not easily or quickly replaced. Eighth, a practice need not be moral even though it is a form of pursuing a good. Finally, people challenge oppression by challenging practices which are immoral. This question of which practices are immoral requires us finally to consider principles to guide actual development decision-making procedures.

(4) Bridging Normative Capabilities and Development Process

Having established her account of basic human capabilities, Nussbaum seeks to describe the claim these make on public policy formulation. She begins by observing that '[t]he *basic intuition* from which the capability approach starts, in the political arena, is that human capabilities exert a *moral claim* that they should be developed' (1995b: 88 emphasis ours). She argues simply that '[i]t is the gap between potential humanness and its full realization that exerts a moral claim' (1995b: 89). This raises the question of how the link between a normative account of human functionings and the actual process of decision-making is to be made. This concern was identified in some way by nearly every contributor to *Women, Culture, and Development.* In its introduction, Martha Nussbaum writes:

> Among the issues on which consensus was not found in the present volume, this one appears the most urgent: should we give priority, in development ethics, to a procedural account and let that procedure generate our substantive moral conclusions? Or should we focus on the normative theory of human functioning and its defence…? (Nussbaum and Glover 1995: 9).

The work of Finnis suggests that this process versus theory question represents a false dichotomy at the heart of Nussbaum's development ethic, for by elaboration of the concept of practical reason his theory combines a normative conception of a person *with* procedural principles. In resolving this dichotomy his approach moves beyond the more restrictedly Aristotelian approach of Nussbaum, to make the capabilities approach more operationalisable.

In developing his account, Finnis begins with the concept of dimensions of flourishing – a human being's most basic reasons for acting. In other words, the foundations of his argument are premises of practical reason. Being incommensurable, these dimensions open up a horizon of possibilities as to how human development might be pursued. This accords with common human experience, when people recognise a range of worthwhile things they might do and seek reasons as to which option to choose. The task of deciding which possibilities are to be pursued and how to pursue them is the task of practical reason. Before inquiring into its key organising principles, Finnis identifies the general nature of practical reasoning. Its point, he observes, 'is the intelligent direction toward human fulfilment' (Grisez et al 1987: 120) Therefore, *the function of practical reasoning is to enable people or communities to make intelligent choices as to how to establish and use capabilities.* To facilitate its operational use, Finnis restates this function as a first principle of morality:

> In voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will toward integral human fulfilment (1987: 128).

The next step in Finnis' analysis is to seek to outline the basic (in the sense of irreducible and self-evident) principles of practical reasonableness which articulate the demand of the first principle of morality. In determining these other principles, Finnis observes,

> In the two millennia since Plato and Aristotle initiated formal inquiry into the content of practical reasonableness, philosophical reflection has identified a considerable number of requirements of *method* in practical reasoning. Each of these requirements has, indeed, been treated by some philosopher with exaggerated respect, as if it were the exclusive controlling and shaping requirement. For, as with each of the basic forms of good, each of these requirements is fundamental, underived, irreducible, and hence is capable when focused upon of seeming the most important … Each of these requirements concerns what one must do, or think, or be if one is to participate in the basic value of practical reasonableness… (1980: 102).

Philosophers have sought to know these principles by reflecting on the practical constraints in pursuing fulfilment in a human life limited by 'needs and vulnerabilities' such as personal energy, life-span, available material resources, changing circumstances including the possibility of unpredictable disruptions, the unique skills, history and circumstances of the individual or community, and the need for co-operation to realise many goals. Finnis suggests that such reflection will lead to the recognition of the following principles, listed in Table 3. He formulates them in terms of individuals making decisions about their own lives. But the principles concern the making of any decision, from the very individual to the most global, for the same constraints are present in the background of all types of human decision-making. Given the concern in this paper with community decision-making, in the following list we have, where necessary added reformulations (marked as P1, P2,) of his principles for the making of larger scale decisions.

Table 3 - Principles of Practical Reason

(Finnis, 1983: 75. See 1980: 108-126)

(1) [H]ave a harmonious set of orientations, purposes and commitments.
(P1) Seek to integrate the objectives and commitments and practices involved in and affected by any particular decision.
(2) '[D]o not leave out of account, or arbitrarily discount or exaggerate any of the basic human goods.'
(3) Do not arbitrarily discriminate between people.
(4) '[D]o not attribute to any particular project the overriding and unconditional significance which only a basic human good and a general commitment can claim'.
(5) '[P]ursue one's general commitments with creativity and do not abandon them lightly'.
(6) Employ efficient means to objectives
(7) '[D]o not overlook the foreseeable bad consequences of your choices'.
(P7) Seek to identify and take responsibility for predictable consequences of any decision on the full roster of well-being dimensions, even if these are unintended.

(8) '[D]o not deliberately harm any dimension of human well-being'
(9) [F]oster the common good.
(10) '[D]o not act contrary to your conscience, i.e. against your best judgement about the implications for your actions of these requirements or practical reasonableness and the moral principles they generate'.

These basic principles provide a framework for making any fully rational - in the sense of having taken into account *all* relevant considerations rather than in the much narrower sense of economic rationality - and therefore moral decision. Development decisions are moral decisions. Finnis' system claims that one can say with confidence that any alternative for action which does not contradict any of the basic principles, and which pursues one or more dimensions of human flourishing, is a moral alternative.

The task is how and how far to move from this general statement to an application of the principles, derived essentially for individual morality, to the procedures by which complex development decisions are made. As space would not permit the introduction of case studies, we offer a closing example of one principle.

The requirement to have a harmonious set of purposes and commitments involves the coordination of programmes with the existing purposes and commitments of the communities in the development area. Our discussion of the centrality of practices as the means by which capabilities are realised, stresses the importance of this co-ordination, as does the literature on the social costs of modernisation which documents the disintegration of societies under 'wanton' development (Apffel-Marglin and Marglin 1990, 1996). Such co-ordination will in the first place require local knowledge, gained by study or preferably by the participation of local people (powerful and powerless) in the decision-making process. It will then mean that *all* changes introduced during the development process should seek to build on or enhance existing practices. As development initiatives cause common commitments to change radically, maintaining harmony between the commitments and purposes of local communities is likely to require the involvement of that community in making new commitments, thus reconstituting not fragmenting the community. This being said, practices, or aspects of them, which *directly* harm any of the dimensions do not command respect and may be the object of reform. For example there is in Finnis' ethic no inherent value in or duty to respect any practice, such as female circumcision, which involves as an end or a necessary means deliberately choosing against a dimension of human capability (in this case, life and that aspect of self-integration which comes from the satisfaction of women's sexual desire).

To conclude, these principles, as 'theoretical' and 'prescriptive' as they may strike a development practitioner at first, actually lock into many currently recognised 'best practice' processes and their logic or rationality: sustainability, work for racial and gender equality, consideration of social and environmental impact; participation of the local community; justice framed as equality in capabilities space; investment in social capital; and the prevention of 'unintended' consequences leading to social disintegration and aggression, to name just a few. Furthermore, just as Finnis found that his array of general principles includes the principles which philosophers have voiced (even if in isolation and with exaggerated respect), so too the corollaries for policy match insight from a wide set of development authors and actors. From Onora O'Neill and the Kantians is the need to foster the common good; from Hilary Putnam, the pragmatists, and those drawing on Rawls and Habermas is the stress on process and pluralism; from Frederique Apffel-Marglin, Steve Marglin and their associates is the need to defer to a greater degree of cultural and moral diversity; from Robert Chambers is the need to 'use your own best judgement at all times', and from all advocates of participation - from Max-Neef to the World Bank - is the need to defer to local purposes and commitments so long as these do not work directly against a dimension of human well-being; from all sides is the need to promote efficient development and to alleviate poverty. These are only a few illustrations to show that essentially Finnis' principles might provide a way to structure and co-ordinate the rapidly evolving discussions in development ethics. In dividing the pre-moral basic goods from the moral/political obligation to promote them, this structure is far more flexible and responsive to differing institutional settings than Nussbaum's, and by virtue of the principles, it can articulate both the value and the moral difficulty of extant practices more precisely.

At this point, a realist theory of development is still likely to appear abstract and complicated. An analogy with the administrative law in common law countries may be helpful here. Administrative law provides a set of principles for the making of just decisions by the executive arm of government. Administrative decisions are judicially reviewable on the grounds not of the outcome of the decision, but that the process of making the decision ignored or violated one or more of the principles, and a decision could be required to be made again if the process by which it was arrived at had failed to consider relevant information. A practical reasoning theory of development ethics works in a very similar way: providing a framework for the making of just development decisions, and offering grounds for reviewing the procedures by which international agencies, nations and village councils make development decisions. One road to operationalisation would be for these agencies and governments to adopt the list of basic principles as a charter for the making of development decisions, and to institutionalise them by making their decisions reviewable on these grounds. We have attempted to render a more precise account of these grounds but it is only by applying them in the course of development decisions that their incisiveness, flexibility, and incompleteness will become clearer.

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